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HOUSE RECORD

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Calendar and Journal of the 2013 Session

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Friday, April 19, 2013

No. 33

Contains: Meetings, Notices, Legislative Ethics Committee Advisory Opinion 2013-1,
Reports and Amendments for April 24.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be on Wednesday, **April 24th**, at 10:00 a.m. The House will also meet on Wednesday, May 8th.

As next week's session may be a short one, please be aware that Part II, Article 15 of the NH Constitutions states "...each member shall receive mileage for actual daily attendance on legislative days..." Therefore, if session ends at noon and committee meetings are scheduled for that afternoon, you must attend the morning House session in order to be paid for that day's travel. If you attend only committee meetings on a session day, you will not be reimbursed.

In addition, I want to remind you that travel reimbursement is now being limited to Tuesdays, Wednesdays and Thursdays. Mileage will only be paid for travel on Mondays and Fridays for statutory committees which meet on those days.

The audio and video stream of this week's hearing and presentations before the Joint Committee of Finance and Ways and Means will be available shortly on the Joint Committee's website. Reviewing the April 17th presentations and handouts will be particularly beneficial for all members to be well-informed on the video lottery and table gaming issues in SB 152-FN-A-L. Audios of future sessions of the Joint Committee will also be available on the website.

Terie Norelli, Speaker

NOTICE

There will be a meeting of chairs and vice chairs on Tuesday, **April 23**, 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, **April 24** at **9:00 a.m.** in Representatives Hall.
Rep. Stephen Shurtleff, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **April 24** 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:

April 25
May 2
May 9

AVAILABLE FRIDAY:

April 26
May 3
May 10

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES FOR 2013 SESSION

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, APRIL 24

CONSENT CALENDAR

COMMERCE AND CONSUMER AFFAIRS

SB 52, relative to names of limited partnerships. **OUGHT TO PASS.**

Rep. Chris Muns for Commerce and Consumer Affairs: This bill is a request of the secretary of state. This bill is a technical correction which allows a limited partnership to use the abbreviation "L.P." in its name. **Vote 18-0.**

SB 127-FN, relative to registration of certain state contracts with the department of state and repealing the information practices act. **OUGHT TO PASS.**

Rep. Richard D McNamara for Commerce and Consumer Affairs: This bill increases the dollar amount of certain state contracts registered with the secretary of state and brings them into compliance with the threshold for contract review and approval by the executive council. This bill also repeals the information practices act which was passed in the 1970s and is not relevant. **Vote 17-1.**

SB 140-FN, requiring a pharmacy to substitute generically equivalent drugs for any prescription paid for by state funds. **INEXPEDIENT TO LEGISLATE.**

Rep. Jill S Hammond for Commerce and Consumer Affairs: This bill would have required a pharmacy to substitute generically equivalent drugs for any prescription paid for by state funds. The health plans used by the state already widely follows this policy, and this bill is unnecessary. **Vote 18-0.**

SB 161, relative to electronic funds transfers. **OUGHT TO PASS.**

Rep. Ruth S Heden for Commerce and Consumer Affairs: This bill is a request of the banking department. It updates our laws to be consistent with the electronic transfer act and the Uniform Commercial Code. The UCC Board and NH banking association are in support. **Vote 18-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 81, authorizing phlebotomists to withdraw blood for alcohol concentration tests. **OUGHT TO PASS.**

Rep. Larry G Gagne for Criminal Justice and Public Safety: This bill will add phlebotomists to the list of medical professionals allowed to withdraw blood for alcohol concentration tests. The bill is a request from the department of safety because many times in smaller police jurisdictions it is difficult to get other professionals to withdraw blood. **Vote 15-0.**

SB 136, relative to the rights of the immediate family of crime victims. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: While sympathetic with the intentions of the senator who filed this bill at the request of a constituent, the committee does not believe it is either necessary or wise to amend the victim's rights legislation which has served the state well for decades. This bill would do four things, two of which are not needed; one of which is not possible without tremendous cost; and one of which is not wise. The bill states that a victim has the right to refuse any communication with the accused; that is already the case. The bill states that a victim's family member has a right to display a photo of the victim during sentencing. This is already being done. The bill notes that a secure and separate waiting area (rather than secure but not necessarily separate) be provided during court proceedings. This might not be possible without reconfiguring courtrooms. Finally, the bill requires police investigators to inform victims' families within 24 hours of a crime. While this might seem like a good idea, the committee is convinced law enforcement is already doing this in a timely manner and it would not be wise to stipulate 24 hours when valuable time could be better spent solving the crime. **Vote 14-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 33, making technical changes to the judicial retirement plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy M Weber for Executive Departments and Administration: The bill amends RSA 100-C:11, II, specifying who advises the chief justice on the appointment of trustees to the judicial retirement system board. It

eliminates language that referred to the administrative justices of the district and probate courts, as these positions are now included in the circuit court. The bill specifies that the chief justice would seek the advice and consent of the administrative council, a four member body created by court rule. The committee amendment specifies the four persons by specific job title: the chief justice of the superior court, the administrative judge and deputy administrative judge of the circuit court, and the director of the administrative office of the courts. **Vote 17-0.**

SB 42, relative to applications for licensure by the real estate appraisers board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P Goley for Executive Departments and Administration: Real estate appraiser regulatory programs in New Hampshire are overseen by the federal appraisal subcommittee. The subcommittee monitors state regulatory programs by commissioning a biennial audit of the state's real estate appraiser programs for compliance with federal requirements. New Hampshire's next federal audit is scheduled for July 2013. This bill was a request of the board in order to be in compliance with federal standards, which include the requirement for a criminal history record check consisting of finger printing for new licensees. SB 42 also removes statutory references from RSA 310-B:12, Nonresident Licensure or Certification by Reciprocity, that do not comply with the Federal Dodd-Frank Reform Act. The amendment changes the effective date to "upon passage" due to the necessity of it being enacted prior to the July 2013 audit. **Vote 16-2.**

SB 54, relative to appeals from the department of administrative services bureau of public works design and construction. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven P Beaudoin for Executive Departments and Administration: This bill's intent is to simplify the appeals process whenever there is a dispute concerning the plans submitted by the bureau of public works design and construction. Current statute requires a formal hearing. This bill will allow for a simple informal review by the director of the division of plant and property management. This informal review will allow minor disputes to be resolved with the least delay or expense. The bill will result in there being fewer and shorter delays in construction of public works projects. The amendment as adopted by the committee eliminates duplication by removing the requirement established in RSA 21-L:14 that the department of transportation also hear the appeal. **Vote 18-0.**

SB 93, relative to plumbers and mechanical contractors on state boards. **OUGHT TO PASS.**

Rep. Mary S Nelson for Executive Departments and Administration: This bill is a housekeeping measure which changes references to the New Hampshire Plumbing and Mechanical Contractors Association to conform to the current actual name of the organization: Plumbers, Fuel Gas Fitters, and HVAC Association of New Hampshire. **Vote 18-0.**

SB 178, establishing a committee to review and make recommendations regarding consolidating all state energy positions throughout state departments. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol M McGuire for Executive Departments and Administration: The committee felt that the charge of this study committee was inadequately defined and to a large degree redundant due to the duties of the governor's office of energy and planning. Since the public utilities commission - which has a substantial energy component - requested at the hearing that they be excluded from this study, the committee felt that this study would not produce any useful information that the office of energy and planning could not equally well provide. The committee had further concerns about a study committee composed of one Senator and five Representatives. **Vote 16-0.**

FINANCE

SB 28, relative to the department of transportation inventory fund and relative to the effective date of the transfer of the electricians' board to the joint board for licensure and certification. **OUGHT TO PASS.**

Rep. Lynne M Ober for Finance: This bill amends RSA 228:24, which established a transportation fund, by increasing the cap to \$2,000,000 and changing the name from public works and highway inventory fund to department of transportation inventory fund. The existing cap is currently being exceeded because prices have gone up significantly since the establishment of this fund and the department said that in an effort to meet the cap, they were unable to keep adequate inventory of parts and supplies needed to complete repairs on equipment, resulting in repair delay. The inventory fund is a revolving fund that does not require a draw upon the highway fund. There is no budgetary impact with raising the cap. This bill also moves the already approved transfer of the electricians' board to the joint board upon passage of the bill. The move is scheduled for July 1, 2013. Performing the transfer slightly earlier than anticipated will help facilitate a federal audit that will cover one section of the joint board. Completing the transfer prior to July 1, 2013 will allow the transfer to receive full attention and allow all details to be covered and completed prior to the beginning of the audit. **Vote 18-0.**

