



State of
New Hampshire

HOUSE RECORD

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Friday, May 24, 2013

No. 40

Contains: Meetings, Notices, Reports and Amendments for May 29, List of House Bills
Amended by the Senate, Committee of Conference Procedures.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be on Wednesday, **May 29th**, at 1:00 p.m. The House will also meet on Wednesday, June 5th. If we do not complete action on Senate bills on the 5th, please be prepared to meet on Thursday, June 6th, as well.

Your continued support in maintaining a courteous and respectful tone during House sessions has been greatly appreciated. I hope you all have a safe and relaxing Memorial Day weekend.

Terie Norelli, Speaker

NOTICE

There will be a **NO** chairs and vice chairs meeting on Tuesday, May 28.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on Wednesday, **May 29** at **12:30 p.m.** in Representatives Hall.

Rep. Stephen Shurtleff, Majority Leader

AMENDMENT TO HOUSE RULES

PROPOSED BY THE RULES COMMITTEE

Monday, September 9, 2013

Friday, September 27, 2013

Friday, November 15, 2013

Friday, November 22, 2013

Wednesday, January 8, 2014

First day to file LSRs for 2014

Last day to file LSRs (4:00 p.m.)

Last day to sign off LSRs (4:00 p.m.)

Last day to report retained Bills

Last day to introduce House Legislation

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:

May 30

June 6

June 13

AVAILABLE FRIDAY:

May 31

June 7

June 14

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES FOR 2013 SESSION

Thursday, May 30, 2013

Last day to report all remaining Senate Bills

Last day to report list of retained Senate Bills

Last day to act on Senate Bills

Thursday, June 6, 2013

Last day to form Committees of Conference

Thursday, June 13, 2013

Last day to sign Committee of Conference reports (4:00 pm)

Thursday, June 20, 2013

Last day to act on Committee of Conference reports

Thursday, June 27, 2013

WEDNESDAY, MAY 29 REGULAR CALENDAR

JUDICIARY

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

Rep. David Woodbury for the **Majority** of Judiciary: This bill as amended expands upon RSA 507:15 by defining a “vexatious litigant” as a person found by a judge as having filed three or more frivolous lawsuits with the purpose of harassment. The court may require a vexatious litigant to either retain an attorney or person of good character or to post a bond to cover all attorney fees and anticipated damages. Furthermore, this bill makes clear that the inherent power of courts to grant other appropriate relief, as they have in the past, is unimpeded. **Vote 11-6.**

Rep. Gary S Hopper for the **Minority** of Judiciary: If this bill passes, a person who is found by the judge to have filed three or more frivolous law suits can be found to be vexatious and required to hire or find an attorney or person of good character to represent him or post cash or a bond before he may engage in further litigation. Although the intent of the bill is noble, in the opinion of the minority it runs afoul of the New Hampshire Constitution. Part I, Article 14 clearly says, “Every subject of this state is entitled to a certain remedy, by having recourse to the laws, for all injuries he may receive in his person, property, or character; to obtain right and justice freely, without being obliged to purchase it;”

A person in New Hampshire can be denied his or her constitutional right but that is only after they have been tried and found guilty. The proper way to achieve these ends would be finding someone guilty through the trial process and then have them punished accordingly.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 100, authorizing electronic payment of payroll. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Douglas A Ley for the **Majority** of Labor, Industrial and Rehabilitative Services: This bill authorizes employers to limit pay options to either direct deposit or issuance of digital payroll cards. It thereby reduces employee wage payment options, eliminating payment via a paper check. At present, nothing prevents employers from incentivizing payroll choice options and thereby encouraging employees to choose electronic methods over paper checks. Consequently, the majority prefer incentives and choice rather than mandate. Finally, there were repeated concerns expressed before the committee regarding hidden and excessive fees tied to payroll card usage and the vulnerability of less digitally savvy groups to incur such fees imposed by “brand” cards such as Visa or MasterCard. As for small employers, their cost savings would likely be minimized with a change over to payroll cards, as they will not be in as strong a position to negotiate lower costs with the companies issuing payroll cards. Therefore, on grounds of choice, incentive, and costs to employees, the majority support ITL. **Vote 13-7.**

Rep. Gary L Daniels for the **Minority** of Labor, Industrial and Rehabilitative Services: This bill allows employers to pay via electronic payroll cards instead of issuing paper checks for cost saving purposes. In considering the benefits of this proposal, the committee did not dispute that there were only two things that could be done with a paper check - deposit it or cash it. The minority ensured that both of these options were available with a payroll card and recognized that any cost savings to the employer could potentially enhance the benefits to employees.

