State of
New Hampshire

HOUSE RECORD

First Year of the 163rd General Court

Calendar and Journal of the 2013 Session

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Vol. 35 **Concord, N.H.** **Friday, March 1, 2013** **No. 20**

Contains: Meetings, Notices, Reports and Amendments for March 6.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House Session will be on Wednesday, **March 6th,** 10:00 a.m. With the large number of bills still needing House action, please be prepared for longer session days. The House will meet every Wednesday and likely some Thursdays through March.

Terie Norelli, Speaker

NOTICE

The House Finance Committee will be holding regional hearings on the state budget and members are encouraged to attend. The hearing schedule is as follows:
CONCORD, Thursday, **March 7** from 4:00 to 7:00 p.m. in Representatives Hall, State House, 107 North Main Street, Concord.
WHITEFIELD, Monday, **March 11** from 5:00 to 8:00 p.m. at White Mountains Regional High School, 127 Regional Road, Whitefield.
NASHUA, Monday, **March 11** from 5:00 to 8:00 p.m. at NH Community Technical College, 505 Amherst Street, Nashua.
CLAREMONT, Monday**, March 18** from 5:00 to 8:00 p.m. at the Sugar River Valley Regional Technical Center, 111 South Street, Claremont
ROCHESTER, Monday, **March 18** from 5:00 to 8:00 p.m. at the Rochester Community Center, 150 Wakefield Street, Rochester.

Terie Norelli, Speaker

NOTICE

There will be a meeting of chairs and vice chairs on Tuesday, **March 5th** 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**, March 6** at **9:00 a.m.** in Representatives Hall.

Rep. Stephen Shurtleff, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday**, March 6** at **9:00 a.m.** in Rooms 305-307, LOB.

Rep. Gene G. Chandler, Republican Leader

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*:	**AVAILABLE *FRIDAY:***
March 7	March 8
March 14	March 15
March 21	March 22

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES FOR 2013 SESSION

Thursday, March 7, 2013	Last day to report House Bills not in a second committee, except budget bills
Thursday, March 14, 2013	Last day to act on House Bills not in a second committee, except budget bills
Thursday, March 21, 2013	Last day to report all House Bills, except budget bills
	Last day to report list of retained House Bills
Thursday, March 28, 2013	Last day to report budget bills
	Last day to act on all House Bills, except budget bills.
Thursday April 4, 2013	CROSSOVER Last day to act on budget bills
Thursday, May 2, 2013	Last day to report Senate Bills going to a second committee
Thursday, May 9, 2013	Last day to act on Senate Bills going to a second committee
Thursday, May 30, 2013	Last day to report all remaining Senate Bills
	Last day to report list of retained Senate Bills
Thursday, June 6, 2013	Last day to act on Senate Bills
Thursday, June 13, 2013	Last day to form Committees of Conference
Thursday, June 20, 2013	Last day to sign Committee of Conference reports (4:00 pm)
Thursday, June 27, 2013	Last day to act on Committee of Conference reports

WEDNESDAY, MARCH 6
CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 327-FN, relative to payment of attorneys' fees for indigent parents in termination of parental rights cases. **OUGHT TO PASS.**
Rep. Ruth P Gulick for Children and Family Law: This bill assures that a parent or parents faced with the termination of their parental rights will have representation of counsel. This constitutionally long-held fundamental right will be provided irrespective of the parents' financial, emotional or intellectual capacity. **Vote 19-0.**

HB 651-FN-A, restoring funding and payment of fees by the judicial council for indigent parties. **INEXPEDIENT TO LEGISLATE.**
Rep. Dudley D Dumaine for Children and Family Law: This bill is identical to HB 671, except this bill includes an appropriation. HB 671 unanimously passed the committee. Thus, the committee felt HB 651 was not required. **Vote 19-0.**

COMMERCE AND CONSUMER AFFAIRS

HB 253, eliminating limitations on sales by nano breweries for consumption on the premises. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Joe W Scarlotto for Commerce and Consumer Affairs:: This bill as introduced would have repealed the serving size limitations on sale of beer samples by nano breweries for consumption on the premise. The amendment preserves the current sample size restrictions on nano brewery licenses that cost $240, and provides for an enhanced nano brewery license to allow them to be exempt from the sample limitations. The enhanced license of $240, for a total cost of $480, matches an already existing license for establishments that only sell beer and wine but must have food available for sale. **Vote 15-1.**

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. **INEXPEDIENT TO LEGISLATE.**
Rep. John B Hunt for Commerce and Consumer Affairs: The committee felt putting beer in the highway liquor stores would create more problems, conflicts and headaches for a commission that has enough problems just promoting NH wines. Selling warm beer at roadside liquor stores is just not going to work. **Vote 16-1.**

HB 320-FN, establishing a state bank. **INEXPEDIENT TO LEGISLATE.**
Rep. Jill S Hammond for Commerce and Consumer Affairs:: The intent of this bill was to establish a state bank, to hold public moneys and serve as a development bank. However, this would require substantial capitalization, a difficult undertaking in New Hampshire. Presently, development funding in this state is

already handled well through such organizations as the business finance authority, the community development finance authority, and the municipal bond bank. The committee learned that the state's banking needs are served quite sufficiently through accounts at several private sector banks, minimizing transaction fees through compensating balance arrangements, and in better times, traditional earnings. **Vote 19-0.**

HB 333-FN, relative to advertising of New Hampshire products by the liquor commission. **INEXPEDIENT TO LEGISLATE.**
Rep. Pamela Z Tucker for Commerce and Consumer Affairs:: The purpose of this bill is to direct the liquor commission to spend advertising money on our New Hampshire made liquor and beverages sold in the state liquor stores. While the committee wants to help our local businesses, it is not the legislature's responsibility to manage the liquor commission's advertising dollars. Additionally, the 5% of advertising money suggested in the bill to be allocated is arbitrary with no rationale for the amount. **Vote 18-0.**

HB 464, establishing a procedure for removal of condominium board members. **INEXPEDIENT TO LEGISLATE.**
Rep. Ruth S Heden for Commerce and Consumer Affairs: The accountability of condominium board members is one of the issues currently under review by the committee to study laws relating to condos and homeowner associations, and they identified many interrelated issues. They plan further research before proposing new legislation. **Vote 19-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 274-FN, requiring a mandatory minimum sentence for class B burglary. **INEXPEDIENT TO LEGISLATE.**
Rep. Steve Vaillancourt for Criminal Justice and Public Safety: The sponsor of this bill noted that it was filed due to a constituent request. The committee is hesitant to pass anything based on a single episode, especially when the bill would remove judicial discretion and cause longer prison terms (at a cost of approximately $35,000 a year). The committee does not believe a class B burglary should require an incarceration term of at least three years. **Vote 19-0.**

HB 348, relative to determining the period of license revocation for driving under the influence. **INEXPEDIENT TO LEGISLATE.**
Rep. Mark Warden for Criminal Justice and Public Safety: The committee unanimously decided this legislation was unneeded. Testimony suggested that the bill, if passed, would remove judicial discretion in sentencing. The New Hampshire State Police indicated it might also be difficult to implement without additional changes to its information technology systems. **Vote 19-0.**

EDUCATION

HB 142, relative to teacher evaluation systems. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Rick M Ladd for Education: This bill as amended states that school boards shall develop, with involvement of teachers and principals, for adoption, any teacher evaluation and support system to be used in the school district or school for the continued improvement of instruction. Any teacher or evaluation and support system provided by DOE or as approved by the state board may serve as a guide or reference. This is much like the curriculum frameworks that also serve as a guide and reference. **Vote 17-1.**

HB 180, relative to the definitions of "student athlete" and "student sports" for the management of concussion and head injury. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Rick M Ladd for Education: During the previous biennium, legislation was passed requiring that school districts have policies in place for the management of concussion and head injuries in student sports, grades 9-12. This bill extends the definition of "student athlete" and "student sports" to include students involved in any intramural sports program conducted outside the regular teaching day or in competitive sports programs between schools in grades 4-12. Due to the growing awareness of the potential long term health effects from concussions that occur when a person suffers a jarring hit or fall, this change better serves all student athletes. **Vote 18-0.**

HB 269-L, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Ralph G Boehm for Education: This bill puts into law a provision for cities or towns to hold a special meeting, without court approval if there is a change in the school funding formula. This law also has the budget committee, if one, to be involved in any budget changes. Parts of this provision have been put into the adequacy funding changes in the past. This puts it into law for future changes. The amendment makes it clear that this provision is only effective if the funding formula changes after the school district meeting, and only if the formula change is for that budget year. **Vote 17-0.**

HB 321-FN-L, requiring proficiency on the statewide assessment for high school graduation. **INEXPEDIENT TO LEGISLATE.**
Rep. Mel Myler for Education: After considering the merits of the bill, the committee felt the bill was not necessary in lieu of the pending change to the common core curriculum to be implemented throughout the state. The common core provides an aligned curriculum with periodic assessments in a student's educational experience. Research indicates that a single "high stake" test does not adequately demonstrate the total academic achievement of a student. **Vote 19-0.**

HB 322-FN-L, requiring proficiency on the statewide assessment for advancement to grades 4 and 8. **INEXPEDIENT TO LEGISLATE.**
Rep. Mel Myler for Education: After considering the merits of the bill, the committee felt the student testing will be amply covered with the implementation of the common core curriculum. The common core provides an aligned curriculum. Throughout the students' educational experience, there is on-going student academic progress assessment that examines both the achievement of content and skill development. Statewide assessment for advancement to grades 4 and 8 is not necessary due to the continuing assessment of students. **Vote 17-1.**

HB 324-FN-L, relative to the school district budget for kindergarten. **INEXPEDIENT TO LEGISLATE.**
Rep. June M Frazer for Education: This bill would require that "the school board, if the school district is not controlled by the municipal budget act, shall prepare a separate budget for expenses and revenues related to kindergarten for the annual or any special meeting, which shall not be included in the budget required under RSA 197:5-a." Members of the committee saw no need for this change, and members familiar with school district budgeting observed that such a procedure would be so complicated as to be all but impossible. Additionally, it would cost money for both school districts and the department of revenue administration, a representative from that department testified. For all these reasons, the committee unanimously voted to find the bill inexpedient to legislate. **Vote 18-0.**

HB 479-FN-L, relative to the creation and division of school districts. **INEXPEDIENT TO LEGISLATE.**
Rep. Beth R Arsenault for Education: This bill would allow any group of ten residents to create its own school district with no consent from the school district or its residents. It further allows those residents to take their tax dollars with them. The new district could be exempt from state mandates and waive state funding. The committee was concerned that the new district could cherry-pick higher taxed properties to the detriment of the original district and could create uncertainty with school budgeting. **Vote 18-0.**

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. **OUGHT TO PASS.**
Rep. Mel Myler for Education: After reviewing the merits of the proposal it was recognized that military personnel go through a rigorous education and training in order to perform their duty. This learning and experience should be credited to future higher education endeavors. **Vote 18-0.**

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. **INEXPEDIENT TO LEGISLATE.**
Rep. Judith T Spang for Education: This bill proposes an ambitious program based on one overseen by the sponsor in Massachusetts, designed to enhance high tech education and career –readiness for UNH students. The dean of UNH Manchester attested to the university's many similar initiatives to wed course work with work experience at high tech companies, with the ambitious goal of graduating twice as many high-tech students by 2025. The committee felt this bill is unnecessary, and would divert time and effort from the university for little gain. The UNH administration will continue to work the sponsor for his input on its ongoing programs. **Vote 18-0.**

HB 563-FN-L, relative to tuition and transportation payments for students attending a vocational education program. **INEXPEDIENT TO LEGISLATE.**
Rep. James L Grenier for Education: This bill was drafted to require all funds for vocational tuition and transportation be used exclusively for the vocational education program. It is often the case that regular and vocational programs overlap and costs are shared. Payments are made from general funds for both programs and partitioning vocational revenues from other funds would not be practical. Schools must have the flexibility to expend funds as needed. **Vote 18-0.**

HB 626, prioritizing school building aid funds for a high school in which accreditation is probationary or has been revoked. **INEXPEDIENT TO LEGISLATE.**
Rep. Rick M Ladd for Education: Accreditation through the New England Association of schools and colleges should not be used to elevate one school over another in terms of school construction funding. Prioritizing school construction or renovation projects is a decision for DOE, the school building authority, and the state board based upon state criteria and conditions identified for funding and not those of another organization such as NEASC. Not all high schools in the state are accredited; this is a local decision, however, the recommendations made by a hand-picked accreditation team invited by the school to be evaluated, should not be used to circumvent the states prioritization process. **Vote 16-2.**

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. **INEXPEDIENT TO LEGISLATE.**
Rep. Judith T Spang for Education: This bill would establish a NH scholars program for students pursuing a degree at the university system of NH who have a grade point average of at least 3.0. There is currently no state-funded scholarship program at the university system. Revenue would come from a cigarette tax in excess of $1.00 over the current tax rates, which would not be assured. The committee was most concerned that all tobacco tax revenues under TSA 198:39, I (a) would be removed from the general education trust fund. This would further reduce funds going to K-12 education including adequacy funding, kindergarten and charter schools. **Vote 17-0.**

ELECTION LAW

HB 148, relative to electoral college electors. **INEXPEDIENT TO LEGISLATE.**
Rep. Mary Ann Knowles for Election Law: This bill would adopt the interstate agreement to elect the President of the United States by popular vote. States adopting the agreement pledge to award all of their electoral votes to the presidential candidate who receives the greatest number of popular votes in the country. The committee agreed that, under our federal system of government, we are a sovereign state, and our voters value their independence and want each of their votes to count. Entering into this compact could also lessen the importance of New Hampshire's esteemed First in the Nation Primary. **Vote 17-0.**

HB 206, relative to political advertising. **OUGHT TO PASS.**
Rep. Mary Ann Knowles for Election Law: This bill modifies restrictions on removal of political advertising. It clarifies the current statute to specify who may remove advertising from private property, and adds the specified period of one week after each primary and general election during which the candidate may retrieve signs that have been collected and retained by town maintenance or law enforcement personnel. **Vote 17-0.**

HB 308, relative to technical changes to election laws. **OUGHT TO PASS.**
Rep. Evelyn M Connor for Election Law: This bill has three purposes: 1. It authorizes city and town clerks to issue copies of the checklist, in addition to the supervisors of the checklist, which offers the public more hours in which to obtain said copies. 2. It requires the printing of the primary election sample ballot to be on tinted paper. This will make the law consistent for both the primary and general election and is the current practice. 3. It clarifies reporting obligations of political committees, so that when political committee expenditures or receipts exceed $500, the committee must continue reporting through the remainder of the election cycle. **Vote 17-0.**

HB 406, relative to the availability of contribution information in lobbyist statements on the Internet. **INEXPEDIENT TO LEGISLATE.**
Rep. Shawn N Jasper for Election Law: While the committee agrees with the goal of the legislation, we recognized that there would be a cost associated with that goal and we are not willing to recommend any additional expenditure at this time. The sponsor of the bill spoke with representatives of the secretary of state's office and is satisfied that as time and advancing technology allow, the information which he would like to see on the secretary of state's web site will be posted. In the meantime all of the information is available for the public review in the office of the secretary of state. **Vote 17-0.**

HB 521, establishing a committee to study New Hampshire election laws and procedures. **OUGHT TO PASS.**
Rep. Mary L Till for Election Law: This bill will establish a study committee to review election laws and procedures. There are over 200 pages of instructions regarding how to conduct elections. Over half of the bills before the committee had to do with the conduct of elections. It has been many years since we have taken a comprehensive look at election procedures. This bill will give us the opportunity to streamline, clear up contradictions and perhaps simplify the procedures. **Vote 17-0.**

HB 601, requiring ballot measures to be in plain English. **INEXPEDIENT TO LEGISLATE.**
Rep. Mary L Till for Election Law: This bill requires ballot measures to be in plain English. The committee is concerned that there is no simple definition of plain English. Currently every effort is made by the secretary of state to be as clear and concise as the ballot measure itself makes possible. The committee takes the position that this bill adds nothing to existing practices. **Vote 17-0.**

HB 612, requiring a disclosure statement by persons seeking a party's nomination for elective office. **INEXPEDIENT TO LEGISLATE.**
Rep. Shawn N Jasper for Election Law: While the committee is supportive of full disclosure by candidates and office holders, we believe that the declaration of candidacy form is not the proper venue for the disclosures sought in this bill. The bill is unclear as to whether all the disclosures are mandatory or optional, but the plain reading of the bill and the testimony of the sponsor seems to make them mandatory. The bill would require candidates in a primary election to state that they agree with their party platform or point out the

areas with which they disagree, something few of us could likely do on any given day. Among other disclosures, it would require candidates to list the clubs and non-governmental or non-profit organizations with which they are, or are likely to become, affiliated. It would also require candidates to agree that they would not vote or participate in matters in which they have a pecuniary interest, something that goes well beyond the requirements of law or ethics guidelines. **Vote 17-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 319-FN, relative to benefits for state employees serving in the armed forces. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Mary S Nelson for Executive Departments and Administration: This bill as amended increases benefits for state employees called to active duty with New Hampshire National Guard or Navy, Army or Air Force reserve units. It provides that a regular employee of New Hampshire who uses 15 days leave of absence, shall in addition, be entitled to up to 30 days of partial pay as defined in RSA 110-B:37, IV(a)(1) for any additional military drill or training under military authority. It allows a returning service member to use up to 15 days annual leave before returning to work and provides adjustments should inadequate amounts of leave be accrued. The committee was told the associated costs were indeterminable. **Vote 18-0.**

HB 372, relative to state agency telecommunications services. **OUGHT TO PASS.**
Rep. Jeffrey P Goley for Executive Departments and Administration: The state is in the process of moving from the Centrix system of telephone service to a voice over internet protocol or VOIP system, which will save the state a considerable amount of money. In the transition, the oversight of the new system is going from the department of administrative services to the department of safety. The department of administrative services had been exempt from the rule making process of 541-A in order to write a manual containing comprehensive uniform procedures, practices, instructions, and billing processes for the telecommunication service. This bill gives the department of safety the same exemption from 541-A so that it can write a new manual for the new system, as well as revise it from time to time as needed. **Vote 16-0.**

HB 395-FN, relative to the prohibition on the use of state funds to hire lobbyists. **INEXPEDIENT TO LEGISLATE.**
Rep. Frank A Byron for Executive Departments and Administration: This bill attempts to restrict the recipients of state funds from using the funds, directly or indirectly, to lobby or attempt to influence legislation. Further, the bill would require a 5-year delay in the hiring of any former registered lobbyist. The committee members believed that the bill, as written, was too broad and would potentially impact municipalities' ability to protect their interests and may potentially impact the ability of the governor to make executive appointments. **Vote 15-0.**

HB 558, relative to disclosure of information regarding charitable solicitations. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Romeo Danais for Executive Departments and Administration: This bill has to do with reporting the percentage retained by a solicitor for a charitable trust. The bill requires this information to be disclosed in a website directory maintained by the attorney general's (AG) office and be available to the general public at no cost. This information is already being tracked by the AG's office and will not cause any additional cost to the state. **Vote 16-1.**

HB 561-FN, abolishing the department of cultural resources. **INEXPEDIENT TO LEGISLATE.**
Rep. Lucy M Weber for Executive Departments and Administration: This bill, in addition to abolishing the department of cultural resources, would transfer the division of libraries and the division of historical resources to the department of state, and would transfer the film and television commission to the department of resources and economic development. There was overwhelming testimony that the relatively modest amounts expended on the department of cultural resources returns enormous benefits to the state. The department promotes programs which enrich the lives of our individual citizens, make the state a more desirable place to live, help artists and art organizations with marketing and business strategies, encourage tourism, enhance the revenue of other businesses and of the state, and attract nearly a million dollars of federal grant money to the state. The secretary of state's office noted that they do not have staff qualified to absorb the two divisions proposed for transfer to them, and gave their opinion that any savings would be negligible. The transfer would leave the two divisions without the capacity to attract and manage grants, which would, in turn, impact services. The committee members concluded that the current structure is working well, and enhances not only quality of life, but business and state revenues. The state dollars spent are leveraged to provide greatly enhanced returns both to private businesses and through them, to the state as well. The committee members believe that the demonstrated benefits provided by the current structure greatly outweigh any potential short-term savings. **Vote 17-0.**

FINANCE

HB 252, consolidating the property appraisal division and the municipal services division of the department of revenue administration. **OUGHT TO PASS.**
Rep. William A Hatch for Finance: This bill consolidates the property appraisal division with the municipal division of the department of revenue. The consolidation is part of the department of revenue's efforts to improve the operational efficiency in the various divisions. This allows a reduction in the work force of close to twenty positions which in turn means considerable savings. This bill as amended by amendment 2013-0094h was voted Ought to Pass by Executive Departments and Administration with a unanimous vote. **Vote 25-0.**

HB 254-FN-A, abolishing certain positions in the liquor commission. **OUGHT TO PASS.**
Rep. Lynne M Ober for Finance: This bill makes a technical correction to an amendment included in HB 2, Chapter 144, Laws of 2009. It abolishes three duplicative positions in the state liquor commission. As part of the liquor modernization act (included in HB 2, 2009), the three main department heads were converted from classified "chief" to unclassified "director" positions. Due to turmoil in the commission, it was not until 2012 that the final establishment of the director positions was completed with SB 234, Chapter 226 and the classified positions were maintained in parallel with the unclassified positions. This bill completes the process by abolishing the classified positions. In 2009, an attempt was made to abolish these three positions in one of the amendment to HB 2, but the language was incorrect and the DAS commissioner testified that she was unable to "abolish" the positions until clarifying language clearly stating "abolish" was passed. This bill passed through the policy committee (ED&A) unanimously and was sent to Finance as a second committee **Vote 25-0.**