JUDICIARY

SB 34, relative to the appointment of bail commissioners. **OUGHT TO PASS.**

Rep. Joseph M Hagan for Judiciary: The liberty interests of even citizens accused of crime are of paramount importance to New Hampshire. Therefore, bail proceedings must be free from bias or conflict of interest. This bill mandates that the circuit court shall not appoint any bail commissioner with bias or conflict of interest. **Vote 19-0.**

SB 35, relative to the master jury list. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter M Sullivan for Judiciary: This bill revises New Hampshire's law regarding the list used by the court system to develop jury pools. As the court system implements an electronic jury management system, changes were needed to protect the private information of New Hampshire residents. This bill is the product of a collaborative effort between the judicial branch, the secretary of state, and privacy advocates, and properly balances privacy and effective court management. **Vote 19-0.**

SB 44, relative to the disposal of controlled drugs by law enforcement officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary S Hopper for Judiciary: This is a housekeeping measure that changes the authority for the disposal of controlled substances from the district court to the circuit court (last term we changed the scope of the authority for the district court) and clarifies the process for the disposal of controlled substances. **Vote 19-0.**

SB 68, relative to the escrow fund for court facility improvements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick H Watrous for Judiciary: This bill was requested by the supreme court and makes technical corrections regarding the escrow fund for court facility improvements, including changing the name of the fund to the escrow fund for judicial branch facility improvements. The bill also decreases the percentage of court filing fees to be deposited in such escrow fund. **Vote 19-0.**

SB 69, relative to superior court jurisdiction over domestic violence petitions. **OUGHT TO PASS.**

Rep. David Woodbury for Judiciary: This bill transfers jurisdiction over domestic violence petitions from the superior court to the family division of the circuit court. This is in keeping with the assumption by the family division of responsibility for family law related issues generally. The issue of protection from domestic violence is related to family law and belongs with the family division. There was no opposition to this change in committee. **Vote 19-0.**

SB 105, relative to disclosure of expert testimony in civil cases and relative to the recording of depositions. **OUGHT TO PASS.**

Rep. Paul S Berch for Judiciary: There are two purposes for this bill. First, this bill would regulate discovery in civil cases into the bases of an expert's opinion. This bill would bring New Hampshire in conformity with federal practice and limit gamesmanship in civil litigation. It would reduce the costs and length of pre-trial litigation. In fact, many litigants already follow the federal rules. The second provision allows a party in a civil case to record a deposition by video, with proper notice and payment of costs. This provision would eliminate unnecessary applications to courts. **Vote 19-0.**

SB 107, relative to probate administration. **OUGHT TO PASS.**

Rep. David Woodbury for Judiciary: This bill originated in a committee charged with simplifying probate administration. It eases the burden of proving a will in common form when witnesses may be unavailable. It dispenses with the requirement of an inventory, a bond or an accounting in some cases and the disposition of assets is essentially uncontested. Inventories, when filed, no longer in most cases, require an appraiser. **Vote 19-0.**

MUNICIPAL AND COUNTY GOVERNMENT

SB 2, relative to the calculation of the local tax cap. **OUGHT TO PASS.**

Rep. James E Coffey for Municipal and County Government: This bill is an amendment to RSA 32:5-b that corrects an error of omission in which the existing statute fails to account for the use of fund balance to reduce property taxes. Should a school district or municipality that has adopted a local tax cap desire to use its fund balance to reduce the tax rate, the reduced rate would become the base from which the local tax cap for the ensuing year would be calculated. Without this bill, local officials would be discouraged from using fund balance to reduce taxes. This bill resolves that problem to reduce taxes by adding the fund balance used into the following year's tax rate calculation. **Vote 16-0.**

SB 12, relative to protection and preservation of significant archeological deposits. **OUGHT TO PASS.**

Rep. Kris E Roberts for Municipal and County Government: This bill would require as a condition of subdivision approval for any subdivision requiring an alteration of terrain permit under RSA 485-A:17 that the applicant (s) protect or document archeological resources in areas of archeological sensitivity that have been noted in the community's master plan. SB 12 is a well-thought out compromise by all stake-holders. SB 12 insures that archeological deposits are either protected, documented or a combination of both, thus preserving

New Hampshire history. SB 12 allows communities, if they choose, to document potential areas of archeological interest in their master plans. Thus ensuring that developers are well aware of possible areas of archeological sensitivity. Under current law small groups of individuals have had the ability to hold-up or even prevent the construction of not only sub-divisions, but schools, fire stations, and other facilities based on the possibility of archeological deposits. While all archeological deposits have value and should be documented, not all archeological deposits have such a value that requires their preservation. As display with the construction of the new Keene Middle School where a possible 11,000 year old community site was uncovered, the community, the state, the construction manager and other stake holders were able to work together to protect and document the valuable findings. **Vote 16-0.**

SB 43, relative to the property taxation of qualifying historic buildings. **OUGHT TO PASS WITH AMENDMENT.** Rep. Bruce L Tatro for Municipal and County Government: This bill enables towns and cities to appraise qualifying historic buildings at a reduced rate and tax the property at that reduced rate. This would encourage preservation of these historic buildings. **Vote 16-0.**

SB 62, authorizing the placement of a certain sign in the town of Danbury. **OUGHT TO PASS.** Rep. David A Bickford for Municipal and County Government: This bill allows Ragged Mountain Ski Area to replace its directional sign at the junction of Route 104 and Ragged Mountain Road. This bill is needed because Route 104 in this area is restricted by RSA 236:73 **Vote 16-0.**

SB 80, relative to expanding the community revitalization tax relief program to provide incentives for rehabilitating historic structures. **OUGHT TO PASS.**

Rep. Priscilla P Lockwood for Municipal and County Government: This bill will expand the community revitalization tax relief program to provide incentive for rehabilitating historic structures rather than tearing them down. The community has the option of accepting this program. **Vote 16-0.**

SB 139-FN-L, relative to mileage fees for sheriffs and deputy sheriffs. **OUGHT TO PASS.**

Rep. David A Bickford for Municipal and County Government: This bill changes the calculation of mileage fees for sheriffs and deputies for serving process to the "sheriff's office or substation" from "residence of sheriff." **Vote 16-0.**

WEDNESDAY, APRIL 24 REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 132-FN, establishing a committee to study police special details. **INEXPEDIENT TO LEGISLATE.**

Rep. Dianne E Schuett for Executive Departments and Administration: The bill proposed to study the efficacy of police special details, particularly at traffic construction sites. The committee was presented with a recent department of transportation study delineating use of police details versus flag persons at state construction sites. The committee also believed that decisions on whether to employ police or flag persons on municipal construction sites should be left to local control. Therefore, the committee could see no need for this study. **Vote 14-3.**

FINANCE

SB 157-FN, establishing a New Hampshire disaster relief fund. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Susan M Ford for Finance: SB 157-FN combines two existing funds that were created as a means to collect and distribute private donations to help people in need recover from storms, particularly those persons whose disaster-related needs may not be adequately met by federal assistance. There shall be established in the office of the state treasurer a nonlapsing fund that is to be kept separate from all other funds and which shall be designated as the New Hampshire disaster relief fund. Currently there is \$154,287 between the two funds. **Vote 16-2.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 71, establishing a committee to study the use and misuse of prescription drugs in workers' compensation cases. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Donald L LeBrun for the **Majority** of Health, Human Services and Elderly Affairs: This bill establishes a committee to study the extent of misuse and abuse of opiates and other commonly abused prescription medications by injured workers and the direct and/or indirect social and economic costs of such misuse. The amendment requires that one of the House Committee members be from the Labor, Industrial and Rehabilitative Services and one member from the Health, Human Services and Elderly Affairs. **Vote 13-4.**

Rep. Richard E Meaney for the **Minority** of Health, Human Services and Elderly Affairs: New Hampshire already has a statewide task force addressing the issue of prescription drug abuse, so this bill is unnecessary. Further, this bill singles out injured people on the workers compensation program and does not address other users or potential users of prescribed medications. The bill does not guarantee privacy or confidentiality of patient information, either individually or in aggregate. Privacy laws may even prevent the proposed study committee from having access to data and records needed to address this issue.