SB 143-FN, relative to benefits for unemployed persons who are attempting to establish a business. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE**

Rep. Sally H Kelly for the **Majority** of Labor, Industrial and Rehabilitative Services: This bill, the “Pathway to Work” promotes and encourages new business development in our state by enabling qualified unemployed workers to commit full time to developing their own small businesses while continuing to receive their earned unemployment benefits. No more than 2.5% of NH workers receiving regular unemployment compensation can qualify for “Pathway to Work” at one time. Those selected will work closely with NH Small Business Administration Development Center to create a viable business plan, receive business counseling, training, etc to help ensure a more successful outcome. After 5 years, 80% of SBDC counseled businesses are still in business; this contrasts with the 44% survival rate of non-assisted businesses. In addition, the “Pathway to Work” program must not result in any cost to the unemployment trust fund in excess of the cost that would be incurred if the state had not participated in the “Pathway to Work” program. There are currently 9 other states with similar job creation programs, to the one this legislation will provide. **Vote 11-9.**

Rep. Jack B Flanagan for the **Minority** of Labor, Industrial and Rehabilitative Services: SB 143 is a bill that affects about 12 unemployed workers a year. It also allows them to continue to collect unemployment benefits even though they can make unlimited money while collecting unemployment. Additionally, a laid off

worker could potentially compete with his previous employer with the state's help. SB 143 is redundant, in that all opportunities available in the bill are available to the employee already. SB 143 grows government even though services are already available at no cost.

SB 153-FN, relative to legislative approval of collective bargaining agreements entered into by the state. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Charles F Weed for the **Majority** of Labor, Industrial and Rehabilitative Services: The majority of the committee believes that the general court currently has general oversight in monitoring cost items negotiated between the state and public employees through the budget process. Additionally, this bill has the potential of politicizing the bargaining process and of enabling micro-management of carefully negotiated contract items that had been deliberated by experienced negotiators over a period of many months. In addition, the language of SB 153 gives authority to the Fiscal Committee to approve "cost items" of every contract negotiated by public employees and the state. This could nullify parts of previous contracts negotiated in good faith in historical bienniums. Finally, neither the sponsor nor any other testimony heard claimed there was a problem that needed fixing. **Vote 11-9.**

Rep. J. Tracy Emerick for the **Minority** of Labor, Industrial and Rehabilitative Services: Currently there is no check and balance at the state level for legislative approval of collective bargaining agreement. All other levels of government (county, city, town, and schools) require legislative approval. The state should use the same approach to maintain the integrity of the process.

MUNICIPAL AND COUNTY GOVERNMENT

SPECIAL ORDER

SB 11-L, relative to water and sewer utility districts and water or sewer utility districts. **OUGHT TO PASS.**

Rep. Kris E Roberts for Municipal and County Government: The General Court has recognized that that New Hampshire's water supply is a limited and precious public resource. To ensure that our water supplies are to be protected, conserved, and managed in the interest of present and future generations, the state has enabled municipalities to protect water supplies and provide sewer utility services in compliance with federal, state, and local requirements by entering into agreements that provide for efficient means of collectively financing and operating such services. There are nearly a dozen different New Hampshire statutes that address mechanisms to expand water and sewer systems and service, assessing for those services, providing a clear and unified method of appealing those assessments, development of separate funds or combined utility funds that are non-lapsing or what type of governing body, to name a number of important issues. However, many of the existing statutes have their origins in the 1800's and have been amended to address the clean water act. As a result of federal budget deficits, federal funding has been greatly reduced for water and sewer projects but not the legal and public health and safety requirements. Municipalities such as Stratham need to make upgrades, others need to replace their water and sewer systems, some over a hundred years in age, with limited federal and state funding thus requiring them to fund the majority of the cost through local users. Tinkering with the patchwork of existing statutes (RSA 31:120, 35:7, 38, 38-C, 53, & 149-1) will only serve to frustrate the communities abilities to be pro-active. SB 11 is enabling legislation allowing municipalities, particularly municipalities that have no legacy of providing these services, to choose a more concise and unified statutory framework that meets their need as a community rather than forcing towns and cities to adapt their needs to conform to an outdated statutory framework. SB 11 will enable municipalities to establish water and/or sewer utility districts to provide services at a more intensive level than is provided in the balance of the municipality. By doing so, it will provide funds for capital expenditures towards constructing, operating, and maintaining those utilities; and authorizes the establishment a system of fair charges to owners and users of property within such water and/or sewer utility districts. The bill also fosters regional approaches to providing these utility services in multiple municipalities should they mutually agree to do so by enabling municipalities to enter into inter-municipal agreements detailing the regional effort." **Vote 18-0.**