HB 394-FN, relative to transfer of funds by the liquor commission. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Lynne M Ober for Finance: This bill makes a technical correction to an amendment included in HB 2, Chapter 144, Laws of 2009, which resulted in the liquor modernization act. The amendment corrects a drafting error in the original bill. As amended, this bill makes transfers within the liquor commission consistent with established policy by ensuring that the liquor commission must work within the constraints of RSA 9:17-a and RSA 9:17-c. The bill still allows the liquor commission to transfer up to 5 percent of its budget in order to accomplish its mission. It also clarifies what information needs to be provided to the Fiscal committee about any transfers by stating that the purpose of the transfer must be sent to the Fiscal committee when transfers are reported. **Vote 25-0.**

FISH AND GAME AND MARINE RESOURCES

HB 276, relative to wildlife resistant solid waste storage and disposal. **INEXPEDIENT TO LEGISLATE.**
Rep. Dennis Reed for Fish and Game and Marine Resources: This bill required owners of solid waste containers which are attracting nuisance wildlife to store or dispose of such waste in a wildlife resistant manner and would, if passed, put undue expense on the entire state and container suppliers. **Vote 14-0.**

HB 304-FN, relative to OHRV registration transfer fees, removing the penalty of completion of a training program for certain OHRV and snowmobile violations, and deleting OHRV and snowmobile vanity plates or decals. **OUGHT TO PASS.**
Rep. Dennis Reed for Fish and Game and Marine Resources: This bill corrects the designation of a portion of an OHRV registration and deletes the requirement that persons convicted of violating statutes on speed limit, safe speed or decibel limits on noise successfully complete an OHRV or snowmobile training program. The bill also deletes the authorization for OHRV and snowmobile vanity plates or decals. **Vote 14-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 121-FN, requiring drug testing of applicants for Temporary Assistance to Needy Families (TANF). **INEXPEDIENT TO LEGISLATE.**
Rep. Susan J Ticehurst for Health, Human Services and Elderly Affairs: This bill denies benefits to TANF applicants who test positive for drug use. The committee voted Inexpedient to Legislate for a number of reasons. The small savings from reducing payments to disqualified parents would be exceeded by reimbursements to qualified parents for testing costs. Legal expenses would be incurred, as the Fourth Amendment prohibits suspicion-less searches of entire groups of citizens such as TANF beneficiaries, whose rates of drug use and abuse are typically no higher than those found in the general population. Applicants would be required to disclose private medical information, while there is no exemption for legal use of prescription drugs. There is no appeal process for false positive test results. Children would particularly be harmed by the reduction in household resources for basic essentials such as housing, food and transportation. Costs would be shifted to municipalities as parents turn to them for help. Finally, the bill does not meet its goal of offering assistance to people who may be using drugs, since no support is provided for treatment, which may be inaccessible to impoverished parents. This bill benefits neither families nor the state. **Vote 16-1.**

HB 293, relative to the adverse events reporting system. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Thomas M Sherman for Health, Human Services and Elderly Affairs: The bill would update the adverse events reporting system by which adverse health care events are reported by hospitals and ambulatory care centers to the commissioner of the department of health and human services. The system would use the national quality forum, a national standard for reporting, as its benchmark. HB 293 allows amendments to the national quality forum to be incorporated by reference. In addition, the bill also outlines reporting requirements for events such as the hepatitis C exposure at Exeter Hospital. The amendment clarifies that such reporting will be based on intentional exposure of another person to a blood borne disease rather than only if there is documented transmission of that illness. Vote 17-0. **Vote 17-0.**

HB 417, establishing a commission to study creating a New Hampshire plan for Alzheimer's disease. **INEXPEDIENT TO LEGISLATE.**
Rep. James R MacKay for Health, Human Services and Elderly Affairs: The committee strongly supported the establishment of a study committee on dementia and Alzheimer's disease. This condition represents a significant health issue particularly among the elderly. To expedite this study, the committee recommended that the Health and Human Services Oversight Committee appoint a subcommittee to conduct the study. Subsequently, the Oversight Committee did authorize the formation of the dementia and Alzheimer disease subcommittee and has appointed a chair for the subcommittee. Therefore, this legislation is not needed. **Vote 20-0.**

HB 432-FN, relative to health care costs for county and state inmates. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Stephen J Schmidt for Health, Human Services and Elderly Affairs: Current law establishes reimbursement schedules for hospitals and health care facilities (as defined in the applicable RSA's) providing health inmate care services to a set percentage amount in excess of the standard Medicare reimbursement rate. Presently, most outpatient health care providers are reimbursed at the full rate. This bill allows county and state correction officials to have the opportunity to reduce inmate health care costs by entering into contractual agreements with hospitals and health care providers as defined. The bill is supported by county and state corrections and unopposed by the NH hospital association. **Vote 20-0.**

JUDICIARY

HB 228, relative to insurance fraud. **OUGHT TO PASS.**
Rep. Frank H Heffron for Judiciary: This bill, requested by the insurance department, establishes venue for offenses relating to insurance fraud. It provides that in any prosecution for such offenses, the offense shall be deemed to have been committed in any of six different locations, including the county or judicial district in which any element of the offense was committed, or in which the insurance policy provides coverage, or in which money was received for the fraudulent act. The committee concluded that this is necessary because an offender, for example, may be located in one place and mail fraudulent documents from another place in regard to insured property in yet another. **Vote 16-1.**

HB 413, making relinquishment or abandonment of leased premises a defense for landlords. **OUGHT TO PASS WITH AMENDMENT.**
Rep. David Woodbury for Judiciary: This bill as amended gives landlords an alternative to an unnecessary eviction procedure when a tenant relinquishes or abandons a leased premise. If the circumstances of a tenant's departure meet the requirements of this bill, a landlord has a defense to a lawsuit for an illegal eviction if such should be filed by the tenant at a later date. **Vote 19-0.**

HB 426, relative to payment of costs and fees in guardianship cases. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Frank H Heffron for Judiciary: This bill relates to payment of costs and fees in guardianship cases. The bill as introduced provides that in certain cases fees for counsel for the petitioner, as well as for counsel for the proposed ward, should be borne by the proposed ward. The committee approved an amendment proposed by the court administration providing that fees for counsel for the petitioner should be borne by the proposed ward only if the court has granted the petition to establish a guardianship; the awarding of costs, expenses, and fees from the assets of the ward will not cause undue hardship to the ward; and the costs, expenses, and fees are reasonable and necessary. The committee concluded that the bill as amended sets appropriate standards for the award of costs, expenses, and counsel fees of the petitioner from the assets of the proposed ward. **Vote 18-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 440, relative to new hire reports to the department of employment security. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Kevin P St. James for Labor, Industrial and Rehabilitative Services: This bill as amended is a request of the department of employment security (DES). It brings New Hampshire in compliance with the unemployment compensation integrity act of 2011 by requiring New Hampshire employers to report to the department

as "new hires" (1.) Individuals whom they have previously terminated from employment and who have come back to work for them after more than 60 consecutive calendar days; and (2.) individuals with whom they had previously contracted for services for a fee exceeding $2,500 and with whom they are again contracting for such services after a separation of more than 60 consecutive calendar days. **Vote 13-1.**

LEGISLATIVE ADMINISTRATION

HB 555, relative to the content of fiscal notes for bills. **INEXPEDIENT TO LEGISLATE.**
Rep. Joel F Winters for Legislative Administration: This bill would require the Legislative Budget Assistant to prepare expanded fiscal notes, analyzing the legislation's costs and benefits, effects on businesses, and other economic impacts. While the committee appreciated the sponsors' intent in seeking more information for legislation and considered scaled back versions, we ultimately felt it would not be practical to put the additional analysis together in a timely manner. **Vote 12-0.**

HB 613-FN, relative to procedures and authority for the redress of grievances. **INEXPEDIENT TO LEGISLATE.**
Rep. Joel F Winters for Legislative Administration: This bill would statutorily create a redress of grievances committee in the legislature with a wide range of powers, including overturning actions by government agencies, awarding restitution from the treasury, initiating removal proceedings against judges and attorneys, and forcing state agencies to change their policies or even recommending their dissolution. The committee felt this amount of power in the hands of a legislative committee was inappropriate. **Vote 12-0.**

PUBLIC WORKS AND HIGHWAYS

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. **INEXPEDIENT TO LEGISLATE.**
Rep. John R Cloutier for Public Works and Highways: The committee is very grateful to the sponsor for his recognition of the need to fix our roads, bridges, and his willingness to introduce a bill to address the problem. However, the committee believes that the issue is more comprehensively addressed in House Bill 617. **Vote 16-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 428, relative to funds for dam maintenance, removal and improvement. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Suzanne J Smith for Resources, Recreation and Development: This bill allows municipalities to apply to the dam maintenance revolving loan fund. Presently only privately owned dams are eligible to apply to the fund for loans. Municipalities own 358 of the active dams in this state and many of these dams are in need of repair or have outlived their purpose. HB 428 provides low-cost loans which can be used to maintain, repair, improve or remove a dam. The amendment assures that if a borrower defaults on the loan that the state is not liable for taking on ownership and responsibility for the dam. **Vote 19-1.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 524, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Leon H Rideout for State-Federal Relations and Veterans Affairs: The major thrust of this bill is to enable the adjutant general to accept federal funds as they become available in order to improve both state and federal facilities. In the past, money has been returned because the state has not been able to react in a timely manner. This bill also cleans up language in the scholarship program and clarifies not extending pay and benefits to non active duty personnel. Adjutant general supports this bill and there was no opposition testimony heard. **Vote 13-0.**

HCR 1, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Robert L Theberge for State-Federal Relations and Veterans Affairs: A similar resolution was passed by the legislature in 2010 to meet the medical needs of our veterans who deserve a full-fledged VA Hospital and specialty clinics. This legislation ensures that the needs of our veterans are met and recommends that New Hampshire have a pilot program whereby each veteran would be issued a medical card to be used in all hospitals, clinics and any medical facility throughout the state. **Vote 10-0.**

TRANSPORTATION

HB 282, relative to mixed use school buses and relative to licensing and criminal records of driver education instructors. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Sherman A Packard for Transportation: This bill, as amended, adds sport utility vehicles to the definition of mixed school bus use. It also allows the department of safety to require a criminal record check for

every applicant of an initial driver education instructor certificate. The amendment states that a condition for employment at the department of safety may be required to submit to a background investigation and a criminal history records check. **Vote 14-0.**

HB 332-FN-A-L, relative to antique vessel registration. **INEXPEDIENT TO LEGISLATE.**
Rep. Timothy A Soucy for Transportation: The passage of this bill would negatively impact the federal coast guard recreational boating safety grant that provides almost half the funding for the marine patrol and could jeopardize the eligibility for the grant which brings in more than $1 million dollars a year. **Vote 12-0.**

HB 383, relative to operation of OHRVs on the traveled portion of public highways, where permitted. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Michael B O'Brien for Transportation: This bill will require a OHRV operator who is not licensed to drive and a youth operator to be in the company of an operator 18 years or older, and responsible and liable according to the law for the personal injury or property damage to others which may result from such operation by an unlicensed person. The amendment replaces the bill. **Vote 14-1.**

HB 444, establishing a committee to study the use of autonomous vehicles in New Hampshire. **OUGHT TO PASS.**
Rep. Tim O'Flaherty for Transportation: Autonomous vehicles have enormous potential to provide transportation for elderly and disabled drivers as well as provide a low cost transportation option for those currently without a vehicle. In addition to these potential benefits, autonomous vehicles may be the single best way to reduce automobile casualties. This bill would form a study committee at no expense to the state to examine in what areas the state may assist deployment of autonomous vehicles by defining a legal framework for them to operate in New Hampshire. **Vote 14-1.**

HB 500, requiring the department of safety to maintain a division of motor vehicles driver licensing and registration office in Belknap county. **INEXPEDIENT TO LEGISLATE.**
Rep. Michael B O'Brien for Transportation: The committee feels it is not appropriate to mandate the department of safety to open an office in Belknap County. However, to provide an office for the area, the committee recommends the finance committee review the matter with the DOS to see if the needs of Belknap County can be met in the budget. **Vote 16-0.**

WAYS AND MEANS

HB 488-FN, changing the definition of "cigarette" under the tobacco tax to match the definition of "cigarette" under the Master Settlement Agreement. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Thomas C Schamberg for Ways and Means: This brings the definition of "cigarette" in conformity with RSA 541-C:2, IV, to ensure diligent enforcement of the Master Settlement Agreement RSA 541-C and RSA 541-D and that we will continue to bring in $42M a year under the MSA. The assistant attorney general stated failure to pass this bill will put annual payments in jeopardy, and agreed to the amendment. **Vote 18-0.**

HB 520, establishing a committee to study implementing Keno in New Hampshire. **OUGHT TO PASS.**
Rep. David W Hess for Ways and Means: This bill establishes a joint legislative committee to study the implementation of keno. Keno is a form of gambling which is quite different from the lottery, charitable gambling and casino gambling. It has not been independently analyzed and studied by any state committee or commission in recent history, if at all. The committee voted to establish the study committee rather than consider the prime sponsor's proposed amendment which would have established Keno without any study. This bill was requested by the state lottery commission. **Vote 17-1.**

WEDNESDAY, MARCH 6
REGULAR CALENDAR – PART I

PUBLIC WORKS AND HIGHWAYS

SB 115, naming a bridge in the town of Whitefield. **OUGHT TO PASS.**
Rep. Gene G Chandler for Public Works and Highways: This bill names a bridge over the Johns River in Whitefield after the Burns family, a family of long standing in the town of Whitefield. Starting with Major John Burns back in the 1770's, one of the original organizers and most active among the pioneers of the town, through House Speaker and State Senator Harold Burns, and other distinguished members of the family. The Burns family has a long history of community service to Whitefield, the North Country and the State of New Hampshire. **Vote 17-0.**

CHILDREN AND FAMILY LAW

HB 260-FN, relative to voluntary services provided by the department of health and human services to children in need. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Patrick T Long for Children and Family Law: This bill as amended addresses the needs expressed by police and school districts throughout the state. It creates a broad voluntary CHINS (children in need) program. It also requires that appropriate voluntary services have been attempted and were unsuccessful prior to the petition being filed. The amendment replaces the entire bill. **Vote 19-0.**

HB 625-FN, relative to oversight of guardians ad litem by the guardian ad litem board. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Kelleigh D Murphy for the **Majority** of Children and Family Law: This bill would have created a full-time administrative position to distribute guardian ad litem performance surveys to parties in a divorce case. While the intent is well-meaning, and the committee feels that data on guardian ad litem performance is important, the committee had concerns that parties might be inherently biased, and that perhaps judges, attorneys, and court staff would be the more appropriate parties to survey. **Vote 17-2.**
Rep. Jeffrey D Oligny for the **Minority** of Children and Family Law: The performance of the guardian ad litem system in New Hampshire is not being monitored. No data exists to demonstrate the favorable performance of ongoing chronic problems. Analyzing performance ensuring that the children of New Hampshire are receiving services is in their best interests.

HB 671-FN, restoring state payment of fees for guardians ad litem and attorneys where the parents are indigent. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Cynthia L Chase for Children and Family Law: This bill restores funding for indigent parents in abuse and neglect cases. This is a critical stage for parents who are in danger of losing their children. The committee believes that parents deserve advice of counsel at this critical stage. The committee voted to support the bill in an effort to insure that a parent's rights to parent their children in these cases is adequately protected. The amendment replaces the bill. The original bill also funded guardians ad litem in marital cases. **Vote 19-0.**

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. **INEXPEDIENT TO LEGISLATE.**
Rep. Deanna S Rollo for Children and Family Law: This bill revises the membership and duties of the guardian ad litem board. It also transfers administration of the guardian ad litem board from the department of administrative services to the joint board of licensure and certification. The committee felt there were technical and structural problems with adding this to the joint board. Furthermore, the joint board said they do not have the resources. **Vote 18-1.**

COMMERCE AND CONSUMER AFFAIRS

HB 315-FN, relative to liquor commission discounts. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Jill S Hammond for the **Majority** of Commerce and Consumer Affairs: This legislation would eliminate the current distinction in the discount applicable on purchases of wines by off-premise retail license holders from the liquor commission. Those licensees with wine purchases under $350,000 annually get at least a 15%-20% discount; larger retailers with annual purchases above that amount receive at least a 10% discount. Allowing all retail licensees the larger discount would have resulted in a revenue decrease to the state liquor commission between $4.7 million and $5 million annually over the next four fiscal years. **Vote 15-3.**
Rep. Laura M Jones for the **Minority** of Commerce and Consumer Affairs: This bill would have equalized the wholesale discount rate, on wine, for all retailers. Current law gives smaller retailers a greater percentage

discount than larger retailers. The New Hampshire Constitution Part 1, Article 1 states that government is instituted for the general good. In other words, legitimate actions of government must benefit all equally at the time they are taken.

Therefore, government should not pick winners and losers. The minority believes that there should be a level playing field for all retailers, and that government should not interfere with the operation of the free market by setting different rates.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 382-FN, reducing the nonresident fee for obtaining a license for a pistol or a revolver. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: This bill would reduce the fee for out-of-staters to obtain a pistol permit from $100 (for four years) to $20. The bill would cost the state, based on current applications, $428,880 a year. More than 20 states recognize the New Hampshire permit, so in a sense the fee is a bargain for those applying here. If anything, the committee felt the fee could be increased. For that reason, the committee voted Inexpedient to Legislate on this 80 percent decrease. **Vote 17-2.**

EDUCATION

HB 299-FN, relative to tuition payments for chartered public school pupils. **OUGHT TO PASS.**

Rep. Ralph G Boehm for Education: This bill amends RSA 198:42 IV to read the same as it did prior to 2011. This law was changed in 2011 and had the undesired effect to stop future funding of new charter schools. Discussions with the attorney general's office stated that returning the law back to its original language would allow the board of education to remove the moratorium on new charter schools. The current moratorium may also cause the loss of federal grant money for new charter schools. **Vote 11-8.**

HB 570-FN, relative to school building aid grant eligibility for the White Mountain Regional school district. **OUGHT TO PASS.**

Rep. Rick M Ladd for Education: White Mountains Regional School District's Career and Technical Center (vocational education) is due to receive state aid in FY 14. Most often, when a CTE renovation project is awarded, it makes sense to do other needed work on the high school portion of the facility at the same time; however, funding for the high school portion of the project involves a separate funding source from school building aid. Originally, the CTE project (75% funding) was scheduled for the 2012 – 2013 biennium. Due to other state CTE projects, the White Mountains Regional Career and Technical Center renovation project was bumped into the 2014 – 2015 biennium. In accordance with HB 2, Chapter 224, 2011 session, adopted legislation directed the commissioner of education not to issue building aid or alternative school building aid for any project approved on or after June 30, 2011 through June 30, 2013. This period of time is commonly known as the school building aid moratorium. The moratorium was enacted due to existing state approved school building aid debt equaling $540,000,000. During the moratorium period, RSA 198:15 was significantly changed in order to insure that funding for future building aid grants would be appropriated by the general court. Beginning on July 1, 2013, the capped amount is not to exceed $50M annually. The new procedure also requires school construction and renovation grants to address certain criteria and conditions and grants will be prioritized by a process involving DOE and the state building authority with the state board approving and notifying recipients by January 15, 2014 of this school year.

The moratorium period did provide an exception to receive building aid if a building or portion thereof constituted a clear and imminent danger to the life or safety of occupants or other persons, and required remediation prior to July 1, 2013. Although White Mountains Regional High School does have concerns, the district did not submit a renovation grant under this provision. No request was submitted to DOE.

Due to the CTE grant falling into the timeframe of the school building aid moratorium and due to the original CTE grant scheduling change, White Mountains Regional High School is requesting an exemption from the moratorium and asking that the school district obtain legislative approval to submit a building aid grant application based upon the "old" funding formula that preceded the moratorium. Under the previous formula, applications were not rated upon the new application conditions, i.e., safety, grounds, educational program support, instructional areas, specialized spaces, administrative spaces, etc. The previous system did not require prioritization, and funding was supported through borrowing and issuing bonds which led to the $540M debt. The funding process proposed in this bill for White Mountains Regional School District raises policy issues associated with requirements of the new prioritized grant system. There is also the question of the CTE grant being delayed that led the district into the moratorium phase and a subsequent new building aid prioritization system.

The education policy committee requests that this matter be given further consideration for fiscal issues. The education committee discussed the matter that funding for this project may not fall within the remaining $6.2M available within the $50M capped amount following the deduction of the $43.8M payment that must

be allocated to obligated debt from past projects. Current statute requires that the available $6.2M or thereabouts will be used to fund top priority projects (safety), etc., and once awarded, 80% of approved funding will be received by recipients with the remaining 20% project grant received upon project completion. The past alternative funding formula requested by White Mountains School District will revert to the old system of spreading payments over future years, and possibly require a separate appropriation. For these financial decisions, the education policy committee recommended OTP in order to expedite the bill to the proper committee for review of financial considerations. **Vote 16-2.**

HB 615-FN-A, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefor. **OUGHT TO PASS.**
Rep. Mel Myler for Education: In reviewing this bill the committee recognizes the important and essential service our national guard performs in meeting the needs of our nation. The state national guard performs a vital military function protecting all. To provide a marginal scholarship fund for those who volunteered their lives, is the least the state of New Hampshire can do in recognition of this service. **Vote 18-0.**

ENVIRONMENT AND AGRICULTURE

HB 632-A, establishing the position of state advisor of the FFA in the department of agriculture, markets, and food. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Tara A Sad for the **Majority** of Environment and Agriculture: This bill would appropriate $20,000 per year over the biennium to the department of agriculture, markets and food for funding of the state FFA (formerly Future Farmers of America) Advisor. For over sixty years, the FFA has been training agricultural professionals and leaders, including the hundreds currently active in the program who will become our state's new generation of farmers. The committee understands that all appropriations for the upcoming biennium need to be addressed in HB1 (the appropriations bill) and not in standalone bills such as this, and therefore reluctantly recommends ITL. However, the committee strongly urges the Finance Committee, during its budget negotiations, to approve this miniscule appropriation request for this essential program that ensures the future of New Hampshire agriculture. **Vote 11-7.**
Rep. Robert H Haefner for the **Minority** of Environment and Agriculture: While the minority of the committee on environment and agriculture understands and even supports the majority - that a bill that adds $20,000 per year, outside of the budget, is going nowhere, the minority cannot allow the NH house agriculture committee to ITL a bill that supports a state coordinator for the FFA (formerly the Future Farmers of America) without raising a flag. New Hampshire agriculture is important to this state economically, with 4,166 farms which are responsible for our open space and rural culture. The FFA builds mature, disciplined, and confident young adults that are the future of NH agriculture. The statewide coordinator is critically important to the success of the organization – coordinating between the sixteen state chapters and the national organization. Without this position, FFA would be unable to function. This was a funded position for years with the department of education until it was defunded a couple of years ago. If we lose FFA, we have lost a treasure of our state and jeopardize the future of New Hampshire Agriculture.