SB 83, relative to the controlled drug prescription health and safety program. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill moves New Hampshire closer to the implementation of a prescription monitoring program. The legislature finally passed a bill in 2012 that would make NH the 49th state to authorize such a program. The program will be a small step towards managing a rampant prescription drug abuse problem more effectively. SB 83 removes the sunset provision from the law that was passed last year which will increase the likelihood that New Hampshire will get a federal grant to jump start the program. In addition, the audit of the program to be done by the office of the Legislative Budget Assistant is moved out from 2014 to 2017. Lastly, a representative from the New Hampshire Hospital Association is added to the advisory committee. **Vote 17-0.**

SB 146-FN-L, relative to aid to the permanently and totally disabled and old age assistance. **OUGHT TO PASS.**

Rep. Thomas M Sherman for Health, Human Services and Elderly Affairs: Under current law, persons receiving benefits via old age assistance (OAA) or aid to the permanently and totally disabled (ATPD) are prohibited from any other relief from the state or local governments. This prohibition is unique to this population and functions as a "Catch 22" for participants in these programs whose needs outstrip their program stipend. This enabling legislation lifts this prohibition, allowing but not requiring the state and municipalities to provide assistance as needed beyond that provided through OAA or ATPD grants. **Vote 16-1.**

JUDICIARY

SB 60, relative to assisted living facilities and landlord tenant law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sylvia E Gale for the **Majority** of Judiciary: This bill would exclude assisted living facilities and community residences for the developmentally disabled and chronically ill from the definition of tenants for purposes

of landlord/tenant law. The committee heard testimony from a number of providers as well as consumers of assisted living facilities and all testimony was in favor of the bill's passage. The committee was advised that efforts are near completion to revamp and revise RSA 151 specific to the licensing and regulation of all "residential care" facilities and "supported-residential care" facilities, which will provide clarification and further assign licensing responsibilities over "assisted living" and other care facilities.

The majority of the committee agreed that removing these residents from the jurisdiction of laws pertaining to landlords and tenants is an important step toward affording these residents optimal care and protection in their current supported living environments. **Vote 13-6.**

Rep. Michael J Sylvia for the **Minority** of Judiciary: This bill cobbles together a solution to a problem which the minority feels would be better addressed at the root cause. If passed, this issue of "assisted living" lacking a proper definition and being handled under the proper statute will still need to be addressed. This bill may do as intended but it may also introduce unexpected problems.

SB 96, relative to vexatious litigants. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Robert H Rowe for the **Majority** of Judiciary: This bill was promoted into legislation by a citizen who had been subjected to vicious, repetitive and non-meritorious law suits in both state and federal courts. The suits were instituted by one individual. The purpose of this bill was to stop such frivolous law suits, although they are rare.

The majority of the committee was sympathetic to the goal of the bill, but voted inexpedient to legislate for a number of reasons. First, the courts and judges in both federal and state courts currently have extensive power to discourage and penalize such law suits through financial penalties and the contempt process. Second, it might lessen the power judges currently have. Third, portions of the bill were considered to be in violation of Part I, Article 14 of the New Hampshire constitution. **Vote 11-8.**

Rep. Frank H Heffron for the **Minority** of Judiciary: This bill would address the problem of frivolous lawsuits initiated for the primary purpose of harassment. It would require that a person found by a judge to have filed such a suit three or more times may be required to retain an attorney or other person of good character, in subsequent actions, or post a bond to cover attorney's fees and anticipated damages.

The minority acknowledges that this bill is far from perfect, but nevertheless considers that its passage would be a step in the right direction toward correcting a problem that inflicts serious damage to those who are sued without good reason.

SB 106, relative to confidentiality in adult guardianship cases. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul L Hackel for the **Majority** of Judiciary: RSA 464-A:8, VI specifies that all court records should be confidential only to the extent as they directly relate to alleged specific functional limitations of the proposed ward. This bill eliminates the limitation of the confidentiality because the committee felt that it would be extremely difficult to eliminate sections of the records. The supreme court requested this change. The committee supported this change by strong bi-partisan support. **Vote 18-1.**

Rep. Michael J Sylvia for the **Minority** of Judiciary: This bill commands the court shall make records, reports and evidence confidential. In the opinion of the minority the command ought to be the more permissive "may" in place of "shall."

SB 108, relative to the liability of landowners who permit use of their land for recreational activities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph M Hagan for Judiciary: This bill would extend that no cause of action for injury be allowed to persons building or maintaining recreational activity sites on private lands allowed by the owner for public use. The present law only covers the owners of such property for injuries to recreational users. **Vote 15-4.**

SB 187, posthumously emancipating enslaved Africans in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter M Sullivan for Judiciary: In 1779, twenty African slaves from Portsmouth petitioned the New Hampshire General Court for their freedom. Sadly, our predecessors chose not to honor their request. The committee believes that the time to honor the rights of these courageous men has come. As they stated in their petition, "freedom is an inherent right of the human species, not to be surrendered." We agree, and unanimously support the tragically late emancipation of these New Hampshire heroes. **Vote 18-0.**

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee has voted to issue the following advisory opinion, which is printed below in its entirety.

Advisory Opinion 2013-1 Response to a Request for an Advisory Opinion from Representative Patricia Higgins (April 1, 2013)

Pursuant to RSA 14-B:3, I (c), Representative Patricia Higgins has requested an Advisory Opinion whether, consistent with applicable statutes and the Ethics Guidelines, she may accept free or reduced cost attendance at a handgun training course.

According to information provided to the Committee by Rep. Higgins the course would be an “..NRA Basic Handgun class. This starts out with firearms safety rules and they continue throughout the class. During the class you will learn about different types of handguns and their parts. Different shooting stances. How to shoot and will have a chance to shoot over 25 different handguns. From 22, 38 and 357 revolvers to 22, 9mm and 45 ACP pistols. You will learn the laws on purchasing handguns, storage and transportation of handguns. How to clean and maintain handguns and much more. “ This class involves both practical and written tests to pass. This is a great class if you are trying to find out what handgun to purchase and its practical uses. This class does have a certification that is accepted in several states for their concealed carry permits.

“ The class price of \$170.00 includes everything except for refreshments, pen and notebook.”

Rep. Higgins has been offered a “guest slot” to attend the course at no cost.

Specifically, Rep. Higgins asks whether, based on the facts she has provided, the “honorarium” exception to the statutory definition of “gift” might apply.

Relevant provisions of applicable law are:

RSA 15-B:2 Definitions. – For the purposes of this chapter:

* * *

(a) “Gift” means:

* * *

(2) Any other tangible thing, intangible thing, service, or the use thereof having more than insignificant economic value. Any such item with a value of less than \$25 is presumed to be of insignificant economic value.

(b) Notwithstanding subparagraph (a), “gift” shall not include: ***

(11) Expense reimbursement or an honorarium. ****

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

RSA 15-B:3 Prohibition on Gifts. –

* * *

III. No elected official, public official, public employee, constitutional official, or legislative employee shall knowingly accept, directly or indirectly, any gift, as defined in this chapter.

Ethics Guidelines, Section 4, Prohibited Activities.

* * *

VII. Nothing in this section on prohibited activities should be construed to prohibit the following:

* * *

(h) Acceptance of anything permitted to be accepted pursuant to RSA 15-B. ****

We advise as follows:

The “guest slot” to attend the course at no cost, where the regular charge for such attendance is \$170.00, would involve a transaction with an economic value of \$25.00 or more. This would put it into the category of a prohibited gift, unless it would qualify for an exception set forth in RSA 15:2. One of these exceptions, in RSA 15-B:2, VI, is for an “honorarium.” Whether the “honorarium” exception would apply depends on whether participation in the handgun training course would fall within the statutory prescription of the kind of event that qualifies for an honorarium, *i.e.*, “participation in a discussion group or similar activities.”

The course described by Rep. Higgins does not fit within the statutory language. It doesn’t seem to be the kind of event that involves much if any discussion or similar activity about a matter of public interest.

Instead, it seems to be a straightforward course in the safe use of handguns. While such courses are worthwhile, the statutory prescription was not intended to cover them, any more than (say) a course in personal development or art appreciation.

Previously, the Committee has issued two Advisory Opinions on the subject of honorariums: (1) An opinion issued in 2007 involving attendance at the Carsey Institute at UNH by the then-House legal counsel, which advised that the honorarium exception would apply to the event described as “a fellowship program that entails attendance at a three day policy leadership Institute conference”; and (2) Advisory Opinion 2011-2 approving a Representative’s subsidized participation in the Leadership Greater Nashua Program, described by the Committee as “a series of seminars and informational sessions designed to familiarize participants with local institutions and issues faced by them.”

Also in 2011, the Committee issued Interpretive Ruling 2011-#2 regarding honorariums to legislators for participation in activities surrounding a presidential campaign. None of these events was similar to the handgun training course described by Rep. Higgins.

Although Rep. Higgins has not specifically inquired about it, her request also raises the question whether the exception for “Expense Reimbursement” in RSA 15-B:5 might apply. The exception applies to “a **bona fide conference, meeting, seminar, or educational or informational program** which the person attends and that is **related to the office.. held with the state..**” [Emphasis added] For the reasons discussed, the handgun course described by Rep. Higgins would not fit within the statutory language.