SCIENCE, TECHNOLOGY AND ENERGY

SB 31, relative to a ban on the incidental combustion of untreated wood at municipal transfer stations. **OUGHT TO PASS.**

Rep. Marjorie J Shepardson for Science, Technology and Energy: Since 2007, towns have implemented alternative management methods (other than burning) for most of their construction and demolition debris, but they were allowed to temporarily continue burning incidental amounts of untreated wood. This bill would allow municipal solid waste transfer stations to continue to burn small amounts of untreated wood since it does not appear to be an impediment to alternative C & D management methods. **Vote 18-1.**

SB 179, clarifying the definition of "renewable generation facility" for purposes of payments in lieu of property tax payments. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Aboul B Khan for the **Majority** of Science, Technology and Energy: This bill amends RSA 72:73 to include a definition of what qualifies as a primary energy source for “renewable generation facilities” for the purpose of entering into a payment in lieu of taxes agreement between the owner of a renewable generation facility and the governing body of a municipality. The majority agreed on an amendment that creates a new definition to be written into session law that differentiates “waste to energy facilities” (that combust municipal waste, including plastics) from “renewable generation facilities”. The amendment would allow the two currently operating waste to energy facilities in New Hampshire to continue participating in payment in lieu of taxes agreements. Members of the committee felt that incineration of trash for electric power generation could not reasonably be defined as “renewable” since it creates a disincentive for the recycling of many energy dense plastics, which are derived from non-renewable petroleum. **Vote 14-4.**

Rep. Jacqueline A Cali-Pitts for the **Minority** of Science, Technology and Energy: The minority of the committee felt that the close ties to renewable energy was inappropriate. The committee was not in favor of trash to energy being considered renewable and the reference to RSA 72:74 is too close. This particular provision was written for two plants and will be difficult to find as it will not appear in RSAs.

TRANSPORTATION

SB 20, making modifications to the DWI ignition interlock program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gladys Johnsen for the **Majority** of Transportation: This bill was a request from the department of safety to make various modifications to the existing DWI ignition interlock program. The bill amends RSA 265-A:37 with the following:

Upon satisfactory proof that a person who is restricted by law to drive only a motor vehicle equipped with an ignition interlock device while having an alcohol concentration of greater than .02, the department, after a hearing, may impose for each occurrence an additional period of up to one year following the expiration of the original interlock order during which the person shall be restricted to driving only a vehicle with an ignition interlock device.

In addition, the bill amends RSA 265-A:37 to add to the crime of ignition interlock circumvention to knowingly assisting a person to circumvent an interlock. Moreover, it will be an offense to violate an administrative interlock order or the person subject to an interlock drives a vehicle with an interlock device that has been tampered with.

This bill also removes periodic reports from being provided to the probation office or arresting agency and requires this be sent to the director of the division of motor vehicles, interlock coordinator, and the court of jurisdiction.

Finally, the amendment to RSA 265-A:40 will allow an out of state resident convicted of DWI to complete the required treatment in their home state. Such counseling must comply with certain requirements and be monitored by a NH impaired driver care management program.