HB 669-FN-L, relative to nonpayment of property taxes on current use land. **INEXPEDIENT TO LEGISLATE.**
Rep. Michele S Peckham for Environment and Agriculture: Although the committee felt that the motivations of the bill's sponsor were well intended, the committee found that the penalty for non-payment of property taxes - which was the loss of current use status for a landowner – was too harsh a penalty and did more harm to towns than benefit. **Vote 15-2.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 445-FN-L, allowing public employers in the state to buy into the state health insurance plan. **INEXPEDIENT TO LEGISLATE.**
Rep. Raymond G Gagnon for Executive Departments and Administration: While the committee appreciates the intent of the sponsor to broaden the insurance pool, the committee found the bill to be confusing, with potential unintended consequences. The committee's concern was that this bill could dramatically increase administrative costs, and overwhelm the department of administrative services. The committee was also concerned about the potential for driving up costs for existing pool members. **Vote 15-3.**

HB 654-FN, relative to licensure and renewal fees. **OUGHT TO PASS.**
Rep. Carol M McGuire for Executive Departments and Administration: This bill sets in statute, rather than in rules, the licensing fees for a number of small boards, and relieves the boards of the obligation to have the fees sum to 125% of their budget. The study committee on fees in rules (2012) learned that boards are reluctant to change their fees often enough to remain at that level, and as a result they average over 160% of their budget. HB 654 sets all the licensing fees to $100, which approximates 125%, and will also make it easier for the soon to be consolidated staff to administer. In the future, these fees can be reviewed as part of the budget cycle, and adjusted along with the boards' budgets. **Vote 15-3.**

FISH AND GAME AND MARINE RESOURCES

HB 199, relative to expenditures from the fish and game search and rescue fund. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jonathan F Manley for the **Majority** of Fish and Game and Marine Resources: This bill is overly restrictive to the fish and game department. This bill would have limited fish and game from expending funds from the search and rescue fund to their officers for search and rescue operations. The bill's prime sponsor offered testimony and an amendment to scrap this bill and create an entirely new bill. The committee felt that if the sponsor wished to create an entirely new bill then that could be done for next year. **Vote 12-2.**

Rep. John A Burt for the **Minority** of Fish and Game and Marine Resources: This bill was prompted by an analysis of the quarterly reports of the search and rescue fund. It was noted that there seemed to be a minimum charge against the fund of 125 regular hours of fish and game officers whether there were 3 rescues or 20. If the number of rescues went above 20 then the regular hours increased proportionally. This caused the sponsor to think that here were some inappropriate charges against the fund leading to its deficit. The sponsor, in an attempt to make the search and rescue process more efficient and self supporting sought to replace the original bill with an amendment that would require fish and game to explore placing a chip in a hiker registration card. This card would not be required but could be purchased voluntarily. The chip would enable fish and game, given the name of the card holder, to pinpoint the hiker's location in the event of a report that the hiker was overdue. This would utilize technology with surveillance satellites or aircraft transponders. The sale of the cards would provide funds to the search and rescue fund. The committee did not consider the amendment. Either concept presented seemed worthy of consideration to deal with the consistent problem of shortages in the search and rescue fund.

HB 259-FN, relative to special licenses for taking lobster while engaged in recreational scuba diving. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A Burt for Fish and Game and Marine Resources: This same bill passed the committee last year unanimously and passed the House on the consent calendar before heading to the Senate. This bill provides license availability, on a 2 year pilot program basis, to certified scuba divers for the taking of legally-sized lobster during the month of September only. The majority of the committee felt that all residents, including divers, should have access to a state resource. The pilot program will allow data to be collected that will prove invaluable to conservation in managing this resource. No testimony was heard that indicated that the diver's limited access would affect the lobster population density in a recognizable fashion. If passed, we would join every other state on the East Coast (except Maine) to allow scuba diving for lobster. **Vote 8-6.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 316-FN, relative to regulating alkaline hydrolysis for the disposal of human remains. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard E Meaney for Health, Human Services and Elderly Affairs: This bill establishes alkaline hydrolysis as a legal procedure for the disposal of human remains. Alkaline hydrolysis is a procedure whereby human remains are reduced to bone fragments by a solution of water and potassium hydroxide. Alkaline hydrolysis is more energy efficient than cremation, produces less CO2 than cremation, and has no vaporized mercury emissions. Alkaline hydrolysis ensures complete destruction of infectious agents and produces sterile effluent that will not harm the public. This eco-friendly alternative to traditional cremation is less expensive than traditional burial. Passage of this bill provides families with an alternative to the traditional methods of cremation and burial for the disposal of the remains of loved ones. **Vote 15-2.**

JUDICIARY

HB 652-FN, relative to the judicial branch information technology fund. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joseph M Hagan for the **Majority** of Judiciary: State law authorizes seven percent (7%) of filing fees for the supreme court, family court, superior court, district court and probate court be paid into a special escrow account for the benefit of the state. This bill allows increasing the contribution from this account from 14% to 30% for maintaining judicial branch information technology. This will be paid for by slight increases in fees by the users of court services and not impacting taxpayers at large. **Vote 12-6.**

Rep. Robert H Rowe for the **Minority** of Judiciary: Maintaining the judicial branch technology equipment is important if we desire to move forward with electronic court. We are years behind other states in this regard. However, in supporting this effort the minority believes the increased costs should not be placed on the users. Additional funding should come from the court budget and the general fund rather than paid by user fees and surcharges. If anything, filing fees should be reduced, but the legislature has no control over this; fees are strictly set by court rules. Sooner than later the filing fees and other court imposed charges will discourage the adjudication of disputes by citizens. Sooner or later the user fees will be of a magnitude to be in violation of Part 1, Article 14, of the New Hampshire Constitution.

HJR 2-FN-A, making restitution to Jeffery Frost for inappropriate prosecution. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter M Sullivan for Judiciary: The committee takes no stance on the merits of Jeffrey Frost's claim. Our objection to HJR 2 is based on our learning that Mr. Frost chose to initiate litigation in Superior Court. This is the appropriate forum. The House is not equipped to offer findings of fact or rulings of law in a civil tort case. Further, passing HJR 2 would set a dangerous precedent. A flood of aggrieved litigants seeking financial compensation through the legislative process would overwhelm the House staff and undermine the authority of the courts. **Vote 19-0.**

PUBLIC WORKS AND HIGHWAYS

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. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B Campbell for Public Works and Highways: New Hampshire's state and municipal roads and bridges are in terrible condition. The problem is getting worse and more expensive each year. The unanimous, bi-partisan 18- 0 endorsement of HB 617 by the committee is an acknowledgment that the only way to begin to correct the problem is by properly funding the repairs of our crumbling infrastructure. Only money, not words and not ideology, will fix roads and bridges.

For the last 22 years consecutive Legislatures have neglected this problem, by declaring the state and its taxpayers could not afford to raise the road toll. The fact is we can't afford not to. New Hampshire's highway system is its economic life blood, supporting commerce, tourism and our everyday lives. Today, by not properly funding or maintaining NH's roads and bridges, we face an infrastructure crisis, that is on its way to becoming a catastrophe.

How big is the crisis?: 1) Interstate 93 widening (the main transportation artery into NH) is $250 million underfunded. Without new revenue it will not be completed. 2) 1661 miles of state roads are currently rated in poor condition, needing major work, (ballooning from 630 miles of poor roads in 2000), which account for over one-third (36%) of NH's 4500 miles of state roads; ranking NH 9th worst nationally in rural roads. Without new revenue the miles of state roads in poor condition will continue to increase, as will the cost to repair them…exponentially. 3) There are currently 140 red list state bridges, and without new revenue that number will grow to 174 by 2016, and over 200 by 2020. The state's number one red list bridge (Sarah Mildred Long Bridge connecting Portsmouth to Kittery, ME) will cost NH $85 million and is unfunded. 4) NH's towns & cities are in worse shape with 353 red list bridges and 10 -12 being closed per year. Their roads continue to deteriorate and with dwindling state highway and bridge aid, must rely on property taxes to fix problems that are too big for local property taxpayers to bear.

HB 617 addresses these problems over a ten year horizon. It raises the road toll (gas tax) by 4 cents per gallon of gasoline in each of the following three fiscal years and 3 cents per gallon in the fourth fiscal year for a total of 15 cents by FY 2017. This user fee was last raised in 1991 to 18 cents/gallon when gasoline was $1.13 per gallon -- during the 4 years Judd Gregg was governor it was raised twice (28%) - NH has the lowest gas tax in the Northeast and second lowest across the nation's "Frostbelt".) Importantly, it sets up a separate protected fund, within the already constitutionally protected highway fund, to ensure that EVERY PENNY of the increase will be used to fund the maintenance, construction and reconstruction of NH's state and municipal roads and bridges. It increases the road toll for diesel fuel by 2.5 cents per year for 6 years for a total of 15 cents by FY 2019. The committee did this to spread out the cost for the trucking industry, but because heavy trucks do more damage to roads and bridges, and that NH diesel tax is the lowest in the northeast, they too must help to pay to fix the bridges and roads they rely on for their livelihood.

This increase in the road toll will raise just under one billion dollars over the next ten years. It will raise almost $800 million dollars for the NH DOT to finish I - 93 and reduce the number of state red list bridges and state roads in poor condition. It will significantly help towns and cities fix their roads and bridges by raising over $200 million dollars more in municipal aid (a 70% increase). HB 617 as amended: 1) increases municipal block grant Aid by over $13 million/yr. (46% more), 2) doubles the annual state bridge aid for municipalities from $6.8 million/yr. to $13.6 million/yr. to help fix their red list bridges, 3) doubles the annual state highway aid for municipalities from $1.7 million/yr. to $3.4 million dollars/yr., and 4) eliminates the one year delay from when municipal block grant aid is raised and sent to municipalities.

Once this 15 cent increase is fully phased-in and IF every penny passes through to the consumer (which testimony indicates it will not), the average NH driver (12,000 miles/yr at 22.6 MPG) will pay $79 more per year. Compare this number to the recent study by TRIP indicating the average NH driver now pays annually $323 in added automobile repairs (up from $259 four years ago).

This bill will have a direct economic impact by creating over 1,000 new jobs and means hundreds of millions of dollars of construction within NH, and it will put NH back on an 8-10 year repaving cycle, thereby saving taxpayer millions of dollars.

The amendment eliminated the increase in the registration fee and spread a 15 cent increase over 4 years for gasoline and 6 years for diesel. It also added weight restricted bridges and unnumbered state highways as priorities to help rural and North Country roads.
NH's present and future taxpayers, the driving public, the State's tourism industry and overall economy cannot afford to further delay raising sufficient funds to properly fix the state and municipal roads and bridges. **Vote 18-0.**

RESOURCES, RECREATION AND DEVELOPMENT

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 295, requiring criminal background checks for volunteers and employees at youth skill camps. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. James D Aguiar for the **Majority** of Resources, Recreation and Development: This bill fills a gap in the attempt to protect young people from harm, including sexual and physical abuse, at the hands of those employed at, volunteering for, or operating specialized skills camps. For many years individuals or groups operating recreational camps; have been required to conduct background checks on all employees or volunteers at said camps, these include your classic summer camps where boys and girls learn to swim, canoe, hike, start a campfire, etc. In relatively recent history, there has been an explosion of specialized camps where specified" skills" have been the focus, such as basketball, tennis or music, to name a few. Such camps have been exempt from background checks for all staff. This bill requires that any individual or entity operating such a camp certify to the department of environmental services (DES) that it has conducted background checks on all staff and employees whose duties bring them in contact with children at the camp. Since this requirement will demand a significant increase in the workload for DES a fee of $25 will be charged to any individual, group or entity applying for a license to operate such a camp in the State of New Hampshire. This bill also establishes a dedicated fund to cover the costs of verifying, documenting and storing the information associated with said background checks. **Vote 17-2.**
Rep. Andrew Renzullo for the **Minority** of Resources, Recreation and Development: While the minority supports the concept of requiring background checks for volunteers and employees at youth skill camps, it cannot support the imposition of a $25 fee paid to the Department of Environmental Services (DES).

HB 628-FN, relative to underground storage tank and above ground storage tank certification. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Shannon E Chandley for the **Majority** of Resources, Recreation and Development: The department of environmental services (DES) requires that underground storage tank (UST) and above ground storage tank (AST) contractors be certified by a professional organization (NACE or ICC). Contractors certified by these organizations have demonstrated competence and an appropriate level of knowledge in key areas of design, installation and decommissioning of USTs and ASTs, among other skills. The professional organizations require that contractors be tested every two years to be certified. This bill seeks to prohibit DES from requiring that AST and UST contractors take a repeat examination. In addition, this bill would transfer the responsibility for continuing education and recertification to the DES. The majority of the committee believes that the professional organizations are better able to administer AST and UST training and certification than DES. The bill presumes that the biennial testing in order to be certified is onerous, but that is the requirement of the professional organizations, not of DES. **Vote 13-7.**
Rep. Andrew Renzullo for the **Minority** of Resources, Recreation and Development: At present, the department of environmental services (DES) requires installers of underground and above ground storage tanks to be certified by a professional organization that requires they be retested every two years on up to five aspects of the installation process. This requirement is not required by statute, but has been instituted by rule at first voluntarily, now mandatory. This bill would allow DES to institute continuing educational requirements for license renewal, but prohibit a complete retesting for renewal. What other profession requires a complete retesting for the licensee to keep their license? It is the opinion of the minority that this bill is business friendly and decreases expensive and unnecessary regulation without affecting public safety.

TRANSPORTATION

HB 411-FN-A, repealing a future reduction in vessel registration fees. **OUGHT TO PASS.**
Rep. Sherman A Packard for Transportation: This bill repeals a reduction in vessel registration fees scheduled to take effect on July 1, 2015. Though many of us would like to reduce fees when possible, it is not realistic that such a reduction would be good for boating safety. **Vote 12-2.**

BILLS REMOVED FROM CONSENT CALENDAR

EDUCATION

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 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.**

MUNICIPAL AND COUNTY GOVERNMENT

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.**

WEDNESDAY, MARCH 6
REGULAR CALENDAR – PART II

COMMERCE AND CONSUMER AFFAIRS

HB 472, relative to residential units in rooming houses. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Edward A Butler for the **Majority** of Commerce and Consumer Affairs: This bill simply closes a loophole currently being used by some landlords to continue to keep those living in rooming houses from becoming tenants. RSA 540:1-a, IV(a) as it exists states that there is an exemption from tenancy rights for "Rooms in rooming or boarding houses which are rented to transient guests for fewer than 90 consecutive days." Some landlords have been skirting this simply stated expectation by moving rooming house guests to another room before their 90 days expires, effectively preventing them from becoming tenants. The majority believes that it is only right to reinforce the 90 day limitation, to prevent skirting the law, and to allow those living in rooming houses to become tenants, with the rights and responsibilities associated with that status, after 90 days of consecutive residency. **Vote 10-7.**
Rep. Laura M Jones for the **Minority** of Commerce and Consumer Affairs: The minority agrees with the majority that this bill was introduced with good intentions, to improve living conditions for occupants of rooming houses. Currently, occupants can be moved to another room, within the same rooming house, before 90 days have passed, in order to avoid tenancy status. Why would rooming house landlords want their occupants to be exempt from the definition of tenancy? According to one landlord who testified, many occupants have criminal records and/or behavior problems, or they are on a "bad tenants" list and other landlords will not rent to them. In other words, they are the type of occupants that a landlord would prefer to be able to "lock-out," should a problem arise, instead of going through the standard, time-consuming eviction process for evicting

a "tenant." This landlord testified that if this legislation becomes law, he will sell his two rooming houses. He said that being a rooming house landlord will not be worth the trouble. According to a report emailed to the committee, by the Economic Justice Project Coordinator of the American Friends Service Committee, and published by Housing Action NH, there is a shortage of 24,000 rental units in the very low income category. Losing more of these units will cause a hardship since without this option; many occupants could end up in homeless shelters at taxpayer expense.

Another unintended consequence, caused by this legislation, may be that more occupants will be "locked-out" just before the 90 day time period has passed. This will be very inconvenient for occupants because they will have to move and find another rooming house that will rent to them. Even though advocates for rooming house occupants, who testified before the committee, do not believe this legislation will have a detrimental effect, the minority believes that this legislation may reduce the supply of affordable housing and inconvenience occupants.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 153, prohibiting the designation of industrial hemp as a controlled substance. **OUGHT TO PASS.**

Rep. Mark Warden for Criminal Justice and Public Safety: This enabling legislation would allow the growing of industrial hemp in New Hampshire. It specifies that the industrial plant be removed from the controlled substance statute. By removing the prohibition, this bill allows a new agricultural crop to be grown, if a farmer so chooses. The committee saw examples of hemp textiles and hemp food (oil, seeds) products. **Vote 17-2.**

HB 247-FN, increasing compensation for wrongful incarceration, **OUGHT TO PASS.**

Rep. Kyle J Tasker for Criminal Justice and Public Safety: This bill would raise the compensation for the extremely rare case of wrongful incarceration from a maximum of $20,000 total to $20,000 for each year of wrongful incarceration. The committee feels because only one case of wrongful conviction was brought to our attention the financial burden will not be significant. The amended dollar figure is much more reasonable and realistic and fair compensation has the potential to forestall potentially disastrous law suits. **Vote 10-9.**

HB 453, repealing the prospective repeal of the information and analysis center. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda Harriott-Gathright for the **Majority** of Criminal Justice and Public Safety: In 2010 the legislature established an information and analysis center (IAC) at the department of safety, and enacted RSA Chapter 651-F, which set forth how the center would be operated and the procedures that should be taken to ensure that people's civil rights were not violated by the center.

After the 9/11 tragedy, a commission was set up by Congress to study how the nation's intelligence, security, law enforcement and defense agencies missed the fact that the 9/11 terrorists had entered this country on fake credentials, traveled across the country, including New England, and were never discovered by the FBI, CIA, or the military.

The commission concluded that federal agencies were not in the best position to gather intelligence on terrorist organizations and terrorists within the country itself, and that local, state and county law enforcement, being closer to the people, should be first line of defense.

A robust data collection system can help us identify what and where these places are and to warn us, not only of terrorist or criminal activity, but also such natural disasters as hurricanes and floods. By monitoring the depth and speed of melting of the snow pack in the spring IAC can work with the DES bureau of dams and prevent flooding. We can "lean forward" and proactively place sandbags and other resources in low lying areas in advance of coastal flooding.

New Hampshire, unique among the states, set up what we call an "all crimes/all hazards" center, which is our IAC. We don't just gather and share data on terrorism, or on crime, but we look at natural hazards as well and try to prepare the state for them, to prevent them whenever we can and give safety warning to our citizens. Further, an advisory committee, including the attorney generals office and the New Hampshire civil liberties union serve to ensure that our civil rights are not violated. **Vote 14-5.**

Rep. Mark Warden for the **Minority** of Criminal Justice and Public Safety: The minority feels the New Hampshire fusion center (officially known as the information and analysis center) is an unnecessary redundancy. The justification for its existence was to improve communications among federal, state and local law enforcement entities. This can be accomplished without a separate bureaucracy.

The original legislation for the center included a sunset provision; this bill would repeal that sunset. With limited resources, the money spent on this program, run under the auspices of homeland security, could be used for more pressing state needs.