Accordingly, we advise Rep Higgins that acceptance of a “guest slot” at the handgun course valued at \$170.00 would be a prohibited gift. In response to another of her questions, we also advise her that she might accept a discount of up to \$24.99 from the course tuition, without violating the statute.

We appreciate the opportunity to be of assistance.

For the Committee,
Martin L. Gross
Chairman

[Vote 7-0]

LAI D 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 344-FN-L, relative to aid to school districts for the cost of special education. (Pending question: adoption of the committee report of Inexpedient to Legislate.)

HB 420, establishing orange, red, and yellow as the state colors. (Pending question: adoption of the committee report of Ought to Pass.)

HB 576, establishing Franklin Pierce Day. (Pending question: adoption of the committee report of Inexpedient to Legislate.)

HB 615-FN-A, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefor. (Pending question: adoption of the majority committee report of Inexpedient to Legislate.)

HB 619-FN, prohibiting images of a person’s residence to be taken from the air. (Pending question: adoption of the committee report of Ought to Pass with Amendment.)

HB 638, recognizing the original Thirteenth Amendment to the United States Constitution. (Pending question: adoption of the majority committee report of Inexpedient to Legislate.)

HB 678-FN-A-L, relative to games of chance and establishing a gaming oversight authority and video lottery gaming. (Pending question: adoption of the report of Inexpedient to Legislate.)

HB 683-FN, relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management. (Pending question: adoption of the report of Inexpedient to Legislate.)

HCR 3, affirming States’ powers based on the Constitution for the United States and the Constitution of New Hampshire.

HR 6, commemorating the 40th anniversary of the *Roe v Wade* Supreme Court decision and affirming support for its holding and principles.

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. (Pending question: adoption of the Majority committee report of Inexpedient to Legislate.)

HR 8, affirming revenue estimates for fiscal years 2013, 2014, and 2015. (Pending question: adoption of Ought to Pass.)

COMMITTEE MEETINGS

FRIDAY, APRIL 19

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

9:00 a.m. Regular meeting.

COMMITTEE TO STUDY LAWS RELATING TO CONDO AND HOMEOWNERS' ASSOCIATIONS (RSA 356-B:70), Room 202, LOB

11:00 a.m. Regular meeting.

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, management letter year ended June 30, 2012.
State of New Hampshire, single audit of federal financial assistance programs for the year ended June 30, 2012.
State of New Hampshire, Department of Safety, Division Of Motor Vehicles, customer service performance audit report April 2013.

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

1:00 p.m. Regular meeting.

NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g), Upham Walker House, Park Street, Concord

1:00 p.m. Regular meeting.

MONDAY, APRIL 22

JOINT COMMITTEE OF FINANCE AND WAYS AND MEANS, Rooms 210-211, LOB

10:00 a.m. Regulations subcommittee work session on *SB 152-FN-A-L*, relative to video lottery and table gaming.

Room 202, LOB

10:00 a.m. Revenue subcommittee work session on *SB 152-FN-A-L*, relative to video lottery and table gaming.

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

9:00 a.m. Regular meeting.

TUESDAY, APRIL 23

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Subcommittee work session on *SB 129-FN*, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. Subcommittee work session on *SB 41*, revising the New Hampshire business corporations act, RSA 293-A.

1:15 p.m. Subcommittee work session on *SB 92*, prohibiting multiple prescription drug failures, *SB 169*, relative to non-covered services under dental insurance plans, *SB 114*, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas, *SB 38*, relative to pharmacy rights during an audit.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Full committee work session on retained *HB 496-FN*, relative to driving privileges for certain first-time DWI offenders, *HB 404-FN*, relative to earned time credits for inmates participating in rehabilitative programming, *HB 649-FN*, relative to earned time credits for certain prisoners participating in educational and rehabilitative programming.

EDUCATION, Room 207, LOB

10:30 a.m. *SB 18*, conferring degree-granting authority to the American University of Madaba.

11:00 a.m. *SB 27-FN*, relative to monitoring by the department of education of programs for children with disabilities.

1:15 p.m. *SB 82*, establishing a commission to identify strategies needed for developing and implementing a competency-based public education system.

2:00 p.m. *SB 48*, relative to school performance and accountability.

2:30 p.m. *SB 97*, relative to high school equivalency and relative to illiteracy.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Full committee work session on retained **HB 660-FN**, requiring the labeling of genetically engineered foods and agricultural commodities.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:30 a.m. Subcommittee work session on **SB 135-FN**, relative to the regulation of the practice of genetic counseling.

Mechanical Trade School, 7 Perimeter Road, Manchester

1:00 p.m. Subcommittees on fuel gas fitters, plumbers and propane training visit to Mechanical Trade School.

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

10:00 a.m. Executive session on **SB 166**, relative to critical incident stress management and crisis intervention services, **SB 170**, relative to advance directives pertaining to life-sustaining treatment, **SB 194-FN**, requiring the department of health and human services to implement the Medicaid family planning expansion, **SB 24**, relative to Medicaid rates.

1:00 p.m. **SB 45**, relative to electronic prescriptions.

1:45 p.m. **SB 171**, relative to the council for children and adolescents with chronic health conditions.

JOINT COMMITTEE OF FINANCE AND WAYS AND MEANS, Room 202, LOB

10:30 a.m. Revenue subcommittee work session on **SB 152-FN-A-L**, relative to video lottery and table gaming.

Room 208, LOB

1:00 p.m. Community impact subcommittee work session on **SB 152-FN-A-L**, relative to video lottery and table gaming.

Rooms 210-211, LOB

2:00 p.m. Regulations subcommittee work session on **SB 152-FN-A-L**, relative to video lottery and table gaming.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

10:15 a.m. **SB 95**, relative to choice of pharmacy under workers' compensation.

11:00 a.m. **SB 100**, authorizing electronic payment of payroll.

1:00 p.m. **SB 147-FN**, relative to prescription drugs in workers' compensation cases.

1:45 p.m. **SB 143-FN**, relative to benefits for unemployed persons who are attempting to establish a business.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. Rescheduled public hearing on **SB 160-FN-A**, relative to turnpikes and electronic toll collection.

10:30 a.m. Rescheduled public hearing on **SB 192-FN-L**, establishing a committee to study the establishment of a state infrastructure bank.

10:45 a.m. Rescheduled executive session on **SB 15**, naming a portion of route 101 after the 101st Airborne Division Screaming Eagles, **SB 29**, relative to the motorist service signing program, **SB 84**, relative to road toll administration, relative to motor vehicles carrying property for hire, and relative to administration of the international registration plan, **SB 188-FN**, relative to municipally-owned utilities.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:15 a.m. Subcommittee work session on **SB 124-FN**, establishing an integrated land development permit.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Continued executive session on **SB 101**, relative to collocation and modification of personal wireless services facilities.

TRANSPORTATION, Room 203, LOB

10:15 a.m. **SB 20**, making modifications to the DWI ignition interlock program.

11:00 a.m. **SB 13**, relative to hearings in the department of safety.

11:15 a.m. **SB 21**, making technical corrections to the International Registration Plan.

11:30 a.m. **SB 67**, establishing a committee to examine the issue of statutory authority for all terrain vehicles, off highway recreational vehicles, and low speed utility vehicles to access public highways for food, fuel, and lodging.

1:15 p.m. **SB 22**, exempting small trailers from inspection requirements; allowing qualified dealers to inspect trailers; and deleting a reference to highway enforcement officers.

1:45 p.m. **SB 85**, relative to commercial motor vehicle operation.

2:00 p.m. Rescheduled public hearing on **SB 165**, repealing a prohibition relative to auxiliary state troopers.

2:30 p.m. Rescheduled public hearing on **SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate.

WEDNESDAY, APRIL 24**CHILDREN AND FAMILY LAW, Room 206, LOB**

- 1:00 p.m. Or one hour after the House session ends, executive session on **SB 129-FN**, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need, **SB 173**, relative to criminal background checks for individuals volunteering or applying for employment at licensed child care facilities, **SB 25**, relative to the treatment of medical support in child support cases, **SB 137-FN**, relative to sibling visitation rights.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 1:30 p.m. Or one hour after the House session ends, subcommittee work session on **SB 116-FN**, relative to the licensure of liquefied propane installation and service technicians, **SB 189-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board.

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

- 1:00 p.m. Or after the end of the House session, subcommittee work session on **SB 138-FN**, relative to support for certain residents of nursing and assisted living facilities.
- 1:00 p.m. Or one hour after the end of the House session, subcommittee work session on **SB 87**, relative to the patients' bill of rights.

JOINT HEALTH CARE REFORM OVERSIGHT (RSA 420-N:3), Rooms 302-304, LOB

- 12:00 p.m. Or after the end of the House session, regular meeting.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 303, LOB (Please note room change.)

- 1:00 p.m. Or after the end of the House session, executive session on **SB 95**, relative to choice of pharmacy under workers' compensation, **SB 100**, authorizing electronic payment of payroll, **SB 143-FN**, relative to benefits for unemployed persons who are attempting to establish a business, **SB 147-FN**, relative to prescription drugs in workers' compensation cases.

LEGISLATIVE ADMINISTRATION, Room 104, LOB

- 1:30 p.m. Or after the House session ends, rescheduled public hearing on public hearing on **SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation.
- 1:45 p.m. Or after the House session ends, rescheduled public hearing on public hearing on **SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags.
- 2:00 p.m. Or after the House session ends, rescheduled executive session on **SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation, **SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 1:00 p.m. Or after the House session ends, public hearing on **SB 185**, establishing a commission on housing policy and regulation.
- 1:30 p.m. Or thirty minutes after the House session ends, executive session on **SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts, **SB 58**, relative to the taxation of water works or flood control land held in another town or city, **SB 172-FN-L**, relative to public funds, **SB 197**, relative to the inclusion of a default budget in separate warrant articles submitted by sewer commissions.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 1:00 p.m. Or at the end of the House session, executive session on **SB 160-FN-A**, relative to turnpikes and electronic toll collection, **SB 192-FN-L**, establishing a committee to study the establishment of a state infrastructure bank.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 1:00 p.m. Or one hour after the House session ends, executive session on **SB 14**, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development, **SB 131-FN-L**, relative to a permitting process for the removal of submerged logs from certain great ponds, **SB 163**, establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards, **SB 164**, authorizing coastal management provisions in master plans.

SCIENCE, TECHNOLOGY AND ENERGY, Room 308, LOB (Please note room change.)

- 1:00 p.m. Or at the end of the House session, continued public hearing on **SB 123-FN-L**, relative to the use of proceeds from the regional greenhouse gas initiative program.
- 2:30 p.m. Executive session on **SB 175**, relative to crossing public waters of the state for public utility purposes.
- 3:00 p.m. Presentation by Dr. Ben Luce on Renewable Portfolio Standards.

TRANSPORTATION, Room 203, LOB

- 1:15 p.m. Or at the end of the House session, rescheduled public hearing on **SB 159**, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations.
- 1:30 p.m. Or at the end of the public hearing, public hearing on proposed amendment to **SB 159**, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations. The proposed amendment modifies the procedure for certain members of the armed forces and other spouses for renewing a driver's license. Copies of the proposed amendment are available from the Sergeant-at-Arms office.

WAYS AND MEANS, Room 202, LOB

- 1:30 p.m. Or at the end of the House session, executive session on **SB 30**, making technical corrections to tax laws, **SB 75**, relative to games of chance, **SB 128-FN-L**, relative to fees for vital records.

THURSDAY, APRIL 25**COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB**

- 10:00 a.m. Subcommittee work session on **SB 51**, relative to the definition of "professional service."
- 10:30 a.m. Subcommittee work session on **SB 126-FN**, relative to business practices between motor vehicle manufacturers, distributors, and dealers.

COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T:1), NH Medical Society, 7 North State Street, Concord

- 2:00 p.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. Full committee work session on retained **HB 404-FN**, relative to earned time credits for inmates participating in rehabilitative programming, **HB 496-FN**, relative to driving privileges for certain first-time DWI offenders, **HB 649-FN**, relative to earned time credits for certain prisoners participating in educational and rehabilitative programming.

FISH AND GAME AND MARINE RESOURCES, Rooms 305-307, LOB

- 10:00 a.m. **SB 122-FN**, establishing a commercial shrimp license.
- 10:30 a.m. **SB 133-FN**, adopting the interstate wildlife violators compact.
- 12:30 p.m. **SB 89**, relative to the definition of lead fishing sinkers and jigs and the penalties for prohibited sales of lead fishing sinkers and jigs.

JOINT COMMITTEE OF FINANCE AND WAYS AND MEANS, Room 208, LOB

- 10:00 a.m. Community impact subcommittee work session on **SB 152-FN-A-L**, relative to video lottery and table gaming.

Rooms 210-211, LOB

- 10:00 a.m. Regulations subcommittee work session on **SB 152-FN-A-L**, relative to video lottery and table gaming.

Room 202, LOB

- 10:00 a.m. Revenue subcommittee work session on **SB 152-FN-A-L**, relative to video lottery and table gaming.

FRIDAY, APRIL 26**GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J), Rooms 205-207, LOB**

- 9:30 a.m. Regular meeting

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

- 10:00 a.m. Regular meeting.

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

- 9:00 a.m. Joint meeting with subcommittee.
- 10:30 a.m. Regular meeting.

MONDAY, APRIL 29**STATE PARK SYSTEM ADVISORY COUNCIL (RSA 216-A:3-k), Department of Resources and Economic Development, 172 Pembroke Road, Concord**

1:00 p.m. Regular meeting.

TUESDAY, APRIL 30**EDUCATION, Room 207, LOB**

10:00 a.m. Executive session on **SB 134-FN**, relative to the division of higher education and the higher education commission, **SB 162-FN**, repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds, and relative to the membership of the higher education commission.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Full committee work session on retained **HB 660-FN**, requiring the labeling of genetically engineered foods and agricultural commodities.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

11:00 a.m. Public hearing on the proposed amendment to **SB 90**, establishing a committee to study developing a policy for veteran preference for government hiring. The proposed amendment amends RSA 115-D:5 to extend the final reporting date for the Commission on the Effects of Service-Connected Post-Traumatic Stress Disorder and Traumatic Brain Injury from November 1, 2013 to November 1, 2014. Copies of the proposed amendment are available from the Sergeant-at-Arms office.

1:30 p.m. Executive session on **SB 116-FN**, relative to the licensure of liquefied propane installation and service technicians, **SB 184-FN**, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services, **SB 189-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board.

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

10:00 a.m. Executive session on **SB 45**, relative to electronic prescriptions, **SB 138-FN**, relative to support for certain residents of nursing and assisted living facilities, **SB 171**, relative to the council for children and adolescents with chronic health conditions.

JOINT COMMITTEE OF FINANCE AND WAYS AND MEANS, Rooms 210-211, LOB

10:00 a.m. Regulations subcommittee work session on **SB 152-FN-A-L**, relative to video lottery and table gaming.

THURSDAY, MAY 2**CRIMINAL JUSTICE AND PUBLIC SAFETY, Department of Safety, 33 Hazen Drive, Concord**

10:00 a.m. Tour of Department of Safety.
Following lunch break committee will tour 911 Call Center on Smokey Bear Road (Route 106), Concord

EDUCATION, Room 207, LOB

10:00 a.m. Subcommittee work session on retained **HB 435-FN**, relative to funding for chartered public school pupils, **HB 243**, relative to the board of trustees of a chartered public school, **HB 424-FN**, relative to review of chartered public school applications by the state board of education.

JOINT COMMITTEE OF FINANCE AND WAYS AND MEANS, Rooms 210-211, LOB

10:00 a.m. Regulations subcommittee work session on **SB 152-FN-A-L**, relative to video lottery and table gaming.

FRIDAY, MAY 3**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB**

9:00 a.m. Continued regular meeting.

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

9:00 a.m. Regular meeting.

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

1:00 p.m. Meeting to work on proposed changes to our Administrative Rules.

MONDAY, MAY 6**PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1), Room 212, LOB**

10:00 a.m. Regular meeting.

PUBLIC WATER ACCESS ADVISORY BOARD (RSA 233-A:2, I), Department of Fish and Game, 11 Hazen Drive, Concord

9:00 a.m. Regular meeting.

TUESDAY, MAY 7**ENVIRONMENT AND AGRICULTURE, Room 303, LOB**

10:30 a.m. Full committee work session on retained *HB 660-FN*, requiring the labeling of genetically engineered foods and agricultural commodities.

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

10:30 a.m. Subcommittee work session on *SB 17*, establishing a commission to study palliative care and associated quality of life initiatives.

THURSDAY, MAY 9**HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB**

10:30 a.m. Rescheduled subcommittee work session on retained *HB 462-FN*, relative to an independent review process under the medical assistance program.

1:00 p.m. Rescheduled subcommittee work session on retained *HB 461-FN*, relative to long-term care services.