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. **INEXPEDIENT TO LEGISLATE.**

Rep. Kyle J Tasker for Criminal Justice and Public Safety: This bill removes the requirement to alert the local police prior to a discharge of firearm or cannon in connection with a military funeral, national holidays and other military commemorations. Veterans have never been refused permission for these activities. The majority of the committee feels this bill is unnecessary. **Vote 13-6.**

EDUCATION

HB 161, relative to school district policies on health and sex education. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Ralph G Boehm for Education: This bill allows parents to opt-out of sex education lessons in the health curriculum for religious objections and personal beliefs. The amendment keeps in the religious objection for health curriculum. This bill puts into law what is policy in a lot of school districts. Current law allows parents to opt-out for only religious reasons for the sex education portion of the health curriculum. **Vote 13-5.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 576, establishing Franklin Pierce Day. **INEXPEDIENT TO LEGISLATE.**
Rep. Carol M McGuire for Executive Departments and Administration: This bill would have the governor declare November 23 of every year as Franklin Pierce Day. Pierce, the only president from New Hampshire, was a very controversial figure in his time and the controversy is still alive today. As a compromise candidate during the divisive period leading up to the Civil War, Pierce was reviled in New Hampshire for his support of the Kansas-Nebraska Act, which extended slavery to the western territories, and his vigorous enforcement of the Fugitive Slave Act. The committee was unwilling to perpetually honor such a person, and suggests to the sponsors that the governor can proclaim such a day on her own authority. **Vote 15-0.**

FINANCE

HB 486-FN-A, making an appropriation for the purpose of paying residential care providers at the Chase Home for Children. **OUGHT TO PASS.**
Rep. Cindy Rosenwald for Finance: This bill appropriates 2.7 million in general funds to settle a lawsuit on rates for at-risk children's shelter services; the state lost the lawsuit in 2011. This appropriation has been set aside from FY 2012 funds and already accounted for in the 2012 comprehensive annual financial report (CAFR). This appropriation, therefore, does not impact either the current or future budget, but the bill is needed to allow the state to make the payment as directed by the courts. **Vote 24-0.**

HB 614-FN, limiting the authorization for new annual general fund-supported debt. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Bernard L Benn for the **Majority** of Finance: The intent of this bill is to limit the amount of general fund supported debt in any biennium to 90% of the debt paid off in the prior biennium. The sponsor proposed an amendment to address some of the concerns expressed at the full committee hearing such as dealing with emergencies, short term borrowing needed by the treasury, and a sunset provision. The Finance committee appreciated the intent of the bill but chose not to develop the proposed amendment. The general sense of the committee was that the bill in any form was not needed at this time since the legislature, under both Republican and Democratic leadership, has shown "backbone," has resisted too much borrowing, and has kept New Hampshire's debt to unrestricted revenue ratios well within the parameters set by the state treasurer and that which is expected by the bond rating agencies. **Vote 14-11.**
Rep. Neal M Kurk for the **Minority** of Finance: The legislature has traditionally had the "backbone" to limit its authorization of capital appropriations to an amount recommended by the state treasurer. However, in recent years, state authorized debt has increased more rapidly than usual, and measures of indebtedness looked at by bond rating agencies, such as debt per capita and debt as a percent of personal income, have risen significantly. This bill would have the state return to more prudent debt levels by limiting the authorization of new debt to no more than 90% of retired debt. Fiscal responsibility suggests the state should not live beyond its means.

HB 623-FN-A, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program. **INEXPEDIENT TO LEGISLATE.**
Rep. Peter R Leishman for Finance: The prime sponsor and supporters of this bill are to be complimented for bringing this important issue to the forefront of the legislature. As a result of the severe economic downturn during the last two biennia, the funding of approved state drinking water, wastewater and landfill closure projects was deferred. However, as with other appropriations bills, the committee believes that this requested appropriation should be addressed in HB 1, the budget bill. Therefore, as with other stand-alone appropriations bills this session, the committee recommends ITL. The committee will make the restoration of the funding of these projects a top priority during the upcoming budget. Additionally, the governor has included some funding for this important program in her budget. **Vote 22-2.**

SB 40-FN-L, relative to distribution of education funds for fiscal year 2013. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Susan M Ford for the **Majority** of Finance: This bill applies a fix to address a technical error by the department of education that caused school districts to rely on the wrong set of figures in creating their 2013

budgets. If we don't make this correction, many towns may have to go back and revote on a new budget and in many cases, assess higher taxes on citizens, in addition to the increase expected at town meetings for this year. By making this correction we will prevent confusion, delay, and a possible potential for higher tax bills for citizens in 77 of the towns in the state. Appropriations for adequate education grants were unchanged during the budget process for 2012-2013, so applying a hold harmless provision for 2013 will not require any additional appropriations. Appropriations for adequate grants were level funded for FY 2012 and FY 2013 during the budget process at approximately $578.2 million. The department of education's current estimate of adequate education grants for FY 2013 is $574.8 million. Therefore, the $3.4 million additional cost of the proposed hold harmless grant can be absorbed within the existing appropriation for FY 2013. **Vote 22-1.**
Rep. Neal M Kurk for the **Minority** of Finance: The department of education is responsible for the miscalculation that led to this bill. The miscalculation led districts to vote on their budgets in March assuming a higher amount of state adequacy funding than they will actually receive for the 2012-13 school year. The overall shortfall, some $3.4 million, is less than one-half of one percent of total state adequacy funding. Seventy-seven districts are affected to a minor degree, although the shortfall is a significant percentage for a very small number of districts. In light of the state's projected general fund $30 million deficit for the current biennium, and the increased demands for state services in the upcoming biennium, it would be prudent to use this money to minimize significant challenges for other programs in balancing the next budget.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 271, stating that New Hampshire will not accept expanded Medicaid. **INEXPEDIENT TO LEGISLATE.**
Rep. Laurie Harding for Health, Human Services and Elderly Affairs: The primary reason that the committee voted HB 271 inexpedient to legislate was because passage of this bill would close the door on further discussion related to Medicaid expansion. It was clear from the public hearing that those testifying (45-50 people) at the very least expected the legislature to continue to explore Medicaid expansion as an option for not only increasing the number of individuals in New Hampshire with health care coverage but also because it would be a vehicle for bringing hundreds of millions of federal dollars into the state. In fact, the federal law is clear that the federal financing / matching rate is: 100% for calendar years 2014, 2015, and 2016; 95% for calendar year 2017; 94% for 2018; 93% for 2019; and 90% for calendar year 2020 and each year thereafter. Section 1905(y)(1) of the Social Security Act, codified at 42 USC § 1396d(y)(1). The Medicaid expansion and its federal financing / matching rate are enshrined in federal law. Changing either of these federal government obligations would require an Act of Congress. In addition, the expansion is entirely voluntary; states can decide when to come into the expansion and they can decide when to leave. During the hearing, the committee heard from business people, representatives from insurance companies, hospitals, physicians, nurses, those suffering from and providers treating people with substance use disorders, as well as many others supporting Medicaid expansion. The ongoing themes of public testimony were related to: doing what is right by working people who are uninsured and have no regular access to health care, helping business owners who can't afford to offer coverage to their low-income employees, addressing the concerns of health care providers who now receive no compensation for treating people without health coverage and reducing the pressure on insurers to shift these uncompensated care costs onto all who pay for private health insurance premiums. The committee thinks that the conversation about Medicaid expansion is just beginning. An ITL vote on HB 271 allows the dialogue to continue. **Vote 13-6.**

HB 452, relative to Food and Drug Administration approval of medication, equipment, and therapies. **INEXPEDIENT TO LEGISLATE.**
Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill was voted ITL because no sponsors were present at the hearing and no witnesses came to testify. The bill was only nine lines long and addressed the complex topic of facilities licensed by New Hampshire being able to dispense medication and use equipment and therapies which have not been approved by the FDA. While some of the committee was interested in pursuing this topic, the majority of the committee recognized that there was a great deal of work to be done on a bill about which the committee knew very little. **Vote 11-6.**

JUDICIARY

HB 118, providing legal immunity for 911 calls for drug or alcohol related emergencies. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Michael J Sylvia for the **Majority** of Judiciary: More Granite Staters die from overdoses than traffic accidents each year; this bill would encourage them to seek medical help in the event of a drug or alcohol overdose by providing them with immunity from prosecution. New Hampshire would join 11 other states which have implemented Good Samaritan laws. Immunity would only be for a few enumerated crimes; possession, control, or transportation, but not for any other charges, such as distribution or DWI. Further, it does not prohibit law enforcement from investigating offenses not covered by the immunity. Studies show

that people are hesitant to report an overdose event for fear of involving law enforcement. Delays in getting treatment for a person suffering an overdose will cause more harm and may result in death; HB 118 will save lives. **Vote 11-7.**
Rep. Joseph M Hagan for the **Minority** of Judiciary: This bill would contradict present law. It was opposed by the New Hampshire Chiefs of Police Association and the department of corrections. This would give "A Get Out of Jail Free" card to drug dealers.

HB 409, relative to the issuance of a default judgment in landlord-tenant actions. **INEXPEDIENT TO LEGISLATE.**
Rep. Paul S Berch for Judiciary: Current law allows a tenant to ask the court to vacate a default judgment for good cause shown. This bill would require the tenant to pay all rent as due between date of motion to vacate and the decision by the court.
The committee felt the bill lacked proper standards, did not define the amount of rent that would need to be paid nor gave the tenant a chance to contest that amount, and did not say to whom and when rent should be paid.
The committee felt there were due process problems with this bill. **Vote 15-4.**

HB 483-FN, relative to information regarding abortion. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Sylvia E Gale for the **Majority** of Judiciary: This bill would require that all pregnant women seeking abortion care services be informed at least 24 hours prior to the procedure of certain information regarding that procedure by a treating or referring physician. This requirement would impose ideologically driven obstacles to women seeking this medical service and is both impractical and burdensome and could lead to increased health risks for some patients.
No woman facing this most personal and difficult decision has come to the point of seeking to terminate a pregnancy without significant thought, deliberation and discussion with her family, friends and health care professionals. This bill suggests that women do not think carefully about abortion and are unable to make responsible decision without government interferenceAny woman considering an abortion, like any patient, should receive full and unbiased information from clinical and medical care providers about the chosen procedure and alternative options. Licensed abortion care service providers are already required, like any other medical and clinical care professionals, to provide patients with full and complete information. This bill in unnecessary and potentially harmful for women seeking legally protected abortion care services in licensed medical practices in New Hampshire.
Safe and legal abortion appears to be the only medical procedure in which legislative interference is proposed. Such attempts to impose legislative imperatives between a patient and her professional medical provider are unnecessary and should not be acceptable to this body. **Vote 13-6.**
Rep. Lenette M Peterson for the **Minority** of Judiciary: This is a pro-educational/pro-choice bill. Education is key to make an informed decision. Elective surgery is not performed within a 24-hour notice and there is no reason why an abortion cannot have a 24-hour waiting period. This bill would allow plenty of time to study all options available, before making a life changing decision.

HB 583, relative to proceedings of medical injury claims screening panels. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Gary S Hopper for the **Majority** of Judiciary: Screening panels were instituted as a means to sift through medical malpractice law suits in an effort to reduce the time and expense of medical malpractice suits. Over time they have become mini-trials which include the expense of expert witnesses who may cost thousands of dollars.
This bill as amended allows written offers of proof as evidence rather than live expert witnesses. This will help to return these panels to their original intent and reduce their costs. **Vote 12-6.**
Rep. Robert H Rowe for the **Minority** of Judiciary: This law was passed over a decade ago in an attempt to reduce or moderate the increase of the high medical malpractice insurance costs that medical practitioners are paying. The law established a law suit screening panel --- a doctor, retired judge and lawyer to screen suits. Before a suit can go to the jury the parties must present the liability issue before the panel. This bill modifies the screening panel procedure. The minority believe that it is untimely to make any changes because the entire law is to be formally evaluated this year and a final report submitted on or before December 1, 2013. The responsible action to take is to wait for the final report.

HB 596-FN-L, relative to service of notice of civil actions. **INEXPEDIENT TO LEGISLATE.**
Rep. Lenette M Peterson for Judiciary: The committee believes that this bill is trying to fix a problem that does not exist. By having a sheriff deliver the notice, there is no delay in the tenant receiving the notice. Landlords can be fined each day that the notice is not delivered. **Vote 14-1.**

LEGISLATIVE ADMINISTRATION

HJR 1, directing the joint legislative historical committee to acquire and display a portrait of suffragist Marilla Marks Ricker. **OUGHT TO PASS.**
Rep. Marsha L Pelletier for Legislative Administration: It is our honor to offer the name of Marilla Marks Ricker as an early suffragist who, in 1871, cast the first vote as a woman in United States, in the city of Dover New Hampshire. A portrait will be acquired to be displayed and the cost will be defrayed by the joint historical committee and league of women voters. **Vote 9-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 362, banning corn-based ethanol as an additive to gasoline sold in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Robert A Backus for Science, Technology and Energy: All members of the committee expressly endorsed the goal of moving New Hampshire away from using corn based ethanol as a component of gasoline in New Hampshire and agreed that using a food crop for transportation fuel is not good public policy. The majority further believes that, as amended, the bill contains sufficient protection against the possibility that New Hampshire, standing alone in this position, might require its own "boutique" gasoline and lack sufficient market power to cause suppliers to offer gasoline which does not include corn-based ethanol at a reasonable price. Ample assurance against this concern is provided by the amendment which conditions any New Hampshire ban on three other New England states (or four out of the six states) joining in the ban or by the air pollution advisory committee certifying the ready availability of a non corn based ethanol gasoline blend in New Hampshire at a reasonable price. **Vote 11-6.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HR 7, urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Alfred P Baldasaro for the **Majority** of State-Federal Relations and Veterans Affairs: The majority believes that HR 7 should have been presented as an HCR, where the Senate would have a say on the subject matter that involves a voice not just by the House. Laws are already on the books dealing with campaign donations and spending. **Vote 6-4.**
Rep. Linda Massimilla for the **Minority** of State-Federal Relations and Veterans Affairs: The purpose of the legislation is to address the supreme court's decision with the 2009 citizens united ruling which allows for the disproportionate influence on campaign spending. Corporations and individual citizens are not equal when it comes to free speech, however they may have similar property rights.

TRANSPORTATION

HB 146, increasing the speed limit on a portion of I-93 to 70 miles per hour. **OUGHT TO PASS.**
Rep. Brian D Rhodes for Transportation: This bill raises the speed limit on Interstate 93 from mile marker 45 (Canterbury between exit 17 and 18) north to the Vermont border. This is a rural section of the interstate that has been constructed to support a speed limit of 70 mph. The current speed limit through Franconia Notch will remain the same as its current posted speed. National statistics have not produced an increase in accident rates due to limits being increased by 5 mph. **Vote 10-4.**

HB 242, relative to child passenger restraint requirements. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Elizabeth B Burtis for Transportation: This bill, as amended, brings the New Hampshire child restraint law closer to the nationally accepted best practice for child safety and changes the height restriction for requiring a child restraint device to 56" and changes the age restriction to six years of age increasing the existing law the age by one year and the height one inch. Medical and safety experts advocated for the passage of this bill. The majority of the committee felt the safety of New Hampshire's children to be the most important consideration when voting on this bill. **Vote 12-3.**

HB 289-FN, increasing certain speed limits to 70 miles per hour. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Michael B O'Brien for the **Majority** of Transportation: This bill, if passed, would have allowed 70 mph on the interstate system and 65 mph on the central turnpike system. The majority of the committee feels that this increase would press the safety design of the roads to a higher limit, decreasing safe vehicular traffic. Thus, with road safety in mind, the committee recommends keeping the current speed limits. The committee has agreed in HB 146 to allow the increase in speed in a limited capacity and will continue to monitor its progress. **Vote 14-1.**

Rep. Tim O'Flaherty for the **Minority** of Transportation: The outdated low speed limit of 65 mph does little to reduce automobile accidents since most occur due to a differential in speed between vehicles. This bill increases the minimum speed limit to 50 mph to reduce a differential in speed. The department of safety testified it supported increasing the minimum speed limit.

HB 291-FN, increasing certain speed limits to 75 miles per hour. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Michael B O'Brien for the **Majority** of Transportation: This bill, if passed, would allow 75 mph on the interstate system and 65 mph on the central turnpike system. It also would have allowed portions of the highway system four lanes or more a speed of 60 mph up from 55 mph. The majority of the committee feels that the increase would have taxed the safe engineered limits of the roads and recommends keeping the current speed limits. The committee has agreed in HB 146 to allow the increase in speed in a limited capacity and will continue to monitor its progress. **Vote 14-1.**
Rep. Tim O'Flaherty for the **Minority** of Transportation: The current speed limit of 65 mph is too low and arbitrarily enforced. The law should be in accord with actual practice and is undermined when it promulgates widely unenforceable edicts and when they are enforced or done arbitrarily.

HB 302, relative to restrictions on holders of youth operators' licenses. **INEXPEDIENT TO LEGISLATE.**
Rep. Sherman A Packard for Transportation: A majority of the committee felt that the new restrictions in this bill were too restrictive considering the rural areas of New Hampshire. It restricts the ability to have a passenger during the first six months of driving unless they are family members. **Vote 12-3.**

HB 345, repealing the prohibition on tinted glass in motor vehicles. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Michael B O'Brien for the **Majority** of Transportation: This bill, if passed, would have increased the allowed amount of after-market window tinting for vehicles. It also would have allowed the sides of the driver and passenger to be tinted as well as the windshield. The majority of the committee felt that the safety of our troopers and law enforcement officers is paramount and increasing after-market tinting would jeopardize their safety. Persons who require for medical reasons after market tinting on a windshield or on the windows to the left and right of the driver may apply to the department of safety for a special permit waiver. **Vote 14-1.**
Rep. Tim O'Flaherty for the **Minority** of Transportation: This bill was given an ITL recommendation based on the sentiment that this would affect officer safety despite any evidence to support the notion that tinted windows would endanger anyone. The current prohibition imposes a cost on some vehicle owners who must remove tinting and denies New Hampshire citizens the right to the full enjoyment of their property.

WAYS AND MEANS

HB 314, raising limits on single wagers in games of chance. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Patricia T Lovejoy for Ways and Means: This bill as amended raises the single wager limit on any game of chance from $4.00 to $6.00. The $6.00 bet limit makes the odds work properly in the table games such as craps. The increased bet limit will increase the payout to charities and is estimated to increase tax revenue to the state by $608,672. This bill also changes the remitting requirement from every five days – with five checks – to once a month by the 5th day of the following month. This will significantly reduce the recordkeeping of the NH racing and charitable gaming commission and the game operators. **Vote 15-2.**

HB 564-FN, relative to simulcast greyhound races. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Patricia T Lovejoy for the **Majority** of Ways and Means: This bill seeks to prohibit simulcast of any dog races in NH if the race took place in a state that does not require reporting of greyhound injuries. Currently, there are three states that meet this definition – Florida, Alabama and Arizona. There are two facilities in NH that simulcast dog races, the Rockingham and Seabrook Parks. The vast majority of greyhound races that are simulcast from these two parks are races that take place in Florida venues. Just over 40 percent of all simulcast betting at Seabrook Park is on greyhound races. The Park has stated, and informed their employees, that due to the significantly reduced income they would be closing both their simulcast operation and their charitable gaming room if this bill becomes law. This would result in the loss of 150 jobs and in the loss of $700,000 per year to charities that rely on the Seabrook charitable gaming operation. The Racing and Charitable Gaming Commission estimates the loss to state revenue to be $190,000, with a potential loss of up to $900,000 if Seabrook Park closes, in addition to the loss of ancillary revenues, of rooms & meals tax and business profit taxes. This bill is meant to send a message to Florida to encourage them to institute injury reporting. No other state has taken this stand. A bi-partisan majority of the committee supports the motion to ITL this bill. We believe it will costs jobs, reduce funds to charities and that it will have a negligible impact on Florida's lawmakers. **Vote 11-7.**
Rep. Mary R Cooney for the **Minority** of Ways and Means: The minority of the committee feels that this bill supports the New Hampshire policy of humane treatment of animals and greyhound dogs in particular. The

legislature banned greyhound dog racing in 2010 because of its inherent lack of humane treatment of the dogs involved in the business of greyhound racing. This bill only bans the simulcast signals from the states which do not have the policy of reporting injury records to the state. There are seven states that still have dog racing tracks, three of whom still have no reporting system in place: Florida, Alabama and Arizona. In states that require the reporting of injuries, the tracks are better maintained, adoption rates are higher and injuries are fewer. The amendment allows up to July 1, 2014 for the two tracks to switch their simulcast contracts from Florida and Alabama to states that do have an injury reporting requirement. The wagering on simulcast races, both harness, thoroughbred and dog racing is over $76M. The minority feels that New Hampshire should require the tracks that hold these New Hampshire simulcast licenses to comply with the previously stated values of humane treatment of greyhound racing dogs.

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.)

HB 590, relative to the unauthorized practice of law. (Pending question: adoption of the Majority committee report of Inexpedient to Legislate.)

COMMITTEE MEETINGS

FRIDAY, MARCH 1

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.

NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g), Upham Walker House, Park Street, Concord
1:00 p.m. Regular meeting.

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.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB
10:00 a.m. Subcommittee work session on ***HB 342-FN,*** relative to part-time employment of retired members of the retirement system, ***HB 627-FN,*** requiring unused vacation and sick leave to be converted to service time for purposes of calculating retirement system benefits, ***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, ***HB 473-FN,*** relative to retirement system status for members of the university system police force.

FINANCE – (DIVISION I), Room 212, LOB
Budget Work Sessions:
9:30 a.m. Judicial Branch.
10:30 a.m. Real Estate Commission.
11:00 a.m. Boxing and Wrestling Commission.
11:30 a.m. Board of Land and Tax Appeals.
1:00 p.m. Department of Resources and Economic Development.
2:00 p.m. Land and Community Heritage Investment Program.
2:30 p.m. Department of Information Technology.
3:30 p.m. Pease.

FINANCE – (DIVISION III), Rooms 210-211, LOB
Budget Work Sessions:
9:30 a.m. Medicaid.
1:00 p.m. Medicaid, continued.

TUESDAY, MARCH 5

CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2), Room 201, LOB
3:00 p.m. Regular business.

CHILDREN AND FAMILY LAW, Room 206, LOB

9:30 a.m. Subcommittee work session on ***HB 551,*** establishing a commission to study the establishment of a paid family leave insurance program, contingent on the availability of federal funds to be administered through the department of employment security and supported by a payroll deduction or other revenue source.

10:00 a.m. Executive 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, ***HB 470,*** establishing a task force to determine the effects of the recession on child and family programs, ***HB 551,*** establishing a commission to study the establishment of a paid family leave insurance program, contingent on the availability of federal funds to be administered through the department of employment security and supported by a payroll deduction or other revenue source, ***HB 572,*** establishing a commission to study public-private partnerships for the treatment of abused and neglected children, ***HB 578,*** relative to the determination of parental rights based on the best interest of the child, ***HB 604,*** relative to alimony.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

9:00 a.m. Subcommittee work session on ***HB 664-FN,*** relative to the New Hampshire vaccine association, ***HB 585,*** relative to insurance parity for optometrists.