FRIDAY, MAY 10**STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD PROGRAM (RSA 99-E), Room 101, LOB**

9:30 a.m. Regular meeting.

MONDAY, MAY 13**ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), Room 100, State House**

3:00 p.m. Regular meeting.

TUESDAY, MAY 14**ENVIRONMENT AND AGRICULTURE, Room 303, LOB**

10:00 a.m. Full committee work session on retained *HB 608*, relative to the slaughter of poultry and rabbits.

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

2:00 p.m. Regular business.

THURSDAY, MAY 16**STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB**

10:00 a.m. *SB 88*, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces.

FRIDAY, MAY 17**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB**

9:00 a.m. Regular meeting.

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

1:00 p.m. Regular meeting.

MONDAY, MAY 20**COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), NH Higher Education Assistance Foundation, 4 Barrell Court, Concord**

10:00 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

THURSDAY, MAY 23**STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB**

9:00 a.m. Full committee discussion with the Congressional Delegation.

1:00 p.m. Executive session on **SB 88**, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces.**FRIDAY, MAY 24****NEW HAMPSHIRE RAIL TRANSIT AUTHORITY BOARD OF DIRECTORS (RSA 238-A:2), Room 203, LOB**

10:00 a.m. Regular meeting.

OFFICIAL NOTICES**COUNTY DELEGATION NOTICE****Grafton** County Executive Committee will meet on Monday, **April 22** at 9:00 a.m. at the Grafton County Complex in North Haverhill.Rep. Andrew A. White, Chairman
Grafton County Executive Committee**COUNTY DELEGATION NOTICE****Hillsborough** County Executive Committee will meet on Friday, **April 26**, 2013 at 9:00 a.m. at the Hillsborough County Complex, Bouchard Building, Goffstown, NH.Rep. Mariellen MacKay, Clerk
Hillsborough Executive Committee**COUNTY DELEGATION NOTICE****Rockingham** County Long-Term Care Subcommittee will meet on Friday, **April 19**, 2013 at 3:30 p.m. in the Commissioner's Conference Room at the Rockingham County Nursing Home in Brentwood. The purpose of the meeting is to discuss Rockingham County Adult Medical Day Care Program.Rep. Debra L. DeSimone, Chairman
Rockingham County Long-Term Care Subcommittee

REVISED FISCAL NOTES

The following House and Senate Bills have a revised fiscal note: HBs 112, 142, 147, 178, 184, 204, 233, 250, 252, 253, 259, 260, 261, 295, 304, 316, 317, 319, 320, 321, 322, 324, 325, 326, 327, 328, 330, 333, 334, 335, 336, 338, 339, 340, 341, 342, 343, 344, 370, 573, 376, 380, 382, 391, 394, 399, 431, 432, 434, 435, 437, 443, 445, 456, 461, 462, 466, 473, 477, 478, 479, 481, 482, 484, 485, 486, 487, 488, 489, 490, 491, 493, 501, 507, 511, 526, 540, 563, 564, 570, 575, 581, 594, 595, 596, 597, 599, 600, 617, 621, 624, 628, 629, 630, 641, 642, 643, 644, 646, 648, 650, 651, 652, 654, 655, 656, 657, 658, 659, 660, 661, 663, 664, 665, 667, 668, 669, 670, 671, 672, 673, 676, 677, 678, 683. SBs 19, 27, 39, 99, 117, 123, 124, 126, 131, 135, 138, 146, 152, 153, 157, 160, 189, 190, 194.

Karen O. Wadsworth, Clerk of the House

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

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

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

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

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

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

Rep. Gene G. Chandler

April is National Child Abuse Prevention month. For the first time in American history, individuals in over 150 cities and 45 states will join together in walks to raise awareness of child abuse and crimes against children in the U.S. On Monday, **April 22**, 2013, from 11:00 a.m. – 5:00 p.m., there will be a Million March Against Child Abuse held in the Monadnock Region. Please join us outside the Jaffrey Peterborough District Court House, 84 Peterborough Street in Jaffrey, to lend your support. (The court house is located right across the street from McDonald's on Rt. 202.) We hope to see you there.

Reps. Susan Emerson and Cynthia Chase

The New Hampshire Coalition Against Domestic and Sexual Violence's AmeriCorps Victim Assistance Program invites all legislators to view the New Hampshire Clothesline Project on **April 23** from 11:00 a.m. to 2:00 p.m. on the State House lawn. The Clothesline Project is a visual display that uses t-shirts to bear witness to domestic and sexual violence, child abuse and stalking. Each shirt is designed to represent a particular person's experience and is made by a survivor or someone who cares about them.

Rep. Robert R. Cushing

All pro-business members of the House are invited to attend the NH House Business Caucus meeting on Tuesday, **April 23**, from 4:00 – 5:00 p.m. in Room 303, LOB.

Reps. Laurie Sanborn, Adam Schroadter and
Patrick Abrami

All members are invited to a reception hosted by the New Hampshire Travel Council on Tuesday afternoon **April 23** at the NH Historical Society starting at 4:30 p.m. This event will wrap up New Hampshire's annual 2013 Governor's Conference on Tourism hosted by the City of Concord.

Reps. Ed Butler and Peter Ramsey

All legislators and staff are cordially invited to mingle with AFSCME Council 93, America Votes, Granite State Progress, League of Women Voters New Hampshire, NARAL Pro-Choice New Hampshire, NEA-NH, NH AFL-CIO, NH Alliance for Retired Americans, NH Citizen's Alliance for Action, NH Sierra Club and others. Please join the diverse selection of NH's leading labor, environmental, social and citizen advocacy organizations on Wednesday, **April 24th** from 8:00 a.m. to 10:00 a.m. in the State House Cafeteria. Staff and key leaders will be on hand to discuss issue priorities and legislative briefings on cross-over bills. A light breakfast and drinks will be served.

Rep. Stephen J. Shurtleff

All legislators are cordially invited to attend a Legislative Luncheon and Discussion with presentations and analysis on *SB 152, relative to video lottery and table gaming*. Please join the NH Building and Construction Trades Council; NH Troopers Association, NEA NH; IBEW Locals 104, 490 and 2320; Granite State Teamsters;

State Employees Association; Professional Fire Fighters of NH; Ironworkers Local 7; Plumbers and Steamfitters Local 131 on Wednesday, **April 24th** 11:00 a.m. - 2:00 p.m. at St. Paul's Episcopal Church, downstairs at 21 Centre Street across from the State House. Lunch will be provided by the Puritan Backroom of Manchester.
Rep. Candace C.W. Bouchard

Grange Day is being celebrated at the State House on Wednesday, **April 24** with Grange members sitting in the House Gallery for the opening of the House of Representatives Session. State Rep. Dick Patten is coordinating the event. There will be a luncheon for all Grangers and their invited guests in Room 307, LOB at 12 noon. Please contact Dick Patten 228-1803 to reserve for lunch.
Rep. Dick Patten

The non-partisan NH House Business Caucus will be hosting a luncheon for all of its members during the lunch break at the Upham Walker House on **April 24**, 2013. Come meet our special guest Jeff Rose, the new Commissioner of the Department of Resources and Economic Development, plus several other staff members of the department. Please RSVP to **RepSanborn@gmail.com**.
Reps. Laurie Sanborn, Patrick Abrami, and
Adam Schroadter

The Council for Children with Chronic Health Conditions invites all legislators to a hot buffet lunch and educational briefing on the Affordable Care Act with Health and Human Services Commissioner Nicholas Toumpas and Insurance Department Policy Analyst Tyler Brannen on Thursday, **April 25th**, 2013 at the Concord Holiday Inn at noon.
Rep. Mariellen J. MacKay

The members of the NH Snowmobile Association cordially invite all Representatives and staff to a reception in the State House cafeteria on Tuesday, **April 30**, 2013, from 7:30 a.m. - 9:30 a.m. where a breakfast will be served. Look forward to seeing you there.
Reps. Stephen J. Shurtleff and Gene G. Chandler

The Children's Alliance of NH and Rep. Cynthia Chase cordially invite all legislators to a joint meeting of the Legislative Caucus for Young Children and Youth on Tuesday, **April 30**, from 1:30 -2:30 p.m. in Rooms 205-207, LOB. The program will highlight the NH Kids Count Cities Data Book. The data book features 24 indicators of child well-being on fourteen cities and towns across New Hampshire. For more information, please contact Lindsay Crete at **lcrete@childrennh.org** or 603-225-2264.
Rep. Cynthia L. Chase

All representatives and staff are invited to a free chair massage by members of the NH Chapter of the National Association of Massage Therapists in Room 212, LOB on Tuesday, **May 7** from 10:00 a.m. to 2:00 p.m.
Rep. Daniel A. Eaton

Members of the General Court and staff are invited to join UNH President Mark W. Huddleston on Tuesday, **May 7**, from noon to 1:00 p.m. at St. Paul's Church, 21 Centre Street, to learn how UNH is driving innovation and forging job-creating partnerships with New Hampshire businesses. A brown bag lunch will be provided.
Terie Norelli, Speaker

Refugee Resettlement in New Hampshire: Who, Where, When and How? Lutheran Social Services of New England and the Duprey Companies cordially invite all legislators to an informative Breakfast which has been rescheduled to Wednesday, **May 8, 2013**, from 8:00 a.m.-10:00 a.m. at the Barley House in Concord featuring NH business and social services leaders, and representatives from NH's refugee community. Please RSVP to Kerstin Breidenthal at (603) 410-3109 or **KAhlgren@lssne.org**.