Room 104, LOB

9:00 a.m. Subcommittee work session on ***HB 592-FN,*** regulating the use of electronic tracking devices.

Room 302, LOB

10:00 a.m. ***HB 682-FN,*** relative to credit card fees.

10:45 a.m. Executive session on ***HB 149,*** relative to the information on fuel invoices, ***HB 202-FN,*** relative to liquor licenses for inns, ***HB 227,*** relative to property and casualty insurance, ***HB 278,*** relative to voluntary installation of fire suppression sprinklers, ***HB 339-FN,*** relative to consumer credit, ***HB 343-FN,*** relative to laws regarding pawnbrokers, ***HB 346,*** establishing a committee to study low-profit limited liability companies, ***HB 390,*** allowing companion dogs in the outdoor areas of restaurants, continued executive session on ***HB 400,*** relative to funding agreements issued by life insurance companies, executive session on ***HB 430,*** requiring insurance companies sending out solicitations for marketing purposes to include their insurance license number on such solicitations, ***HB 456-FN,*** relative to liquor manufacturers, ***HB 457,*** establishing a committee to study eliminating and combining liquor licenses, ***HB 467,*** relative to purchasing alliances, ***HB 468,*** establishing a committee to study wine purchasing and pricing, ***HB 489-FN,*** relative to the New Hampshire medical malpractice joint underwriting association, ***HB 505,*** relative to the economic development advisory council, ***HB 511-FN,*** relative to insurance holding companies, ***HB 526-FN,*** relative to a reinsurance mechanism for the individual health insurance market, ***HB 529,*** relative to the regulation of health clubs, ***HB 530-FN,*** relative to annual reporting requirements for business entities, ***HB 544,*** repealing the prohibition on a state-based health exchange, ***HB 559,*** relative to the general banking laws of the state, ***HB 562,*** relative to the interest rate on title loans, ***HB 565,*** relative to actions under the consumer protection law, ***HB 566,*** regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas, ***HB 575,*** relative to hours of sales of on-premises liquor licensees, ***HB 585,*** relative to insurance parity for optometrists, ***HB 592-FN,*** regulating the use of electronic tracking devices, ***HB 594-FN,*** relative to the general consumer credit laws of the state, ***HB 606-FN,*** relative to community rating, ***HB 639,*** relative to beverage container and packaging approval, ***HB 640,*** relative to the standard valuation law, ***HB 664-FN,*** relative to the New Hampshire vaccine association, ***HB 668-FN,*** relative to group and individual health insurance market rules, ***HB 682-FN,*** relative to credit card fees.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on ***HB 224,*** relative to the authority of the superintendent of a county correctional facility.

10:00 a.m. Continued executive session from February 28, if needed.

12:00 p.m. Subcommittee work session on ***HB 125,*** requiring the reporting of certain felony offenses by postsecondary educational institutions.

EDUCATION, Room 207, LOB

10:00 a.m. Executive session on ***HB 300,*** requiring postsecondary education institutions to compile and submit reports on remedial education courses, ***HB 317-FN,*** relative to verification of school district membership data, ***HB 474,*** relative to eligibility for in-state tuition rates at the university system of New Hampshire, ***HB 533,*** relative to the mathematics requirement for high school graduation, ***HB 603-FN,*** relative to the administration of the university system of New

Hampshire, ***HB 624-FN,*** waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire, ***HB 629-FN,*** relative to designation as a high performance school for the purpose of qualifying for additional school building aid grants, ***HB 631-FN-L,*** requiring school boards to establish a policy allowing parents to send their children to an out-of-district school, ***HB 643-FN,*** establishing a science, technology, engineering, and mathematics scholars program, ***HB 679,*** relative to renovations to the vocational technical center at Alvirne high school, ***HB 680,*** relative to attending a public school or public academy outside of the school district in which the pupil resides.

ELECTION LAW, Room 308, LOB

11:00 a.m. Continued executive session on ***HB 392-FN,*** relative to political contributions and expenditures and relative to reporting by political committees, executive session on ***HB 119,*** relative to voter registration, ***HB 287-FN,*** eliminating voter identification requirements, ***HB 294,*** relative to voter database information provided for preparation of jury lists, ***HB 595-FN,*** relative to photo identification of voters, ***HB 600-FN,*** relative to voter registration.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. ***HB 683-FN,*** relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management.

11:00 a.m. ***HB 420,*** establishing orange, red, and yellow as the state colors.

1:00 p.m. Continued executive session on ***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 141,*** relative to training for new executive branch commissioners, ***HB 173,*** repealing the authority for supplemental allowances under the judicial retirement plan, ***HB 234,*** relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training, ***HB 326-FN,*** relative to licensure of polysomnographers by the board of respiratory care practitioners, ***HB 334-FN,*** requiring pharmacy interns to register with the pharmacy board, ***HB 353,*** relative to the regulation of private investigators and security guards, executive session on ***HB 342-FN,*** relative to part-time employment of retired members of the retirement system, ***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, ***HB 419-FN,*** establishing a deferred retirement option in the judicial retirement plan, ***HB 420,*** establishing orange, red, and yellow as the state colors, ***HB 455,*** establishing a committee to study the use of a cash balance retirement plan for new state employees, ***HB 469,*** relative to time limits for regulatory boards and commissions to hold disciplinary proceedings, ***HB 473-FN,*** relative to retirement system status for members of the university system police force, continued executive session on ***HB 599-FN,*** relative to establishing a single liquor commissioner, executive session on ***HB 620-FN-L,*** relative to the adjustment of member and employer contribution rates in the retirement system, ***HB 627-FN,*** requiring unused vacation and sick leave to be converted to service time for purposes of calculating retirement system benefits, ***HB 658-FN,*** relative to registration for medical technicians, ***HB 683-FN,*** relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management.

FINANCE – (DIVISION I), Room 212, LOB

Budget Work Sessions:

9:30 a.m. Joint Board of Licensure and Certification.
10:30 a.m. Executive Branch.
11:00 a.m. Legislative Branch.
1:00 p.m. Treasury.
2:00 p.m. Developmental Disabilities Council.
2:30 p.m. Department of Revenue Administration.

FINANCE – (DIVISION II), Room 209, LOB

Budget Presentations:

10:00 a.m. Department of Transportation.
1:00 p.m. Work session on ***HB 344-FN-L,*** relative to aid to school districts for the cost of special education.

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

Budget Work Sessions:

10:00 a.m. Alcohol and Drug Services.
1:00 p.m. Behavioral Health and NH Hospital.

FISH AND GAME AND MARINE RESOURCES, Room 307, LOB

10:30 a.m. Rescheduled executive session on ***HB 258-FN,*** prohibiting the taking of deer from baited areas, ***HB 256-FN,*** relative to funding for the fish and game search and rescue fund.

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

8:30 a.m. Subcommittee work session on ***HB 573-FN,*** relative to the use of marijuana for medicinal purposes.

10:00 a.m. Continued executive session on ***HB 494,*** relative to the administration of glucagon injections for pupils, 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 584,*** relative to covered prescription drugs, ***HB 633,*** relative to prescription refills, ***HB 636,*** relative to the waitlist for community mental health services, continued executive session on ***HB 313,*** relative to the regulation of the compounding of drugs by pharmacist, ***HB 481-FN,*** limiting the state's authority to seek reimbursement for public assistance, ***HB 528,*** relative to support and care costs for children with disabilities, executive session on ***HR 6,*** commemorating the 40th anniversary of the Roe v Wade Supreme Court decision and affirming support for its holding and principles.

1:00 p.m. Continued public hearing on ***HB 597-FN,*** relative to mandatory drug testing for certain health care workers.

2:00 p.m. ***HB 677-FN,*** relative to the certificate of need board.

JUDICIARY, Room 208, LOB

10:00 a.m. ***HB 685,*** relative to state agency communications under the right-to-know law.

1:00 p.m. Full committee work session on ***HB 685,*** relative to state agency communications under the right-to-know law.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

1:00 p.m. Executive session on ***HB 127-FN-L,*** relative to the state minimum hourly rate, ***HB 178-FN-L,*** relative to binding arbitration in public labor relations disputes, ***HB 203,*** relative to workers' compensation coverage for contractors on state projects and state land timber sales, ***HB 241-FN,*** establishing a state minimum hourly rate, ***HB 350,*** prohibiting discrimination against the unemployed, ***HB 357,*** prohibiting an employer from using credit history in employment decisions, ***HB 379,*** prohibiting an employer from requiring an employee or prospective employee to disclose his or her social media passwords, ***HB 414,*** relative to privacy in the workplace, ***HB 501-FN,*** relative to the minimum wage, ***HB 546,*** relative to medical examinations under workers' compensation, ***HB 591,*** relative to an abusive work environment and the health and safety of public employees.

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

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Executive session on ***HB 532,*** relative to energy efficiency and clean energy districts, ***HB 593,*** establishing a committee to study extending the due date for final property tax bills, ***HB 634,*** relative to water resource management and protection plans in municipal master plans, ***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, ***HB 672-FN,*** relative to the property tax exemption for water and air pollution control facilities and continued executive session on ***HB 541,*** relative to city charters, ***HB 204-FN-L,*** relative to the removal of social security and other numbers from registry of deeds documents available on the Internet.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. ***HB 684,*** relative to bridge replacement and bridge aid funds.

Capital budget presentations on the Governor's Capital Budget:

10:15 a.m. Adjutant General.
10:30 a.m. Department of Agriculture, Markets and Food.
11:00 a.m. Department of Justice.
11:30 a.m. Secretary of State.
1:00 p.m. Veterans Home.
1:30 p.m. Judicial Branch.
2:00 p.m. Work session.

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.

1:00 p.m. ***SB 57,*** relative to approval of the project proposed by the Town of Alstead for the lower Warren Brook Restoration project, establishing a commission to determine the appropriate use of flood damaged property, and repealing a commission established in 2006 to determine the appropriate use of property damaged in the October 2005 floods.

1:30 p.m. Executive session on ***SB 57,*** relative to approval of the project proposed by the Town of Alstead for the lower Warren Brook Restoration project, establishing a commission to determine the appropriate use of flood damaged property, and repealing a commission established in 2006 to determine the appropriate use of property damaged in the October 2005 floods.

RULES COMMITTEE, Room 303, LOB

2:00 p.m. Regular meeting.
Executive session to follow.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee work session on ***HB 484-FN-L,*** requiring public approval prior to issuance of certain site evaluation certificates, ***HB 286,*** relative to broadband infrastructure, ***HB 374,*** relative to electric utility investment in distributed energy resources.

1:00 p.m. Continued 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 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, executive session on ***HB 286,*** relative to broadband infrastructure, ***HB 374,*** relative to electric utility investment in distributed energy resources, ***HB 484-FN-L,*** requiring public approval prior to issuance of certain site evaluation certificates, ***HB 508,*** relative to idling by diesel locomotives, ***HB 542,*** relative to electric renewable portfolio standards, ***HB 580,*** establishing moratoriums on wind turbine plants and electric transmission line projects, ***HB 630-FN,*** repealing the New Hampshire regional greenhouse gas initiative program, ***HB 306,*** establishing a commission to develop an energy policy for the state.

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

5:00 p.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Subcommittee work session on ***HB 598,*** relative to the reasonable compensation deduction under the business profits tax, ***HB 427,*** relative to tobacco tax laws, ***HB 678-FN-A-L,*** relative to games of chance and establishing a gaming oversight authority and video lottery gaming, ***HB 665-FN-A-L,*** relative to video lottery and table gaming, ***HB 490-FN-A,*** relative to the tax on tobacco products other than cigarettes and establishing a tobacco use prevention and cessation program fund, ***HB 659-FN-A,*** increasing the tobacco tax, ***HB 487-FN,*** relative to refunds for tobacco tax stamps, ***HB 676-FN-A-L,*** extending and expanding the Coos county job creation tax credit.

2:00 p.m. Executive session on ***HB 427,*** relative to tobacco tax laws, ***HB 487-FN,*** relative to refunds for tobacco tax stamps, ***HB 490-FN-A,*** relative to the tax on tobacco products other than cigarettes and establishing a tobacco use prevention and cessation program fund, ***HB 598,*** relative to the reasonable compensation deduction under the business profits tax, ***HB 659-FN-A,*** increasing the tobacco tax, ***HB 665-FN-A-L,*** relative to video lottery and table gaming, ***HB 676-FN-A-L,*** extending and expanding the Coos county job creation tax credit, ***HB 678-FN-A-L,*** relative to games of chance and establishing a gaming oversight authority and video lottery gaming.

THURSDAY, MARCH 7

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Continued executive session from March 5, if needed.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. Continued executive session from March 5, if needed.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Subcommittee work session on ***HB 644-FN,*** relative to parole procedures.

10:00 a.m. Executive session on ***HB 644-FN,*** relative to parole procedures and continued executive session from March 5, if needed.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. Continued executive session from March 5, if needed.

FINANCE, Representatives Hall

4:00 p.m. Public hearing on Governor's proposed budget.

FINANCE – (DIVISION I), Room 212, LOB

Budget Work Sessions:

9:30 a.m. Public Employee Labor Relations Board.

10:00 a.m. Department of Labor.

10:30 a.m. NH Racing and Charitable Gaming Commission.

11:00 a.m. Department of Environmental Services.

1:00 p.m. Insurance Department.

FINANCE – (DIVISION II), Room 209, LOB

Budget Presentations:

10:00 a.m. Community College System of NH.

11:00 a.m. University System of NH.

1:00 p.m. Department of Education.

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

Budget Work Sessions:

9:30 a.m. Elderly and Adult Services.

FINANCE (DIVISION III) JOINT WITH HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Representatives Hall

1:00 p.m. Presentation on medicaid expansion with NH Fiscal Policy Institute and NH Center for Public Policy Studies.

1:45 p.m. Public hearing on Medicaid Expansion.

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

9:00 a.m. Rescheduled executive session on ***HB 573-FN,*** relative to the use of marijuana for medicinal purposes and ***HB 597-FN,*** relative to mandatory drug testing for certain health care workers, executive session on ***HB 677-FN,*** relative to the certificate of need board.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS JOINT WITH FINANCE (DIVISION III), Representatives Hall

1:00 p.m. Presentation on medicaid expansion with NH Fiscal Policy Institute and NH Center for Public Policy Studies.

1:45 p.m. Public hearing on Medicaid Expansion.

JUDICIARY, Room 208, LOB

10:00 a.m. Executive session on ***HB 685,*** relative to state agency communications under the right-to-know law.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. Continued executive session on ***HB 635,*** establishing a committee to study state rest areas and executive session on ***HB 684,*** relative to bridge replacement and bridge aid funds.

Capital budget presentations on the Governor's Capital Budget:

10:15 a.m. Administrative Services.

11:15 a.m. Department of Resources and Economic Development.

1:00 p.m. Community Colleges System.

2:00 p.m. University System of New Hampshire.

3:00 p.m. Department of Education.

3:30 p.m. Work sessions.

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.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Continued executive session from March 5, if needed.

FRIDAY, MARCH 8

FINANCE – (DIVISION III), Rooms 210-211, LOB
Budget Work Sessions:
1:30 p.m. Human Services.

FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB
10:00 a.m. Regular business.
10:30 a.m. Audits: State of New Hampshire, Juvenile Justice Services Pre-Adjudicated Placements performance audit report March 2013
State of New Hampshire, State Agency Decision-Making Practices: Employees Versus Contractors performance audit report March 2013
State of New Hampshire, Lottery Commission, management letter for the fiscal year ended June 30, 2012
State of New Hampshire, Turnpike System, management letter for the fiscal year ended June 30, 2012

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.

MONDAY, MARCH 11

ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), Room 100, State House
3:00 p.m. Regular meeting.

FINANCE, White Mountains Regional High School, 127 Regional Road, Whitefield.
5:00 p.m. Public hearing on Governor's recommended budget.

NH Community Technical College, 505 Amherst Street, Nashua.
5:00 p.m. Public hearing on Governor's recommended budget.

FINANCE – (DIVISION I), Room 212, LOB
Budget Work Session:
9:30 a.m. Department of Environmental Services.
11:00 a.m. Public Utilities Commission.

FINANCE – (DIVISION II), Room 209, LOB
Budget Work Session:
10:00 a.m. Department of Safety.

THURSDAY, MARCH 14

COMMERCE AND CONSUMER AFFAIRS JOINT WITH HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Rooms 302-304, LOB
10:00 a.m. NH Citizens Health Institute: Moving NH's health system toward better health, better care and lower costs.

FINANCE – (DIVISION I), Room 212, LOB
Budget Work Sessions:
10:30 a.m. Adjutant General.
11:30 a.m. Department of Revenue Administration.
1:00 p.m. Department of Information Technology.
2:00 p.m. Liquor Commission.
3:00 p.m. Human Rights.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS JOINT WITH COMMERCE AND CONSUMER AFFAIRS, Rooms 302-304, LOB
10:00 a.m. NH Citizens Health Institute: Moving NH's health system toward better health, better care and lower costs.

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.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB
9:30 a.m. Subcommittee work session on proposed capital budget lapse date extensions in the Governor's Capital Budget.

MONDAY, MARCH 18

FINANCE, Sugar River Valley Regional Technical Center, 111 South Street Claremont.
5:00 p.m. Public hearing on Governor's recommended budget.

Rochester Community Center, 150 Wakefield Street, Rochester.
5:00 p.m. Public hearing on Governor's recommended budget.

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.

TUESDAY, MARCH 19

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB
Capital budget presentations on the Governor's Capital Budget:
10:00 a.m. Environmental Services.
11:00 a.m. Liquor Commission.
1:00 p.m. Department of Information Technology.
2:00 p.m. Department of Health and Human Services.
3:00 p.m. Department of Corrections.
4:00 p.m. Work session.

THURSDAY, MARCH 21

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB
Capital budget presentations on the Governor's Capital Budget:
10:00 a.m. Department of Safety.
1:00 p.m. Department of Transportation.
2:00 p.m. Work session.

FRIDAY, MARCH 22

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Room 301, LOB
9:30 a.m. Regular meeting.

MONDAY, MARCH 25

OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB
9:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Belknap County Delegation will meet **March 4,** 2013 at 5:00 p.m. at the County Complex. The purpose of this meeting is to receive the Union contract cost items and to vote on the budget. A subsequent meeting, if necessary to finish/vote on the budget will be on **March 11th**, 2013 at 5:00 p.m. also at the County Complex and any other business to come before the meeting.

Rep. Colette Worsman, Chairman
Belknap County Delegation

COUNTY DELEGATION NOTICE

Coos County Delegation will meet Wednesday, **March 6,** during the lunch break from session, in Room 203, LOB. The purpose of the meeting is to discuss subcommittee oral report and the plausible impact on the county budget. Lunch will be provided. Delegation members are asked to be prompt.

Rep. Robert L. Theberge, Chairman
Coos County Delegation

COUNTY DELEGATION NOTICE

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

Rep. Mariellen MacKay, Clerk
Hillsborough County Executive Committee

COUNTY DELEGATION NOTICE

Pursuant to RSA 24:23, there will be a public hearing for **Merrimack** County before the County Delegation at 6:00 p.m. on Monday, **March 11,** 2013 at the County Administration Building, 4 Court Street, Lower Level Conference Room, Concord, New Hampshire. The purpose of the meeting is: 1. To consider 2013 Budget Appropriations for Merrimack County. 2. Hear a Report on Applicants for County Treasurer. 3. To consider any other business that may appropriately come before them. At this time, any member of the public may present oral or written testimony regarding the 2013 budget as proposed by the Merrimack County Delegation Executive Committee.

Pursuant to RSA 24:9-c and RSA 24:14 II, immediately following the Public Hearing to be held on Monday, **March 11**, 2013 at 6:00 p.m., there will be a meeting of the **Merrimack** County Delegation at the County Administration Building, 4 Court Street, Lower Level Conference Room, Concord, New Hampshire. The purpose of the meeting is: 1. Approval of the 2013 Merrimack County Proposed Budget. 2. Withdrawal of funds from the Capital Reserve Account. 3. Act on Applicants for County Treasurer. 4. To consider any other business that may appropriately come before them.

Rep. Candace C.W. Bouchard, Chairman
Merrimack County Delegation

COUNTY DELEGATION NOTICE

Rockingham County Executive Committee will 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

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REVISED FISCAL NOTES

The following House Bills have a revised fiscal note: HBs 184, 250, 317, 319, 320, 321, 322, 324, 325, 326, 327, 328, 330, 333, 334, 335, 336, 338, 340, 341, 342, 343, 344, 370, 380, 382, 391, 431, 432, 434, 435, 437, 445, 456, 461, 462, 466, 473, 477, 478, 479, 481, 482, 484, 485, 486, 488, 489, 490, 491, 493, 540, 563, 564, 570, 595, 596, 597, 600, 617, 628, 630, 641, 642, 643, 646, 648, 650, 651, 652, 654, 655, 656, 657, 658, 660, 661, 663, 665, 667, 668, 670, 671, 673, 677, 678. SB 39.

Karen O. Wadsworth, Clerk of the House

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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. 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.

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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

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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

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The Community College System of NH will host a breakfast for legislators and staff on 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

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Please join the Live Free or Die Alliance at a catered lunch and presentation at the New Hampshire Historical Society, 30 Park Street, Concord on Tuesday, **March 5** at noon. RSVP to Anne Webber at 929-2206 or **awebber@libertylanesvc.com**

Rep. Chris Muns

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

Reps. Laurie Sanborn, Adam Schroadter and
Patrick Abrami

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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

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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

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The New Hampshire Public Charter School Association welcomes all legislators to St. Paul's Church on **March 6** from 11:00 a.m. – 2:00 p.m. for the 6th Annual Charter Chili Competition. Participating charter schools will showcase the mission of their schools and parents from each school will enter their best chili to compete to win the contest for their school. Legislators will vote for their favorite recipe. We welcome Liam Kerr from the Massachusetts chapter of Democrats for Education Reform as our national speaker. Please join us and learn more about the state of charter schools in NH and the nation.

Rep. Kenneth L. Weyler

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The next meeting for Capital Grange will be Wednesday, **March 6** in the State House Cafeteria during the lunch break from session. Everyone is welcome to come and find out what the Grange is and what we hope to accomplish. Please contact Rep Dick Patten, Rep. Bob Haefner, or Rep. Linda Lauer for information. All Grange members are asked to join us for a discussion as well.

Rep. Dick W. Patten

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All representatives and staff are invited to join IBEW 490 and IBEW 104 for a Legislative Open House on Wednesday, **March 6** from 3:00 to 6:00 p.m. at the New Hampshire Electrical Training Center, 48 Airport Road, Concord. Refreshments and food provided.

Rep. Stephen J. Shurtleff

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The New Hampshire Civil Liberties Union will hold an Open House Wednesday, **March 6,** from 4:30 to 6:00 p.m. to welcome the new Executive Director, Devon Chaffee, and see the newly designed Concord office. Please join the staff and supporters upstairs at 18 Low Avenue (below CVS on Main St.), and learn more about the work being done to promote and protect civil liberties across our state. Light hors d'oeuvres, beer and wine will be served. RSVP to **Sheila@nhclu.org** or (603)225-3080.

Rep Susan Almy

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The House Republican Alliance will host a continuing education series for all House Republicans on Thursday, **March 7,** from 8:30 - 10:00 a.m. in LOB 303. Please RSVP to Carol McGuire at **McGuire4house@gmail.com**.

Reps. Al Baldasaro, Carol McGuire, Pamela Tucker

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All Representatives are invited to a showing of the National Geographic film "Chasing Ice" at the Stoneyfield Room of the Red River Theater, 11 S. Main St. in Concord on Thursday, **March 7** at 9:15 a.m.

The film will be followed by a discussion of the film and plans for creating an Environmental Caucus. The Caucus would bring together members of Science, Technology and Energy, Environment and Agriculture, and Resources, Recreation and Development of both parties, as well as other representatives interested in environmental policy issues and legislative initiatives.

Representatives who are interested in the Caucus but cannot attend the film and first meeting are urged to contact Rebecca Brown (**Rebecca.brown@leg.state.nh.us**; 991-7408) or Ken Grossman **ken.grossman65@gmail.com** 731 8322

Reps. Kenneth Grossman and Rebecca A. Brown

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All legislators are invited to a meeting of the Tourism Caucus on Thursday, **March 7** from 12:00 to 1:00 p.m. at the NH State Library, second floor. Lunch will be provided and members from the NH Tourism Coalition will join us.

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

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All legislators, staff and members of the public are invited to attend an informational session on NH's Health Benefit Marketplace (also known as the Exchange) on Friday, **March 8, at** 10:30 am, in LOB 206-208. Interested stakeholder groups and members of the public will address policymakers and others with decision-making and advisory roles related to the planning and implementation of NH's health benefit Marketplace. Oral and written

testimony will be collected and will be integrated into a report to inform immediate and long-term decision-making of state and federal decision-makers. RSVP to **elissa@margolinconsulting.com** to reserve your seat.

Rep. Edward A. Butler

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The American Cancer Society Cancer Action Network Legislative Breakfast has been rescheduled to **March 13,** from 8:00 a.m. to 10:30 a.m. at the Upham 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

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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

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All legislators and staff are invited to the 11th Annual NH Capital St. Patrick's Day corned beef and cabbage luncheon on Thursday, **March 14** at noon at the Grappone Center-Courtyard Marriott in Concord. Please RSVP to **James.Demers@Demers-Blaisdell.com**

Rep. Stephen J. Shurtleff

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The 2013 New Hampshire Poetry Out Loud (POL) program will hold a statewide Championship Competition in Representatives Hall, at the State House on Friday, **March 15** at 7:00 p.m. (snow date March 18). Eleven New Hampshire high school poetry champions will recite great poetry and compete for the opportunity to represent NH at the National Poetry Out Loud Championship in Washington, DC in April. The 11 students are the winning competitors, coming out of four semi-finals. Over 9,000 NH high school students participated. All legislators and their families are invited. This event, sponsored by the NH State Council on the Arts, is free and open to the public. To see a listing of high schools or for information contact Catherine O'Brian, Arts Education Coordinator, NH State Council on the Arts, 271-0795 or go to: **www.nh.gov/nharts** (click on the Poetry Out Loud button).

Terie Norelli, Speaker

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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

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Representatives Ulery and Shurtleff invite all to a light breakfast meeting with the Bishop of Manchester on **March 20** at 8:00 a.m. at the Upham Walker House, Park Street, Concord.

Reps. Jordon G. Ulery and Stephen J. Shurtleff

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Granite State Coalition Against Expanded Gambling invites all representatives to join us for lunch at the Holiday Inn on **March 20** during the session lunch break. There will be a brief program and the opportunity to have questions answered.

Reps. David Hess and Marjorie Smith

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The members of the National Association of Insurance and Financial Advisors and the Coalition of Insurance and Financial Producers cordially invite all Representatives and staff to a reception in the State House cafeteria on Wednesday, **March 27,** 2013 from 7:30 a.m. - 9:30 a.m. where a breakfast will be served. Members of both organizations live throughout New Hampshire - they are your local insurance and financial advisors who assist our citizens with life, health, disability, and long-term care insurance as well as investment products. Look forward to seeing you there.

Reps. Stephen J. Shurtleff and Gene G. Chandler

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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

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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

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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

DATE	*TIME*	*GROUP*	*Group#/Grade*
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	56/4
March 11	1:00	Wediko School – Windsor	15/HS
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	
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

DATE	*TIME*	*GROUP*	*Group#/Grade*
March 15	9:00	Christa McAuliffe School – Concord	40/4
March 15	11:30	Moultonborough Central School	32/4
March 15	1:00	Tri City Christian Academy-Somersworth	25/4
March 18	10:45/12:15 SH/HM	Highbridge Hill Elementary School – New Ipswich	80/4
March 19	9:45/11:00 SH/Manse	Lincoln St. School – Exeter	88/4
March 20	9:45/11:00 SH/Manse	Lincoln St. School – Exeter	88/4
March 21	10:00	Paul School – Wakefield	50/4
March 21	11:30	Plymouth Elementary School	52/4
March 22	9:00	St. Benedict Academy – Manchester	12/4
March 22	10:15/11:30 SH/HM	Charlotte Ave. Elementary School – Nashua	85/4
March 25	9:30	Hanover St. School – Lebanon	55/4
March 25	12:45	Sant Bani School – Tilton	17/4
March 26	9:30	Greenland Central School	45/4
March 26	11:30	Newfields Elementary School	33/4
March 27	9:00	Barnstead Elementary School	40/4
March 27	10:00	Trinity Christian School – Keene	11/4
March 29	10:15	East Kingston Elementary School	33/4
March 29	11:15	Pierce School at Bennington	15/4

WEDNESDAY, MARCH 6
AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 118
(2013-0392h)
Proposed by the Majority of the Committee on Judiciary - R

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

AN ACT providing immunity from criminal prosecution for seeking medical assistance with an emergency drug or alcohol overdose event.

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

1 New Section; Criminal Code; General Principles. Amend RSA 626 by inserting after section 8 the following new section:

626:9 Immunity for Persons who Suffer or Report an Emergency Drug or Alcohol Overdose Event.

I. A person who reports an emergency drug or alcohol overdose event shall be immune from criminal prosecution for an offense described in this section if:

(a) The person reports in good faith an emergency drug or alcohol overdose event to a law enforcement officer, the 911 system, or a medical provider;

(b) The person remains at the scene of the event until a law enforcement officer or an emergency medical responder arrives or the person remains at the facilities of the medical provider until a law enforcement officer arrives;

(c) The person identifies himself or herself to, and cooperates with, the law enforcement officer, emergency medical responder, or medical provider; and

(d) The chargeable offense arises from the same course of events from which the emergency drug or alcohol overdose event arose.

II. The immunity described in paragraph I shall also extend to the person who suffered the emergency drug or alcohol overdose event if the chargeable offense arose from the same course of events from which the emergency drug or alcohol overdose event arose.

III. The immunity described in paragraph I shall apply to the following criminal offenses:

(a) Possession, control, or transportation of a controlled drug, controlled drug analog, or any preparation containing a controlled drug, or possession, control, or transportation of any drug paraphernalia under RSA 318-B:2.

(b) Unlawful possession and intoxication under RSA 179:10.

(c) Prohibited sales of alcohol under RSA 179:5.

IV. Nothing in this section shall prohibit the prosecution of any person for an offense other than an offense listed in paragraph III or to limit the ability of a prosecutor or a law enforcement officer to obtain or use evidence obtained from a report, recording, or any other statement provided pursuant to paragraph I to investigate and prosecute an offense other than an offense listed in paragraph III.

V. In this section, "emergency drug or alcohol overdose event" means an acute condition including, but not limited to, physical illness, coma, mania, hysteria, or death resulting from the consumption or use of a controlled substance, or of alcohol, or another substance with which a controlled substance or alcohol was combined, and that a layperson would reasonably believe to be a drug or alcohol overdose that requires medical assistance.

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

AMENDED ANALYSIS

This bill provides immunity from criminal prosecution for any person who in good faith seeks medical assistance with, or experiences, an emergency drug or alcohol overdose event.

Amendment to HB 142
(2013-0462h)
Proposed by the Committee on Education - C

Amend the bill by replacing section 1 with the following:

1 New Paragraph; School Boards; Duty to Provide Education. Amend RSA 189:1-a by inserting after paragraph II the following new paragraph:

III. The school board shall develop, with the involvement of teachers and principals, for adoption any teacher evaluation and support system to be used in the school district or school for the continual improvement of instruction. Any teacher evaluation and support system that may be provided by the department of education or approved by the state board of education may serve as a guide and reference to the school district or school. In this paragraph, "teacher" shall have the same meaning as provided in RSA 189:14-a, V. Nothing in this paragraph shall supersede collective bargaining rights under RSA 273-A.

AMENDED ANALYSIS

This bill provides that the school board shall be responsible for the development and adoption of a teacher evaluation system.

Amendment to HB 161
(2013-0321h)
Proposed by the Committee on Education - R

Amend the bill by replacing section 1 with the following:

1 State Board of Education; Duties. Amend RSA 186:11, IX-b to read as follows:

IX-b. Health and Sex Education. Require school districts to adopt a policy allowing an exception to a particular unit of health [~~or sex~~] education instruction based on religious objections ***and a policy allowing an exception to a particular unit of sex education instruction based on religious objections or personal beliefs.*** Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.

AMENDED ANALYSIS

This bill requires a school district to adopt a policy allowing an exception to health and sex education based on religious objections, personal beliefs, or both.

Amendment to HB 180
(2013-0099h)
Proposed by the Committee on Education - C

Amend the bill by replacing section 1 with the following:

1 Head Injury Policies for Student Sports; Definitions. Amend RSA 200:52, III-IV to read as follows:

III. "Student-athlete" means a student ***involved in any intramural sports program conducted outside the regular teaching day or competitive student sports program between schools*** in grades [~~9-12 involved in student sports~~] ***4-12***.

IV. "Student sports" means [~~athletic programs~~] ***intramural sports programs conducted outside the regular teaching day for students in grades 4-12 or competitive athletic programs between schools*** for students in grades [~~9-12~~] ***4-12***.

Amendment to HB 199
(2013-0066h)
Proposed by the Minority of the Committee on Fish and Game and Marine Resources - R

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

AN ACT requiring the fish and game department to research and develop a hiker identification card system for search and rescue purposes.

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

1 Fish and Game Department; Hiker Identification Card System. The fish and game department shall report to the joint legislative fiscal committee on or before July 1, 2014 on the following:

I. Its findings on available effective technology from all sources including military, satellite communica-

tion companies, and outdoor locator rescue operations, on the types of hiker identification systems which may be activated by department and volunteer personnel and used for search and rescue purposes in the state. The purpose of the hiker identification card shall be to aid searches by using technology to pinpoint a lost or injured hiker and avoid widely dispersed searches involving many people and high costs.

II. Its recommendation for implementation of an appropriate hiker identification card system in this state, including the marketing of the availability of such hiker identification cards at trail heads and other locations to publicize the system and to maximize the revenues generated by the sales of the cards which shall be deposited into the state's search and rescue fund.

III. Its date for implementation of the recommended hiker identification card system.

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

AMENDED ANALYSIS

This bill requires the fish and game department to research and develop a hiker identification card system for search and rescue purposes.

Amendment to HB 242
(2013-0454h)
Proposed by the Committee on Transportation - R

Amend the bill by replacing section 1 with the following:

1 Rules of the Road; Child Restraint System. Amend RSA 265:107-a, I-b to read as follows:

I-b. No person shall drive a motor vehicle on any way while carrying as a passenger a person less than [~~6~~] ***7*** years of age unless such passenger is properly fastened and secured by a child restraint system which is in accordance with the safety standards approved by the United States Department of Transportation in 49 C.F.R. section 571.213. If the passenger is [~~55~~] ***56*** inches or more in height, the provisions of this paragraph shall not apply.

AMENDED ANALYSIS

This bill increases the height exception to the child restraint system requirement for motor vehicle operation and adds 6-year-old children to the requirement.

Amendment to HB 253
(2013-0358h)
Proposed by the Committee on Commerce and Consumer Affairs - C

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

AN ACT relative to limitations on sales by nano breweries for consumption on the premises.

Amend the bill by replacing section 1 with the following:

1 Nano Brewery; On-Premises Licensing. Amend RSA 178:12-a, II(a) to read as follows:

II.(a) The annual fee for each license issued under this section shall be $240. ***The licensee may elect to be licensed as an on-premises nano brewery by paying an additional annual fee of $240, which shall entitle the licensee to be exempt from the limitations on sales in subparagraph III(e) during such times as the licensee offers food for sale.***

AMENDED ANALYSIS

This bill allows a nano brewery to obtain a license upgrade exempting the licensee from sales limitations when the licensee is selling food.

Amendment to HB 259-FN
(2013-0386h)
Proposed by the Committee on Fish and Game and Marine Resources - R

Amend the bill by replacing all after section 2 with the following:

3 Scuba Diver Lobster License Removed; 2016. Amend RSA 211:18, III(a) to read as follows:

(a) If a person is a resident of this state and does not take lobsters or crabs for the purpose of sale and does not use more than 5 traps, the person may receive a recreational lobster and crab license. [~~A person receiving a recreational lobster and crab license may not also receive the scuba diver lobster license under paragraph III-c.~~]

4 Repeal; 2016. RSA 211:18, III-c, relative to special scuba diver lobster licenses, is repealed.

5 Effective Date.

I. Sections 3 and 4 of this act shall take effect January 1, 2016.

II. The remainder of this act shall take effect January 1, 2014.

AMENDED ANALYSIS

This bill allows the fish and game department to issue special scuba diver lobster licenses for noncommercial taking of lobsters while engaged in recreational scuba diving. The authority to issue the special scuba diver lobster licenses is repealed January 1, 2016.

Amendment to HB 260-FN
(2013-0447h)
Proposed by the Committee on Children and Family Law - R

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

AN ACT relative to voluntary services provided to children in need under RSA 169-D.

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

1 Children in Need of Services; Applicability of Chapter. RSA 169-D:1, IV and V are repealed and reenacted to read as follows:

IV. To protect the integrity of the family by authorizing adjudication and the imposition of dispositional judgment requiring participation in a plan of services only after appropriate voluntary alternatives have been unsuccessful; and

V. When appropriate voluntary service options have been unsuccessful, to provide effective judicial procedures through which family service plans are executed and enforced, and which assure the parties fair hearings at which their constitutional and other rights as citizens are recognized and protected.

2 Definition of Child in Need of Services. RSA 169-D:2, II is repealed and reenacted to read as follows:

II. "Child in need of services" means a child under the age of 18 who is:

(a) Subject to compulsory school attendance, and who is habitually, willfully, and without good and sufficient cause, truant from school; or

(b) A child who habitually runs away from home or who repeatedly disregards the reasonable and lawful commands of his or her parents, guardian, or custodian and places himself or herself or others in unsafe circumstances; or

(c) Is diagnosed with a severe emotional, cognitive, or other mental health issue and engages in aggressive, fire-setting, or sexualized behaviors that pose a danger to the child or others; and

(d) Is expressly found to be in need of care, guidance, counseling, discipline, supervision, treatment, or rehabilitation.

3 New Paragraph; Definition Added. Amend RSA 169-D:2 by inserting after paragraph XIII the following new paragraph:

XIV. "Truant" means a child between the ages of 6 and 18 years who is either not attending school as required by law or who is not participating in an alternative learning plan under RSA 193:1. "Truancy" shall have the same meaning as in RSA 189:35-a.

4 Petition. Amend RSA 169-D:5, I to read as follows:

I. A petition alleging a child is in need of services may[~~, with the consent of the department,~~] be filed by a parent, legal guardian or custodian, school official, or law enforcement officer with a judge or clerk of the court in the judicial district in which the child is found or resides. The petition shall be in writing and verified under oath. The following notice shall be printed on the front of the petition in bold in no smaller than 14 point font size: "See back for important information and financial obligations." The back of the petition shall include a notice of liability for parents and other individuals chargeable by law for the child's support and necessities.

5 New Paragraph; Petition. Amend RSA 169-D:5 by inserting after paragraph II the following new paragraph:

II-a. Any petition filed shall include language demonstrating that appropriate voluntary services have been attempted, the nature of voluntary services attempted, and the reason court compulsion is necessary. If, upon review of the petition, the court is not satisfied that the petition includes sufficient information to find that appropriate voluntary services were attempted and unsuccessful, the court shall, prior to scheduling the child's initial appearance, refer the petition to the department, which shall proceed pursuant to RSA 169-D:9.

6 New Section; Voluntary Services. Amend RSA 169-D by inserting after section 5-b the following new section:

169-D:5-c Voluntary Services. The department may offer the child and family, on a voluntary basis, any services permitted under RSA 169-D:17.

7 Issuance of Summons and Notice. RSA 169-D:6, I is repealed and reenacted to read as follows:

I.(a) After a legally sufficient petition has been filed, unless the case is referred to the department pursuant to RSA 169-D:5 or a consent order is entered and approved, the court shall schedule an initial appearance and issue a summons, including a copy of the petition, to be served personally upon the person having custody or control of the child or with whom the child may be, requiring that person to appear with the child on the specified date and time. Refusal of the child to participate in the development of a voluntary service plan may constitute sufficient information that voluntary service and support options have been unsuccessful.

(b) If personal service is not possible, service shall occur at the usual place of abode of the person having custody or control of the child or with whom the child may be, requiring that person to appear with the child at a specified place and time which time shall not be less than 24 hours after service. If the person so notified is not the parent or guardian of the child, then a parent or guardian shall be notified, provided they and their residence are known.

8 Diversion and Pre-adjudicatory Procedure. RSA 169-D:9 is repealed and reenacted to read as follows:

169-D:9 Pre-adjudicatory Procedure.

I. Except in emergencies, the department, its agent, or any person or agency it designates shall determine what voluntary service options are available to the child and family. To achieve this purpose, the department may designate a multi-disciplinary team to consider the facts and circumstances of the case, the needs of the child and family, and available diversion programs, services, and resources. This conference shall be attended by the child, if appropriate, his or her parents, legal guardians or custodians, and representatives of any public institution or agency having legal responsibility over the child, and may be attended by parties invited by the family and representatives of any public or private institutions or agencies having discretionary ability to coordinate and/or supply services to the child or family. If the child does not attend a multi-disciplinary conference, an appropriate individual shall be designated to solicit the child's input and help the child understand available service options and supports.

II. If available, a multi-disciplinary conference may be held at any time before or after a petition is filed but shall be held before the child's initial appearance pursuant to RSA 169-D:11.

III. At any time before or after a petition is filed, the child, his or her caretakers, and the department may effect an individualized voluntary family services plan, which shall include:

(a) Identification of the conduct of the child, caretaker, or any family member which is causing harm to the child.

(b) A description of the services that are needed for the child, the child's caretakers, or other family members, the availability of such services within the community, and a plan for ensuring that any such services that are available will be secured and provided.

(c) The name of the person within the affected public service agency who is directly responsible for assuring that the voluntary family services plan is implemented.

(d) An estimate of the time anticipated to be necessary to accomplish the goals set out in the plan.

(e) Any other provisions deemed appropriate by the parties.

IV. A voluntary family services plan shall set forth in writing the terms and conditions agreed to by the child, the child's caretaker, and all parties responsible for implementation of the voluntary services plan. A written copy of the plan shall be submitted to each party or person responsible for implementation of the plan.

V. A voluntary services plan may be amended by agreement of the parties at any time. If a petition has been filed, the amended plan shall be submitted to the court.

VI. If a petition has been filed, the voluntary family services plan shall be submitted to the court. A voluntary services plan shall stay the proceedings for a period not to exceed 90 days from the date of implementation, unless the parties agree, in writing, to an extension for additional periods not to exceed 90 days. If the parties determine services are necessary for longer than 180 days, the department shall submit a report to the court which outlines the progress that has been achieved during the duration of services and explains why continued services are necessary. Such reports shall be filed every 180 days until voluntary services are discontinued. If, upon reviewing the report, the court questions the need for continued services, it shall schedule a show cause hearing, at which the child, if appropriate, the child's parent or caretaker, and the department shall appear.

VII. When the petitioning person or agency, the court, the department, or a member of the multi-disciplinary team suspects that a child has a disability, an administrator at the responsible school district shall be notified. If appropriate, the school district shall refer the child for evaluation to determine if the child is in need of special education and related services.