Reps. Stephen J. Shurtleff and Gene G. Chandler

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Committee cordially invites you to the 21st Annual New Hampshire Law Enforcement Officers Memorial Ceremony. The ceremony will be held on Friday, **May 17, 2013**, beginning promptly at 10:00 a.m. on the memorial site in front of the Legislative Office Building. The ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please do not hesitate to contact either Timothy J. Acerno of Fish and Game at 603-271-3128 or Chief Michael Greeley of the Deerfield Department at 603-463-7258 if you have any questions.

Terie Norelli, Speaker

All legislators and staff are invited to attend "Banding Together for New Hampshire's Oral Health," Annual Legislative Breakfast provided by the New Hampshire Oral Health Coalition. A hot breakfast will be served buffet-style **May 22** from 7:30 to 9:00 a.m. in the State House Cafeteria with food prepared by Elizabeth's Kitchen at the State House. Member displays will update you on the latest in oral health. You can view and learn about the Dental Simulator from the Dental School at the University of New England – staff from the No. Country Health Consortium will be on-site to show you how the simulator works.

Rep. Tom Buco

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, Park Street, Concord.

Reps. Alfred Baldasaro, Carol McGuire and
 Pamela Tucker

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

Reps. Stephen Palmer, Warren Groen and
 Stella Tremblay

STATE HOUSE VISITATION SCHEDULE

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in **2013**. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes.

Please contact the Visitor Center concerning school tour booking information. Legislators planning to meet with students should notify the Visitor Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director
 Deborah Rivers, Public Information

DATE	TIME	GROUP	Group#/Grade
April 19	9:30/11:00 SH/F&G	Symonds School – Keene	64/4
April 19	9:45/10:45 SH/HM	DAR Good Citizens	90/4
April 19	12:00	South Merrimack Christian Academy	18/7
April 19	1:00	Teen Pact Families	34
April 23	3:00	Road Scholars Pilgrim Pines @ Swanzey Lake	24/adults
April 25	10:00	Enfield Village School	54/4
April 25	11:30	Harvest Hills	
April 25	1:30	The Huntington @ Nashua Retirement Community	15/SRS
April 29	10:00/11:30 SH/HM	Nottingham West Elementary School – Hudson	120/4
April 29	2:00	Harris Hill Center – Concord	14/SRS

DATE	TIME	GROUP	Group#/Grade
April 30	9:30/11:00 SH/HM	Henry Wilson School – Farmington	86/4
April 30	1:00	Voyagers Home School – Ossipee area	20
May 1	9:45/11:30 SH/HM	Horne St. School – Dover	85/4
May 2	9:00	Ashland Elementary School	40/4&6
May 2	10:00/11:15 SH/F&G	McClelland School – Rochester	75/4
May 2	2:00	IREM – realtors	45
May 3	9:30	Making Community Connections	
		Charter School – Manchester	27
May 3	10:00/11:15 SH/SC	Bernice A. Ray School-Hanover	80/4
May 3	11:30	William E. Lancaster School – Salem	46/4
May 6	9:30	St. Patrick School – Pelham	60/3,4,5
May 6	10:30	Washington Elementary School	29/4
May 6	11:30	Canaan Elementary School	52/4
May 6	12:30	Fuller Elementary School – Keene	58/4
May 7	10:00/11:15 SH/HM	Paul Smith School – Franklin	90/4
May 8	9:30	Epping Elementary School	44/4
May 8	10:15/11:30 SH/HM	DJ Bakie School – Kingston	98/4
May 9	9:30	Epping Elementary School	44/4
May 9	10:15	North Walpole School	40/4
May 9	11:30	Cornerstone Christian Academy – Ossipee	
May 10	9:30/11:00 SH/SC	Richards School – Newport	80/4
May 10	11:30	Jonathan Daniels School – Keene	35/4
May 10	11:30	Victory Baptist School – Londonderry	4/4
May 13	10:20/11:40 SH/SC	Beaver Meadow School – Concord	56/4
May 13	1:00	Mount Zion Christian School – Manchester	10/4
May 14	10:00/11:30	Pelham Elementary School	100/4
May 14	1:00/2:00	NH State Legislative Council	80/adults
May 15	9:30/11:00 SH/HM	Danville Elementary School	50/4
May 15	3:00	Immaculate Conception Apostolic School – Center Harbor	10/HS
May 16	10:00/11:30 SH/HM	Mastway Elementary School – Lee	60/4
May 17	9:00	Salem Christian School	15/4
May 17	10:00/11:15 SH/SC	Memorial School – Newton	60/4
May 17	12:30	Newport Montessori School	12/4
May 17	12:30	Cornerstone Christian Academy – Ossipee	10/3&4
May 20	9:30/12:00	Hollis Brookline High School	116/HS
May 21	10:00/11:30	Pelham Elementary School	75/4
May 21	1:00	Camp Allen, Life Camp – Bedford	18/adults
May 22	9:30	Florence Rideout School – Wilton	44/4
May 22	10:45/11:45	Abbott Downing Elementary – Concord	88/4
May 23	9:30/10:45 SH/HM	Gossler Park School – Manchester	60/4
May 23	10:00	Whitefield Elementary School	40/4
May 23	12:00	St. Elizabeth Seton School – Rochester	20/4
May 24	10:00	Lin-Wood School-Lincoln/Woodstock	25/4
May 24	11:15	Bristol Elementary School	37/4
May 24	12:00	Presentation of Mary Academy – Hudson	45/4
May 28	9:00	Merrimack Middle School	50/8
May 28	10:15/11:30 SH/HM	Hampstead Central School	100/4
May 28	10:15/11:30 SH/HM	Hampstead Central School	100/4
May 29	9:00	Merrimack Middle School	50/8
May 29	10:00	Bridgewater Hebron School	24/4
May 29	11:30	Mountain Shadows School – Dublin	13/6
May 30	9:30	Simonds Elementary School – Warner	30/4
May 30	10:00	World Academy – Nashua	18/3
May 30	10:00	St. Patrick's School – Jaffrey	12/4&3
May 30	11:30	Pittsfield Elementary School	54/4
May 31	10:00/11:30 SH/HM	Auburn Village School	71/4
May 31	12:00/12:30	Swasey Central School – Brentwood	70/4

WEDNESDAY, APRIL 24 AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to SB 33

(2013-1255h)

Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing section 2 with the following:

2 Administration; Appointment. Amend RSA 100-C:11, II to read as follows:

II. The board of trustees of the judicial retirement plan shall consist of 7 members. The governor and council shall appoint 2 trustees, one of whom the governor shall designate to serve as chairman of the board of trustees, and who shall be qualified persons with business experience and not members of the judicial retirement plan, and who shall serve for a term of 3 years and until such trustee's successor is appointed and qualified, except that the original appointment of one of the trustees shall be for a term of one year. The chief justice of the state supreme court, with the advice and consent of the chief justice of the superior court, ~~and the administrative [justices of the district and probate courts]~~ ***judge and deputy administrative judge of the circuit court, and the director of the administrative office of the courts***, shall appoint 3 trustees, at least 2 of whom shall be active members of the judicial retirement plan and one of whom may be a retired member, and who shall serve for a term of 3 years and until such trustee's successor is appointed and qualified, except that the original appointment of one of the trustees shall be for a term of one year, and the original appointment of another of the trustees shall be for a term of 2 years. One member of the state senate shall be appointed biennially by the senate president as a trustee of the board, and one member of the house of representatives shall be appointed biennially by the speaker of the house as a trustee of the board.