VIII. A voluntary family services plan shall not be considered an adjudicatory hearing pursuant to RSA 169-B or 169-D, or a criminal trial. Evidence of the existence of such agreement shall not be used against the child over objection in any juvenile adjudicatory hearing or criminal trial.

IX. Any incriminating statement made by the child during discussions or conferences incident to the voluntary family services plan shall not be used against the child, over objection, in adjudicatory hearing pursuant to RSA 169-B or 169-D, or a criminal trial. Any such statement may be reported as the basis for a referral to the department pursuant to RSA 169-C, if there is reasonable basis to believe that a child's physical or mental health or welfare is endangered by abuse or neglect.

X. A voluntary family services plan suspends the proceedings on the petition. If the child satisfies the terms of the voluntary family services plan, he or she shall be discharged from further services or supervision, and the pending complaint or petition shall be dismissed with prejudice.

9 Initial Appearance. Amend RSA 169-D:11, II(c) and (d) to read as follows:

(c) Establish any conditions for release; [~~and~~]

(d) Set a hearing date[~~.~~]***; and***

(e) Inquire of the juvenile and a parent or guardian of the juvenile if the juvenile has been:

(1) Determined to have an intellectual disability; or

(2) Determined to have a mental illness, emotional or behavioral disorder, or another disorder that may impede the child's decision-making abilities; or

(3) Identified as eligible for special education services.

10 New Section; Data Collection. Amend RSA 169-D by inserting after section 30 the following new section:

169-D:31 Data Collection.

I. The department shall establish a system to collect data. The system shall collect information related to:

(a) The person or entity who referred the child for services and/or filed the petition.

(b) The racial and ethnic identity of the child.

(c) The insurance status and coverage of child served.

(d) The length of time a child receives services under this chapter, including the time prior and subsequent to the filing of a petition.

(e) The identity of any public or private organization to whom the department has referred a child or family.

(f) Any other information, including outcome data, that may assist the department and the court in evaluating the availability and effectiveness of services for children who receive assistance under this chapter.

II. The department shall, upon request, make available to members of the public, compilations of the data which do not contain identifying information.

11 Effective Date. This act shall take effect September 1, 2013.

AMENDED ANALYSIS

This bill expands the definition of a child in need of services under RSA 169-D and requires consideration of voluntary services before proceeding with a petition under RSA 169-D. The bill also requires the department of health and human services to collect certain data regarding petitions under RSA 169-D.

Amendment to HB 269-LOCAL
(2013-0359h)
Proposed by the Committee on Education - C

Amend the bill by replacing sections 2 and 3 with the following:

2 New Paragraph; Use of Official Ballot. Amend RSA 40:13 by inserting after paragraph XVII the following new paragraph:

XVIII. In response to statutory changes resulting in reductions or increases in distribution of state revenues for education pursuant to RSA 198:41 to school districts which would take effect after the adoption of a new school district budget and would apply in the fiscal year covered by the new budget, the governing body of a school district which uses the official ballot for voting may, after consultation with the budget committee, call a special meeting of the legislative body to consider a reduction, rescission, or increase of appropriations made at an annual meeting. A special meeting under this paragraph shall not be petitioned under RSA 39:3 and no petitioned warrant articles shall be inserted in the warrant. The governing body's warrant shall specify, in one or more articles, the amounts of appropriations proposed for reduction, rescission, or increase from the operating budget or separate warrant articles, or both, adopted at the annual meeting. The governing body of such school district shall post a notice of the meeting, which shall include the warrant, in at least 2 public places within the political subdivision, one of which shall be on the political subdivision's website, if such exists, at least 7 days prior to the meeting. Additional notice shall be published in a newspaper of local or regional circulation in the political subdivision, provided that if there is no newspaper of local or regional circulation in which notice can be published at least 7 days before the date of the meeting, public notice shall be posted in at least one additional place within the political subdivision. The meeting shall be conducted in accordance with the provisions of this chapter. The most recently updated checklist shall be used. The legislative body, after consultation with the budget committee, may approve or disapprove any proposed reduction, rescission, or increase of appropriations, or may approve lesser reductions, but the legislative body shall not approve greater reductions, or reduce or rescind an appropriation not specified in the warrant, or act on any other business at the meeting. The governing body shall hold a public hearing on the proposed reductions, rescissions, or increase at least 14 days prior to the meeting. Notice of the time, place, and subject of such hearing shall be posted in at least 2 public places within the political subdivision, one of which shall be on the political subdivision's website, if such exists, at least 7 days prior to the hearing. The provisions of the following chapters of the RSAs, as they apply to special meetings of the legislative body of a school district shall not be required for special meetings held pursuant to this paragraph: RSA 32, RSA 39, RSA 49-D, RSA 197, RSA 654, RSA 669, RSA 670, and RSA 671.

3 New Section; Cities and Wards; Special Meeting. Amend RSA 44 by inserting after section 10-a the following new section:

44:10-b Special Meeting. In response to statutory changes resulting in reductions or increases in distribution of state revenues for education pursuant to RSA 198:41 to school districts which would take effect after the adoption of a new school district budget and would apply in the fiscal year covered by the new budget, the governing body of a city may call a special meeting of the legislative body to consider a reduction, rescission, or increase of appropriations made at an annual meeting. The legislative body may approve or disapprove any

proposed reduction, rescission, or increase of appropriations, or may approve lesser reductions. The governing body shall provide notice and hold a public hearing on the proposed reductions, rescissions, or increase in accordance with local practices and procedures for notice of public hearings.

AMENDED ANALYSIS

This bill authorizes a city or town to conduct a special meeting necessitated by changes in adequate education funding.

Amendment to HB 282
(2013-0209h)
Proposed by the Committee on Transportation - C

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

AN ACT relative to mixed use school buses, relative to licensing and criminal records of driver education instructors, and relative to background checks for department of safety employees.

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

4 New Section; Department of Safety; Employee Candidate Background Checks. Amend RSA 21-P by inserting after section 15-b the following new section:

21-P:15-c Employee Candidate Background Checks.

I. The commissioner may require a background investigation and a criminal history records check on any candidate for employment or promotion prior to a final offer of employment. The commissioner may request only a state records check or both a federal and state records check, to be conducted through the division of state police. The department may extend a conditional offer of employment to a candidate, with a final offer of employment subject to a successfully completed criminal history records check.

II. A candidate for employment in a position which the commissioner determines requires a background investigation and a criminal history records check shall submit to the department a notarized criminal history records release form, as provided by the division of state police, which authorizes the release of the person's criminal records, if any. The candidate shall submit with the release form a complete set of fingerprints taken by a law enforcement agency as directed by the commissioner. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where a candidate has lived during the past 5 years.

III. To obtain a state records check only, the department shall submit a state criminal history records release form to the division of state police. To obtain both the federal and the state records check, the department shall submit the criminal history records release form and applicant fingerprint card to the division of state police, which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of state police shall report any criminal conviction information to the commissioner. The department may submit fingerprint information electronically, in accordance with procedures established by the division of state police. The department shall maintain the confidentiality and security of all criminal history records information received pursuant to this paragraph.

IV. In this section, "candidate for employment" shall include candidates for contract positions, volunteers, or interns.

AMENDED ANALYSIS

This bill modifies the definition of mixed use school bus, requires criminal records checks of driver education instructors, updates references relating to suspending or revoking a school license or driver education certificate, and authorizes background checks on candidates for employment or promotion at the department of safety.

This bill was requested by the department of safety.

Amendment to HB 293
(2013-0255h)
Proposed by the Committee on Health, Human Services and Elderly Affairs - C

Amend RSA 151:38, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The exposure of a patient to a non-aerosolized bloodborne pathogen by a health care worker's intentional, unsafe act. An act by hospital or ambulatory surgery center staff resulting in an infection or disease shall be considered to be purposefully unsafe if it meets all of the following criteria:

(1) There was an intentional act or reckless behavior;

(2) No reasonable person with similar qualifications, training and experience would have acted the same way under similar circumstances; and

(3) There were no extenuating circumstances that could justify the act.

Amendment to HB 295
(2013-0450h)
Proposed by the Majority of the Committee on Resources, Recreation and Development - R

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

1 Safety Regulations; Subdivision Heading Amended. Amend the subdivision heading preceding RSA 485-A:23 to read as follows:

Safety Regulations ***for Camps, Pools, and Bathing Places***

2 Definition of Recreation Camp and Youth Skill Camp. RSA 485-A:23 is repealed and reenacted to read as follows:

485-A:23 Definitions. In this subdivision:

I. "Recreation camp" means any place set apart for recreational purposes for boys and girls. It shall not be construed to apply to private camps owned or leased for individual or family use, or to any camp operated for a period of less than 10 days in a year.

II. "Youth skill camp" means a nonprofit or for-profit program that lasts 8 hours or more that is operated by an entity, other than a municipality, for the purpose of teaching a skill to minors. Such camps include, but are not limited to, the teaching of sports, the arts, and scientific inquiry.

3 Recreation Camp Licensing and Youth Skill Camp Certification; Criminal Background Check Required. Amend RSA 485-A:24 and RSA 485-A:25 to read as follows:

485-A:24 ***Recreation Camp*** License; [~~Fee~~] ***Youth Skill Camp Certification of Criminal Background Check***.

I. No person shall for profit or for charitable purposes operate any ***recreation*** camp***, as defined in RSA 485-A:23, I,*** designed or intended as a vacation or recreation resort, without a license issued by the department. Said license is to be conditioned upon the maintenance of clean, healthful sanitary conditions and methods, as determined and approved by said department, good only for the calendar year in which it is issued and subject to suspension or revocation at any time for cause. The fee for such license shall be $50 [~~to~~] ***which shall*** be paid into the [~~state treasury~~] ***recreation camp and youth skill camp fund established in RSA 485-A:24-a***.

II.(a) No person or entity, other than a municipality, shall for profit or for charitable purposes operate any youth skill camp, as defined in RSA 485-A:23, II, without having performed background checks on the camp owners, all employees, and all volunteers at the camp and having certified to the department that no individual has a criminal conviction for any offense involving:

(1) Causing or threatening direct physical injury to any individual; or

(2) Causing or threatening harm of any nature to any child or children.

(b) Any person or entity required to perform background checks and provide certification to the department pursuant to subparagraph (a) shall pay a fee of $25 to the department. All such fees collected by the department shall be deposited into the recreation camp and youth skill camp fund established in RSA 485-A:24-a.

(c) Subparagraphs (a) and (b) shall not apply to any person or entity which owns property used to operate a youth skill camp or any buildings or structures on such property used in the operation of a youth skill camp, provided such person or entity obtains written certification signed by the youth skill camp operator stating that background checks in accordance with this paragraph have been completed.

485-A:25 Rulemaking.

I. The commissioner shall adopt rules under RSA 541-A relative to:

(a) Issuance of licenses to ***recreation*** camp operators under RSA 485-A:24***, I***.

(b) ***Requirements for performing criminal background checks at youth skill camps and certifying acceptable results.***

(c) Water quality-related issues for the protection of persons using ***recreation*** camp facilities regulated under [~~this subdivision~~] ***RSA 485-A:24, I***.

II. The commissioner, in consultation with the department of health and human services, shall adopt all other necessary rules under RSA 541-A, relative to public health and safety issues for the protection of persons [~~using camp facilities regulated under this subdivision~~] ***attending recreation camps regulated under RSA 485-A:24, I***.

4 New Section; Water Pollution and Waste Disposal; Fund Established. Amend 485-A by inserting after section 24 the following new section:

485-A:24-a Recreation Camp and Youth Skill Camp Fund. There is established in the office of the state treasurer a nonlapsing fund to be known as the recreation camp and youth skill camp fund to be administered by the commissioner of the department of environmental services, and which shall be kept distinct and separate from all other funds. All moneys in the fund shall be continually appropriated to the commissioner of the department of environmental services for the purpose of paying costs associated with administering the provisions of RSA 485-A:24 and 485-A:25.

5 Safety Regulations; Injunction. Amend RSA 485-A:27 to read as follows:

485-A:27 Injunction. Any person operating or maintaining a [~~youth~~] ***recreation*** camp***, youth skill camp,*** [~~or~~] public swimming pool**,** or bathing place without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.

6 New Subparagraph; Application of Receipts; Recreation Camp and Youth Skill Camp Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) Moneys deposited into the recreation camp and youth skill camp fund established in RSA 485-A:24-a.

7 Effective Date. This act shall take effect 30 days after its passage.

AMENDED ANALYSIS

This bill requires youth skill camp operators to certify to the department of environmental services that their employees and volunteers have undergone a criminal background check. The bill also establishes a recreation camp and youth skill camp fund.

Amendment to HB 314
(2013-0311h)
Proposed by the Committee on Ways and Means - R

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

1 Wager Limit. Amend RSA 287-D:3, V to read as follows:

V. No single wager by a player, on any game of chance, shall exceed the amount of [~~$4~~] ***$6***.

2 Game Operators; Deposit of Funds. Amend RSA 287-D:3, X to read as follows:

X. In games where chips have monetary value, 10 percent of the rake or house winnings and other moneys collected by the game operator that are not paid out as prizes to players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer for deposit into the general fund. Such payments shall be made [~~within 5 business days of the game date on which the funds were collected~~] ***once per month not later than the 5th day of the month for the funds collected in the previous month***.

3 Effective Date. This act shall take effect 90 days after its passage.

AMENDED ANALYSIS

This bill raises limits on single wagers in games of chance. The bill also provides for the deposit of funds by the game operators once a month by the 5th day of the month.

Floor Amendment to HB 314
(2013-0557h)
Proposed by Rep. Kurk

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

AN ACT raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance.

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

3 New Paragraph; Charitable Organizations; Gross Revenues Received. Amend RSA 287-D:3 by inserting after paragraph X the following new paragraph:

XI. Notwithstanding any provision of law to the contrary, after deducting the pay out of prizes, the total of any fees, any rent under paragraph VII, and any other charges of any kind permitted under this chapter, the charitable organization shall retain no less than 30 percent of the gross revenues from any game of chance on any game date in which game operators licensed under RSA 287-D:2-c are involved in any capacity.

AMENDED ANALYSIS

This bill:

I. Raises limits on single wagers in games of chance.

II. Provides for the deposit of funds by the game operators once a month by the 5th day of the month.

III. Requires charitable organizations to retain no less than 30 percent of the gross revenues from any game of chance minus any prizes paid on any game date in which game operators are involved.

Amendment to HB 316-FN
(2013-0344h)
Proposed by the Committee on Health, Human Services and Elderly Affairs - R

Amend RSA 325-B:1, I as inserted by section 1 of the bill by replacing it with the following:

I. "Alkaline hydrolysis" means the technical process that reduces human remains to bone fragments by use of an American Society of Mechanical Engineers (ASME) certified pressure vessel that operates above atmospheric pressure using the parameters of heat, time, and solution sufficient to achieve complete dissolution of all tissue remains.

Amend RSA 325-B:1, XIV as inserted by section 1 of the bill by replacing it with the following:

XIV. "Leak proof pouch" means a plastic, vinyl, protein-based, or similar material bag that is made specifically for the containment of human remains.

Amendment to HB 319-FN
(2013-0442h)
Proposed by the Committee on Executive Departments and Administration - C

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

1 State Employees. Amend RSA 112:9 to read as follows:

112:9 State Employees.

I. Any regular employee of the state of New Hampshire who is a member of any reserve component of the armed forces of the United States or of this state shall, upon request, be entitled to not more than 15 days leave of absence with pay in any one training year for the purpose of engaging in military drill, training, or other temporary duty under military or naval authority. The provisions of this section shall not apply to any such employee who has been inducted or has enlisted in active service in the armed forces of the United States.

II. Any regular employee of the state of New Hampshire who uses 15 days leave of absence under paragraph I shall, in addition, be entitled to up to 30 days of partial pay, as defined in RSA 110-B:37, IV(a)(1), for any additional military drill or training under military or naval authority.

2 New Subparagraph; Pay and Allowance. Amend RSA 110-B:37, IV(a) by inserting after subparagraph (3) the following new subparagraph:

(4) Upon the employee's return to New Hampshire after active duty service, he or she may use up to 15 days of annual leave prior to reporting back to work. If an employee does not have adequate annual leave time available, he or she may be charged against future annual leave accruals, or against future compensation, if sufficient leave is not accrued and employment is terminated.

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

Amendment to HB 362
(2013-0350h)
Proposed by the Committee on Science, Technology and Energy - R

Amend the bill by replacing all after section 2 with the following:

3 Contingency. Sections 1 and 2 of this act shall take effect upon the date certified to the secretary of state and the office of legislative services of either of the following:

I. The air pollution advisory committee, established by RSA 125-J:11, determines, in consultation with the department of environmental services, that at least 3 other New England states in addition to New Hampshire have statutorily banned corn-based ethanol as an additive to gasoline; or

II. The air pollution advisory committee determines that a fuel that can be used by a regulated entity to meet their compliance obligation pursuant to the federal Renewable Fuels Standard for either advanced biofuel, as defined in the Clean Air Act, 42 U.S.C. 7545(o)(1)(B) or cellulosic biofuel as defined in the Clean Air Act, 42 U.S.C. 7545 (o)(1)(E) is readily available and in sufficient quantities to replace corn-based ethanol in New Hampshire's gasoline supply such that it will not have a significant impact on the price or supply, or both, of gasoline delivered for use in New Hampshire.

4 Report Required. The department of environmental services shall report to the governor, the speaker of the house, the president of the senate, the science, technology and energy committee, and the air pollution advisory committee no later than September 1 annually on the consideration or adoption, or both, of corn-based ethanol bans in other New England states. The report shall also summarize information available to the department on the potential availability and market for advanced and cellulosic biofuel that could serve as a replacement to corn-based ethanol in New Hampshire's gasoline supply.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect as provided in section 3 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

Amendment to HB 383
(2013-0380h)
Proposed by the Committee on Transportation - C

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

1 New Paragraph; OHRV Operation on Traveled Portion of Public Highway. Amend RSA 215-A:29 by inserting after paragraph I the following new paragraph:

I-a.(a) Any person operating an OHRV along the traveled portion of a public highway, where permitted, shall be required to be licensed to drive as described in subparagraph I(b)(2); or

(b) Any person operating an OHRV along the traveled portion of a public highway, where permitted, who is not licensed to drive as described in subparagraph I(b)(2) shall be accompanied at all times by a person who is licensed to drive as described in subparagraph I(b)(2), who is at least 18 years of age, and who shall be legally responsible and be liable according to the law for personal injury or property damage to others which may result from such operation by an unlicensed person.

(c) This paragraph shall not apply to road crossings or the use of class VI highways designated as trails pursuant to RSA 215-A:6.

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

Amendment to HB 394-FN
(2013-0216h)
Proposed by the Committee on Finance - C

Amend the bill by replacing section 1 with the following:

1 Liquor Commission Fund Transfers. Amend RSA 176:16, V to read as follows:

V. The commission may transfer funds totaling up to 5 percent of the ***commission's*** operating budget in any fiscal year for any specific purposes to funds for other purposes within and among the appropriations for the operation of the commission. The commission shall report annually 60 days after the close of each fiscal year to the fiscal committee of the general court all transfers accomplished under the provisions of this section***, including the purpose of each transfer***. The provisions of this section shall not be subject to RSA 9:16-a, ***and shall be subject to*** RSA 9:17-a[,] and RSA 9:17-c.

Amendment to HB 413
(2013-0345h)
Proposed by the Committee on Judiciary - C

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

AN ACT relative to property abandoned by tenants.

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

1 New Paragraph; Landlord Defense; Property Relinquished or Abandoned by Tenant. Amend RSA 540-A:4 by inserting after paragraph XI the following new paragraph:

XII. Relinquishment of possession or abandonment of possession shall be an affirmative defense to an action brought pursuant to this chapter.

(a) Relinquishment of possession occurs when the landlord receives a statement signed by each adult tenant of a rented or leased premises stating that the tenant has relinquished possession of the rented or leased premises and has no intent to return.

(b) Abandonment of possession means all tenants have physically vacated the premises without the intent to return. There shall be a rebuttable presumption that the tenants have abandoned the premises if:

(1) The landlord provided all tenants with a written property abandonment notice, by leaving the notice at the rented or leased premises and by sending the notice by certified mail to the last known address of at least one adult tenant. The property abandonment notice shall also comply with subparagraph (d); and

(2) At least 2 of the following conditions were present:

(A) All adult tenants of the rented or leased premises have notified the landlord in writing of their intent to vacate the premises by a certain date and that date has passed, provided that the written notice of one adult tenant who has lawful possession to the premises pursuant to an order under RSA 173-B shall suffice.

(B) All keys to the rented or leased premises have been returned to the landlord, which shall include leaving all keys in the rented or leased premises.

(C) The tenant or tenants have removed from the rented or leased premises all or the majority of their personal property, and the only items remaining in the premises are inconsistent with the intended use of the premises.

(D) The tenant or tenants have failed or neglected to pay rent for the rented or leased premises for a period of more than 91 days, provided that during those 91 days the landlord, if requested to do so, provided ordinary and reasonable verification of rental information to any agency assisting the tenant or tenants, and that the landlord did not refuse to accept payment on behalf of the tenant or tenants by any agency offering assistance.

(c) The defense of abandonment does not abrogate the landlord's duty under RSA 540-A:3, VII to maintain and exercise reasonable care in the storage of the personal property of tenants who have vacated the premises for a period of 7 days after the date upon which such tenants have vacated the rented or leased premises. The 7 days shall begin the day after the landlord serves the written property abandonment notice.

(d) In providing the property abandonment notice required under subparagraph (b), the landlord shall use conspicuous language identifying, with specificity, the reasons the landlord deems the property abandoned. The notice shall also advise the tenant or tenants of their right to retrieve any personal property as well as their right to file an action under RSA 540-A. The notice must be signed by the landlord, or the landlord's agent. The use of the following notice language, in at least 12-point type, shall be deemed sufficient notice language:

NOTICE OF PROPERTY ABANDONMENT

This residence, known as_____, has been abandoned. I certify that, on this date, the property is believed to have been abandoned for the following circled reasons:

1.) You notified me in writing that you intended to vacate the premises;

2.) You have returned your keys to the premises;

3.) You have removed from the premises all or the majority of your personal property, and the only items remaining in the premises are inconsistent with the intended use of the property;

4.) You have failed or neglected to pay rent for the premises for a period of more than 91 days.

Because you have abandoned the premises, we will retake possession of this property and the locks may be changed. We will store your personal property for 7 days, and you have a right to get your personal property during that time.

If you disagree with any action we take, you should notify us immediately. You are also entitled to file what is called a "540-A petition" at your nearest court. You may have other additional legal rights as well.

Signed: _____ Date: _____

Landlord's or Landlord's Agent's Mailing Address: _____

Landlord's or Landlord's Agent's Telephone Number: _____

2 New Subparagraph; Prohibited Practices; Remedies; Unlawful Dispossession. Amend RSA 540-A:4, IX by inserting after subparagraph (c) the following new subparagraph:

(d) Landlord damages for any unlawful dispossession or lock-out of a tenant from the premises where the landlord has re-let the premises or has a new tenant in the premises shall not be less than $3,000. In the event the damages exceed the $3,000 minimum, the award shall not exceed the amount that would have been awarded pursuant to subparagraph (a).

3 Effective Date. This act shall take effect January 1, 2014.

AMENDED ANALYSIS

This bill provides that, under certain circumstances and if the landlord has provided the tenant with a notice of property abandonment, the landlord may assert that tenant has relinquished possession or abandoned the premises.

Amendment to HB 426
(2013-0410h)
Proposed by the Committee on Judiciary - C

Amend the bill by replacing section 1 with the following:

1 Guardianship Cases; Costs and Fees. RSA 464-A:43, I and II are repealed and reenacted to read as follows:

I. Except in cases in which the petitioner filed the petition in bad faith, the court costs, expenses, and fees for counsel for the proposed ward and any resource person shall be borne by the proposed ward. In cases in which the petitioner acted in bad faith, the petitioner shall bear all such costs, expenses, and fees of the proceeding. The court may allow for payment of the costs, expenses, and fees of counsel for the petitioner from the assets of the ward, provided:

(a) The court has granted the petition to establish the guardianship;

(b) The awarding of costs, expenses, and legal fees from the assets of the ward will not cause undue financial hardship to the ward; and

(c) The costs, expenses, and legal fees incurred are reasonable and were necessary to protect the health, safety, welfare, or other personal; property, or financial interests of the ward or the ward's estate.

II. If the proposed ward is indigent, the costs, expenses, and legal fees for counsel for the proposed ward and any resource person incurred that are related to the petition for guardianship proceeding shall be borne by the state.

AMENDED ANALYSIS

This bill establishes criteria for payment of certain fees and court costs in guardianship cases.

Amendment to HB 428
(2013-0401h)
Proposed by the Committee on Resources, Recreation and Development - C

Amend RSA 482:55-a, II as inserted by section 1 of the bill by replacing it with the following:

II. The department shall establish rules for the fund including the application process, criteria for award, the procedure for making loans, the interest rate to be applied, the maximum loan amount, the time frame for repayment, ***actions to be taken in the event of a default on a loan,*** and oversight of the administration of the fund. In providing loans, the department shall evaluate the risk posed by the dam, the public benefit of the dam, the private benefit of the dam to lakefront owners***, the ecological impacts of the dam,*** [~~and~~] the potential for [~~their contribution~~] ***contributions*** to needed maintenance, repair, or reconstruction, the financial resources of the applicant, and the relative cost of maintaining, repairing, or [~~reconstructing~~] ***improving*** the dam as compared to removing or breaching the dam.

Amendment to HB 432-FN
(2013-324h)
Proposed by the Committee on Health, Human Services and Elderly Affairs - C

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

1 Medical Services for County Prisoners. Amend RSA 623-C:1, I to read as follows:

I.(a) Except as provided in subparagraphs (b) through [~~(f), no hospital or emergency room shall charge a county or its agent~~] ***(g) the department of corrections or its agent shall pay health care facilities and hospitals at no*** more than 110 percent of the Medicare allowable rate for inpatient or emergency room care provided for prisoners in county correctional facilities. ***In this chapter, "health care facilities" mean ambulatory and specialty-medical services centers licensed under RSA 151, and shall include but not be limited to surgical, rehabilitation, long-term care, oncology, radiology/imaging centers, and dialysis centers, and shall also include physician, nurse practitioner, dental, and allied health care practices, and community health care clinics operating under a licensed healthcare facility***.

(b) ***Except as provided in subparagraphs (c) through (e), the department of corrections or its agent shall pay the following providers no more than 125 percent of the Medicare allowable rate for care provided for prisoners in county correctional facilities:***

(1) Physicians and surgeons licensed pursuant to RSA 329.
(2) Podiatrists licensed pursuant to RSA 315.
(3) Dentists licensed pursuant to RSA 317-A.
(4) Optometrists licensed pursuant to RSA 327.
(5) Advanced practice registered nurses licensed pursuant to RSA 326-B:18.
(6) Physician assistants licensed pursuant to RSA 328-D.
(7) Physical therapists licensed pursuant to RSA 328-A.
(8) Athletic trainers licensed pursuant to RSA 326-G.
(9) Occupational therapists licensed pursuant to RSA 326-C.
(10) Speech and language pathologists licensed pursuant to RSA 326-F.
(11) Respiratory therapists licensed pursuant to RSA 326-E.
(12) Recreational therapists licensed pursuant to RSA 326-J.
(13) Dietitians licensed pursuant to RSA 326-H.
(14) Audiologists licensed pursuant to RSA 137-F.
(15) Pharmacies licensed pursuant to RSA 318.
(16) Durable medical equipment providers.

(c) Allowances provided by hospitals shall qualify as community benefits under RSA 7:32-d, III(b).

[~~(c)~~] ***(d)*** Hospitals reported by the department of health and human services as having a negative operating margin in the most recent year for which hospital-audited financial data is available shall charge no more than 125 percent of the Medicare rate.

[~~(d)~~] ***(e) Nothing in this section shall preclude the superintendent of a county correctional facility from negotiating and executing medical service rate agreements with hospitals, health care facilities, or other licensed medical providers for the provision of medical or dental services to prisoners at the lowest rate possible, or from utilizing rates in existing agreements.***

(f) The superintendent of a county correctional facility may waive the application of subparagraph (a) if the superintendent determines such action is necessary to ensure prisoner access to medically necessary care.

[~~(e) The superintendent of a county correctional facility may waive the application of subparagraph (a) if the superintendent determines such action to be necessary for the efficient operations of the county correctional facility.~~

~~(f) Nothing in this paragraph shall require a hospital to admit any person~~]

(g) The superintendent of a county correctional facility may waive the application of subparagraph (a) if the superintendent determines such action to be necessary for the efficient operations of the county correctional facility.

(h) The superintendent of a county correctional facility may at any time audit any claim or seek clarification on any payment made pursuant to this section, or both. Upon request by the superintendent, the provider shall furnish information on pricing methodology and shall detail any internal process controls for ensuring accurate pricing of claims processed under this section. Claim information shall be provided in the industry standard format, including but not limited to the application of global surgery provisions, billing for surgical assistants, and bundling.

2 Medical Services for State Prisoners. Amend RSA 623-C:2, I to read as follows:

I. (a) Except as provided in subparagraphs (b) through [~~(d)~~] ***(f)***, the department of corrections or its agent shall pay health care facilities and hospitals ***at no more than*** 110 percent of the Medicare allowable rate for inpatient, outpatient, or emergency room care provided for prisoners in state correctional facilities. In this chapter, "health care facilities" mean ambulatory and specialty-medical services centers licensed under

RSA 151, and shall include but not be limited to surgical, rehabilitation, long term ***care***, oncology, ***radiology/imaging centers,*** and dialysis centers, [~~but shall not~~] ***and shall also*** include physician [~~practices and community health care clinics~~]***, nurse practitioner, dental, and allied health care practices, and community health care clinics operating under a licensed healthcare facility***.

(b) ***Except as provided in subparagraphs (c) through (e), the department of corrections or its agent shall pay the following providers no more than 125 percent of the Medicare allowable rate for care provided for prisoners in state correctional facilities:***

(1) Physicians and surgeons licensed pursuant to RSA 329.
(2) Podiatrists licensed pursuant to RSA 315.
(3) Dentists licensed pursuant to RSA 317-A.
(4) Optometrists licensed pursuant to RSA 327.
(5) Advanced practice registered nurses licensed pursuant to RSA 326-B:18.
(6) Physician assistants licensed pursuant to RSA 328-D.
(7) Physical therapists licensed pursuant to RSA 328-A.
(8) Athletic trainers licensed pursuant to RSA 326-G.
(9) Occupational therapists licensed pursuant to RSA 326-C.
(10) Speech and language pathologists licensed pursuant to RSA 326-F.
(11) Respiratory therapists licensed pursuant to RSA 326-E.
(12) Recreational therapists licensed pursuant to RSA 326-J.
(13) Dietitians licensed pursuant to RSA 326-H.
(14) Audiologists licensed pursuant to RSA 137-F.
(15) Pharmacies licensed pursuant to RSA 318.
(16) Durable medical equipment providers.

(c) Allowances provided by hospitals shall qualify as community benefits under RSA 7:32-d, III(b).

(d) Hospitals reported by the department of health and human services as having a negative operating margin in the most recent year for which hospital-audited financial data is available shall charge no more than 125 percent of the Medicare rate.

[~~(c)~~] ***(e)*** The commissioner of the department of corrections may waive the application of subparagraph (a) if the commissioner determines such action is necessary to ensure prisoner access to medically necessary care.

[~~(d)~~] ***(f)*** The commissioner of the department of corrections may waive the application of subparagraph (a) if the commissioner determines such action to be necessary for the efficient operations of the state correctional facility.

(g) The commissioner of the department of corrections may at any time audit any claim or seek clarification on any payment made pursuant to this section, or both. Upon request by the commissioner, the provider shall furnish information on pricing methodology and shall detail any internal process controls for ensuring accurate pricing of claims processed under this section. Claim information shall be provided in the industry standard format, including but not limited to the application of global surgery provisions, billing for surgical assistants, and bundling.

3 Effective Date. This act shall take effect July 1, 2013.

Amendment to HB 440
(2013-0397h)
Proposed by the Committee on Labor, Industrial and Rehabilitative Services - C

Amend the bill by replacing section 2 with the following:

2 New Hire Reports. Amend RSA 282-A:117-a, XV(a)-(e) to read as follows:

(a) [~~Was permanently laid off.~~

~~(b) Was terminated from employment.~~

~~(c) Had a break in service of more than 26 consecutive weeks.~~] ***Was previously employed by the employing unit but has been separated from prior employment for at least 60 consecutive calendar days.***

[~~(d) Had a break in service due to a seasonal layoff of more than 10 consecutive weeks if, as of the commencement of the break in service, the rehiring employer was under an order to withhold child support from the individual's wages.~~

~~(e)~~] ***(b)*** Was required to complete a W-4 form due to a previous work separation.

Amendment to HB 488-FN
(2013-0339h)
Proposed by the Committee on Ways and Means - C

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

1 Tobacco Tax; Definition of Cigarette. RSA 78:1, XVII is repealed and reenacted to read as follows:

XVII.(a) In conformity with RSA 451-C:2, IV, "cigarette" means any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and consists of or contains:

(1) Any roll of tobacco wrapped in paper or in any substance not containing tobacco; or

(2) Tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette; or

(3) Any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (a)(1).

(b) The term "cigarette" includes "roll-your-own" (i.e., any tobacco which, because of its appearance, type, packaging, or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes). For purposes of this definition of "cigarette," 0.09 ounces of "roll-your-own" tobacco shall constitute one individual "cigarette."

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

Amendment to HB 524
(2013-0475h)
Proposed by the Committee on State-Federal Relations and Veterans Affairs - C

Amend RSA 110-B:28, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The adjutant general may cooperate with and enter into ***contracts or*** agreements with the federal government, or any agency thereof, as he or she deems desirable to secure the participation of the United States government, through the allotment of federal funds, in the costs of constructing, enlarging, or altering armories or other [~~military~~] facilities. ***The adjutant general may authorize the federal government to perform contracting for construction, modifications, or improvements to state owned facilities or land, subject to the approval of the New Hampshire department of justice. The adjutant general may adopt procedures relative to this section to ensure the best interest of the federal and state of New Hampshire governments and the national guard.***

Amendment to HB 558
(2013-0178h)
Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing section 1 with the following:

1 Registration Requirements for Paid Solicitor; Disclosure of Funds Required. Amend RSA 7:28-c, VII to read as follows:

VII. Within 90 days after a solicitation campaign has been completed, and on the anniversary of the commencement of a solicitation campaign lasting more than one year, the paid solicitor and the charitable trust shall file with the attorney general a joint financial report for the campaign, including gross revenue and an itemization of all expenses incurred. The report shall be completed on a form prescribed by the attorney general. The report shall be signed by an authorized official of the paid solicitor and an authorized official from the charitable trust, and they shall certify, under oath, that it is true to the best of their knowledge. ***The director of charitable trusts shall prepare and make available in a searchable format on the state website the percentage of contributions retained by or paid to the solicitor and the percentage retained by the charitable trust for each solicitation campaign.***

AMENDED ANALYSIS

This bill requires the director of charitable trusts to report on the state website the percentage of contributions retained by the solicitor and the percentage retained by the charitable trust for each solicitation campaign.

Amendment to HB 564-FN
(2013-0365h)
Proposed by the Minority of the Committee on Ways and Means - R

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2014.

Amendment to HB 583
(2013-0458h)
Proposed by the Majority of the Committee on Judiciary - R

Amend the bill by replacing section 7 with the following:

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

Amendment to HB 617-FN-A-LOCAL
(2013-0489h)
Proposed by the Committee on Public Works and Highways - R

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

AN ACT increasing the rate of the road toll and establishing the New Hampshire state and municipal road and bridge account.

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

1 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) Moneys deposited in the New Hampshire state and municipal road and bridge account established under RSA 260:32-a.

2 Levy of Tolls and Exemptions. Amend the introductory paragraph of RSA 260:32 to read as follows:

260:32 Levy of Tolls and Exemptions. There is hereby imposed a road toll of $.18 per gallon upon the sale of each gallon of motor fuel sold by distributors thereof. ***The road toll on gasoline shall increase to $.22 per gallon beginning July 1, 2013; to $.26 per gallon beginning July 1, 2014; to $.30 per gallon beginning July 1, 2015; and to $.33 per gallon beginning July 1, 2016. The road toll on special fuel (diesel) shall increase to $.205 per gallon on July 1, 2013; to $.23 per gallon on July 1, 2014; to $.255 per gallon on July 1, 2015; to $.28 per gallon on July 1, 2016; to $.305 per gallon on July 1, 2017; and to $.33 per gallon on July 1, 2018.*** The road toll shall be collected by the distributor from the purchaser and remitted to the state in the manner hereinafter set forth. ***All amounts collected in excess of $.18 per gallon shall be deposited on a monthly basis into the New Hampshire state and municipal road and bridge account established in RSA 260:32-a.*** Provided, that the road toll shall not apply to:

3 New Section; Account Established. Amend RSA 260 by inserting after section 32 the following new section:

260:32-a Account Established. There is hereby established a separate account in the highway fund called the New Hampshire state and municipal road and bridge account. The account is to be used exclusively for the construction, reconstruction, and maintenance of state and municipal roads and bridges, including weight-restricted bridges and unnumbered roads owned by the state, to improve safe travel for motorists, create jobs, and promote commerce, tourism, and economic growth in the state. The account shall consist of the funds attributable to all road toll revenue collected in excess of $.18 per gallon, net of any block grant aid apportionment pursuant to RSA 235:23, I. The amount deposited into the New Hampshire road and bridge account is hereby exclusively and continually appropriated to the department of transportation and shall be nonlapsing.

4 Block Grant Aid; Apportionment. Amend RSA 235:23, I to read as follows:

I. Apportionment A. In each fiscal year, the commissioner shall allocate an amount not less than 12 ***percent*** of the ***estimated*** total road toll revenue and motor vehicle fees ***to be*** collected [~~in the preceding~~] ***during the*** fiscal year to a local highway aid fund. This fund shall be distributed to each city, town, and unincorporated place on a formula in which 1/2 of the amount is based on the proportion which the mileage of regularly maintained class IV and class V highways in each municipality, as of January 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount is based on the proportion which the office of energy and planning population estimate of each municipality bears to the latest estimate of the total population of the state as of July 1 of the year of the estimate. ***Since the payment is based upon estimated revenues to be received during the fiscal year, the following year's payment shall be adjusted for any overpayment or underpayment during the prior year based upon the actual audited total road toll revenues and motor vehicle fees collected.*** The aid to be distributed under this paragraph shall be in addition to all other state and federal aid specifically authorized by statute.

5 New Section; State Bridge Aid; State Highway Aid. Amend RSA 234 by inserting after section 4 the following new section:

234:4-a State Bridge Aid. Beginning in fiscal year 2016, the state allocation under this chapter to municipalities for state bridge aid shall be no less than $13,600,000 per year.

6 New Section; Federal and State Highway Aid; State Highway Aid. Amend RSA 235 by inserting after section 15 the following new section:

235:15-a State Highway Aid. Beginning in fiscal year 2016, the state allocation under this chapter to municipalities for state highway aid shall be no less than $3,400,000 per year.

7 Effective Date. This act shall take effect July 1, 2013.

AMENDED ANALYSIS

This bill:

I. Establishes the New Hampshire state and municipal road and bridge account.

II. Increases the road toll for gasoline and diesel fuel.

III. Provides for adjustment in payments by the department of transportation to municipalities for highway construction and reconstruction aid when such payments are based on estimated revenue.

Amendment to HB 671-FN
(2013-0431h)
Proposed by the Committee on Children and Family Law - R

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

AN ACT restoring state payment of fees for attorneys in child abuse and neglect cases where the parents are indigent.

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

1 Child Protection Act; Liability of Expenses. Amend RSA 169-C:27, I(f) to read as follows:

(f) [~~Neither~~] ***Notwithstanding any provision of law to the contrary,*** the department [~~nor the judicial council~~] shall have [~~authority~~] ***no responsibility*** for the payment of the cost of assigned counsel for any party under this chapter.

2 Adequate Representation Costs. Amend RSA 604-A:1-a to read as follows:

604-A:1-a Neglected or Abused Children. In cases involving a neglected or abused child, when a guardian ad litem is appointed for the child as provided in RSA 169-C:10, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter. ***In cases involving a neglected or abused child, when an attorney is appointed to represent a parent determined to be indigent pursuant to RSA 169-C:10, II, at the preliminary hearing or a hearing pursuant to RSA 169-C:6-a, III, whichever occurs earlier, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter.***

3 Child Protection Act; Preliminary Hearing. Amend RSA 169-C:15, III(a) to read as follows:

(a) Appoint [~~a CASA or other approved program guardian ad litem or~~] an attorney [~~or other qualified guardian ad litem~~] to represent the child pursuant to RSA 169-C:10.

4 Child Protection Act; Appointment of Counsel. Amend RSA 169-C:10, II(a) to read as follows:

(a) In cases involving a neglected or abused child under this chapter, where the child's expressed interests conflict with the recommendation for dispositional orders of the guardian ad litem, the court may appoint an attorney to represent the interests of the child. ***In any case of neglect or abuse brought pursuant to this chapter, the court shall appoint an attorney to represent an indigent parent alleged to have neglected or abused his or her child. In addition, the court may appoint an attorney to represent an indigent parent not alleged to have neglected or abused his or her child if the parent is a household member and such independent legal representation is necessary to protect the parent's interest. The court shall not appoint an attorney to represent any other persons involved in a case brought under this chapter.***

5 Effective Date. This act shall take effect July 1, 2013.

AMENDED ANALYSIS

This bill restores state payment of fees for attorneys in child abuse and neglect cases where the parents are indigent.

Floor Amendment to HB 671-FN
(2013-0564h)
Proposed by Rep. Walz

Amend the bill by replacing section 3 with the following:

3 Child Protection Act; Preliminary Hearing. Amend RSA 169-C:15, III(a) to read as follows:

(a) Appoint a CASA or other approved program guardian ad litem or an attorney [~~or other qualified guardian ad litem~~] to represent the child pursuant to RSA 169-C:10.

Amendment to HCR 1
(2013-0264h)
Proposed by the Committee on State-Federal Relations and Veterans Affairs - C

Amend the resolution by replacing the seventh clause after the title with the following:

Whereas, New Hampshire is one of only 2 states in the nation without a full-service hospital, requiring veterans to travel to Vermont, Massachusetts, Maine, and Rhode Island for medical treatment; and

Amend the resolution by replacing the first paragraph after the resolving clause with the following:

That the New Hampshire legislature respectfully urges the Congress of the United States and the Department of Veterans Affairs to fulfill the Department's goal of providing excellence in patient care by increasing the types of and access to specialty care at a full service VA Manchester Medical Center, or by developing a pilot program to utilize a veteran's medical card for use in New Hampshire's medical facilities in order to provide better care to veterans residing in rural areas, or by the establishment of additional community based outpatient clinics, outpatient clinics, or vet centers as justified by veterans' medical and mental health needs along with greater use of mobile clinics, and where cost effective, enter into contract services with the goal of increasing services and reducing travel time to ensure access to health care is available when it is needed;