Amendment to SB 35

(2013-1263h)

Proposed by the Committee on Judiciary - C

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

1 Jurors; Definitions; Master Jury List. RSA 500-A:1, IV is repealed and reenacted to read as follows:

IV. "Master jury list" means the list blended and compiled from the voter lists, which shall be provided by the secretary of state pursuant to RSA 654:45, VI on encrypted removable media, and from the official record of persons 18 years of age or older who hold a current New Hampshire driver's license or a department of safety identification card, which shall be provided by the department. Information contained in the master jury list shall be private and confidential and shall not be subject to RSA 91-A.

2 Preparation of Master Juror List. Amend RSA 500-A:2 to read as follows:

500-A:2 Preparation of Master Jury List. The office shall annually ~~[prepare and deliver]~~ ***provide*** to the clerk of court a master jury list for each county or judicial district thereof. A duplicate list shall be retained by the office. Voter lists and department of safety lists, as well as the master jury list, are confidential documents to be used by the office and the respective trial courts only for purposes of jury selection, ***and shall contain only the names and addresses of persons listed; additional information, such as date of birth, shall be available to the office only for the purpose of resolving discrepancies in the information provided.***

Amendment to SB 42

(2013-1254h)

Proposed by the Committee on Executive Departments and Administration - C

Amend the bill by replacing section 3 with the following:

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

Amendment to SB 43

(2013-1230h)

Proposed by the Committee on Municipal and County Government - C

Amend RSA 79-G:2 as inserted by section 1 of the bill by replacing it with the following:

79-G:2 Adoption of this Chapter. A town or city may adopt the provisions of this chapter by vote of its legislative body using the following procedures:

I. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of the annual town meeting, by the governing body or by petition under RSA 39:3.

II. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation.

III. If a majority of those voting on the question vote "yes," the provisions of this chapter shall take effect within the town or city on the date set by the legislative body, or in the tax year beginning April 1 following its adoption, whichever shall occur first.

IV. A town or city may rescind the provisions of this chapter in the manner described in paragraphs I-III.

Amendment to SB 44

(2013-1250h)

Proposed by the Committee on Judiciary - C

Amend the bill by replacing section 2 with the following:

2 Pharmaceutical Drug Take-Back Program Authorized. Amend RSA 318-E:1, III to read as follows:

III. The department of justice, *with the consent of the* pharmacy board, *the* department of safety, and *the* department of environmental services shall [jointly] establish [guidelines by rule] **rules**[,] pursuant to RSA 541-A[,] for the collection, storage, and disposal of collected drugs in accordance with applicable state and federal statutes and regulations.

Amendment to SB 54

(2013-1256h)

Proposed by the Committee on Executive Departments and Administration - C

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

3 Department of Transportation; Powers and Duties of the Appeals Board. Amend RSA 21-L:15, I to read as follows:

I. The board shall hear and decide appeals from decisions of the commissioner relative to contract interpretation or other decisions affecting persons not employed by the department, municipalities, or private property, except condemnations of property for public uses, and the assessment of damages therefor. Decisions of division directors shall be appealed to the commissioner. Decisions of the commissioner may be appealed to the appeals board, except decisions relative to aeronautical matters, which may be appealed to the aviation users advisory board established under RSA 21-L:8, and decisions relative to common carriers by rail, which may be appealed to the railroad appeals board established under RSA 21-L:16. ~~[The board shall also hear appeals from the department of administrative services relating to such matters involving public works design and construction as have been delegated to the department of administrative services or as were administered prior to July 1, 2005 by the division of public works, department of transportation.]~~

4 Applicability. The amendments to RSA 21-I:86 and RSA 21-L:15, I made by sections 2 and 3 of this act shall not apply to matters pending before the transportation appeals board, the division of plant and property management, or the commissioner of administrative services on the effective date of this act.

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

Amendment to SB 68

(2013-1278h)

Proposed by the Committee on Judiciary - C

Amend the bill by replacing section 1 with the following:

1 Court Facilities Escrow Fund. Amend RSA 490:26-c, I to read as follows:

I. ~~[Seven]~~ **Six** percent of each entry fee collected in the ~~[judicial branch family division and in the]~~ supreme, ~~[district,]~~ superior, and ~~[probate]~~ **circuit** courts shall be deposited in escrow for ~~[court]~~ **judicial branch** facility improvements. Moneys in the escrow fund shall be used for improvements to ~~[existing]~~ **judicial branch** facilities by the department of administrative services as recommended and approved by the supreme court.

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

3 Contingency. If section 1 of this act takes effect, section 7 of HB 652-FN of the 2013 regular legislative session shall not take effect.

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

AMENDED ANALYSIS

This bills makes technical corrections regarding the escrow fund for court facility improvements, including changing the name of the fund to the escrow fund for judicial branch facility improvements. The bill also decreases the percentage of court filing fees to be deposited in such escrow fund.

Amendment to SB 71

(2013-1228h)

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs - R

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

(b) Three members of the house of representatives, one of whom shall be a member of the health, human services and elderly affairs committee and one of whom shall be a member of the labor, industrial and rehabilitative services committee, appointed by the speaker of the house of representatives.

**Amendment to SB 108
(2013-1289h)**

Proposed by the Committee on Judiciary - R

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

2 New Paragraph; Landowner Liability; Duty of Care. Amend RSA 212:34 by inserting after paragraph II the following new paragraph:

II-a. Except as provided in paragraph V, a landowner who permits the use of his or her land for outdoor recreational activity pursuant to this section and who does not charge a fee or seek any other consideration in exchange for allowing such use, owes no duty of care to persons on the premises who are engaged in the construction, maintenance, or expansion of trails or ancillary facilities for outdoor recreational activity.

3 Landowner Liability; Duty of Care. Amend RSA 212:34, VI to read as follows:

VI. Except as provided in paragraph V, no cause of action shall exist for a person injured using the premises as provided in paragraph II, *engaged in the construction, maintenance, or expansion of trails or ancillary facilities as provided in paragraph II-a*, or given permission as provided in paragraph III.

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

AMENDED ANALYSIS

This bill provides that, with limited exceptions, landowners who permit the use of their land for outdoor recreational activity owe no duty of care to individuals engaged in the construction, maintenance, or expansion of trails or ancillary facilities for such activity.

**Amendment to SB 157-FN
(2013-1318h)**

Proposed by the Committee on Finance - R

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

1 Findings. The general court finds that:

I. New Hampshire has been severely impacted by several storms over the past few years resulting in the declaration of states of emergency throughout the state;

II. Homes, businesses, and personal property were damaged or destroyed in many areas across the state; and

III. It is in the interest of the citizens of the state to provide a means to collect and distribute private donations to help people in need recover from the storms, particularly those persons whose disaster-related needs may not be adequately met by federal assistance.

2 New Subparagraph; Special Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) Moneys designated for the New Hampshire disaster relief fund, established in RSA 21-P:46-a.

3 New Section; New Hampshire Disaster Relief Fund. Amend RSA 21-P by inserting after section 46 the following new section:

21-P:46-a New Hampshire Disaster Relief Fund.

I. There shall be established in the office of the state treasurer a nonlapsing fund that is to be kept separate from all other funds and which shall be designated as the New Hampshire disaster relief fund, into which private donations for disaster relief assistance shall be deposited and continually appropriated to the director for disaster relief. Two existing funds, one in the legislative branch known as the disaster fund, and one in the office of the state treasurer, known as the New Hampshire disaster relief fund 2011, shall be made part of the New Hampshire disaster relief fund.

II. Funds deposited in the New Hampshire disaster relief fund shall be made available to individuals who suffer damage and loss as a result of a declared disaster. All disbursements from the fund shall be approved by the director of homeland security and emergency management, in consultation with the individual assistance committee appointed under paragraph III.

III. The director shall appoint an individual assistance committee to review, evaluate, and make recommendations on requests for individual assistance. The committee shall be comprised of representatives from the nonprofit community, human service organizations, disaster response organizations, the Community Action Programs, and volunteer organizations, who shall serve at the pleasure of the director. The director shall designate a committee chair.

IV. The director shall maintain complete records of all funds received into and disbursed from, the New Hampshire disaster relief fund and shall report all such disbursements to the individual assistance committee and the state treasurer every 6 months following the effective date of this section.

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

Amendment to SB 187
(2013-1275h)
Proposed by the Committee on Judiciary - R

Amend the bill by replacing section 2 with the following:

2 Emancipation. The following men are hereby declared emancipated freed men in gratitude for their service to the colonial foundations of New Hampshire:

Samuel Wentworth
Cato Warner
Kittindge Tuckerman
Seneca Hall
Pharoah Rogers
Cato Newmarch
Zebulon Gardner

Winsor Moffatt
Garrett Colton
Peter Frost
Nero Brewster
Quam Sherburne
Will Clarkson
Cipio Hubbard