The purpose of an interlock program is to provide an alternative to a longer jail sentence, keeps offenders licensed and insured, allow offenders to work, support families, and remain productive members of society, plus encourages participation in treatment and separates drinking from driving, and thereby, enhances public safety. **Vote 15-1.**

Rep. Tim O’Flaherty for the **Minority** of Transportation: Although this bill addresses an error in current law regarding the ignition interlock device, the committee in its haste neglected several issues. This bill authorizes the department of safety to have a camera installed in private vehicles in order to monitor compliance with the law. Passengers as well as drivers can be photographed and tracked via GPS, perhaps without the knowledge of the passengers. Photographs and location data will be stored for an excessively long 36 months on the servers of a private company and by the DOS. Access to this information is not restricted in the bill and could extend to anyone in the employ of the interlock contractor or DOS. The state could face liability issues should this sensitive information be made public, or, perhaps used for malicious purposes. More troubling is the amount of discretion given the DOS to call for hearings in which it acts as judge and prosecutor. In current practice the department of safety reports violations to the police or court officials who will decide whether or not to prosecute the matter, as it should be. This bill, requested by the DOS, reaches too far for power that could be abused. Should the participant in the interlock program feel the DOS verdict is unjust, his or her only recourse is to appeal to the state Supreme Court. Proponents of this bill from the DOS ask us to trust their discretion and impartiality while also revealing a bias, saying that this bill will only affect “bad” people. The department admits that due to lax enforcement the common practice among interlock participants is to test the device by repeatedly trying to start the vehicle while over the legal blood alcohol level. The fault here is with the DOS which has had little enforcement oversight and only recently hired an interlock coordinator. New legislation empowering the DOS to hold hearings is not required to resolve this problem. Better enforcement of current law which respects the divisions between the judicial and executive branches is needed.

SB 47, relative to a surviving spouse's right to retain a Purple Heart plate. **OUGHT TO PASS.**

Rep. Candace C W Bouchard for Transportation: The majority of the committee voted to honor and respect the request from the Region 1 Commander and Adjutant of the Military Order of the Purple Heart (MOPH). Region 1 is the order that represents New Hampshire. Also, the voting member representing MOPH on the State Veterans' Advisory Council voted in favor of passing this bill.

Passing this bill will not set a unique precedent. Currently the spouses of Prisoners of War and Pearl Harbor survivors are allowed, upon death of their spouse for as long as he/she lives, unless he/she remarries, to keep the veteran's license plate. Passing this bill would allow the surviving spouse of a Purple Heart Veteran the same respect.

The surviving spouse would still have to pay all required registration fees.

New Hampshire is the only New England state that does not allow the surviving spouse to retain the Purple Heart license plate.

Nationwide there are more than 30 states that allow the surviving spouse to keep the plate. Passing this bill is an honorable show of support to our state's combat wounded. **Vote 13-4.**

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. **OUGHT TO PASS.**

Rep. William J O'Neil for Transportation: This bill would create a committee to address several existing statutes that have caused confusion for several agencies with the registrations of low speed utility vehicles and OHRVs. This bill is supported by the department of safety (DOS) and the department of resources and economic development (DRED). **Vote 12-4.**

SB 165, repealing a prohibition relative to auxiliary state troopers. **OUGHT TO PASS.**

Rep. Karel A Crawford for Transportation: This bill repeals a prohibition relative to auxiliary state troopers. The state police auxiliary force is an important branch of the department of safety. The repeal would allow the retired law enforcement community to assist in certain fields of expertise, i.e. state house security, cold case files; and would do so in such a manner as the director may deem appropriate. The auxiliary state troopers force would be limited to 16 persons. The part time auxiliary trooper would be limited to 1300 hours per year. **Vote 13-3.**

BILL REMOVED FROM CONSENT CALENDAR

MUNICIPAL AND COUNTY GOVERNMENT

SB 102, relative to the selection of members of the conservation commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce L Tatro for Municipal and County Government: This bill would allow conservation commission members to be elected instead of appointed by the governing body. The committee concluded that conservation commission members need to have unique qualifications for the job and therefore should be appointed by the governing body. **Vote 14-0.**

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 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. (Pending question: Ought to Pass.)

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.)

SCR 1, relative to special use permits in the White Mountain National Forest. (Pending question: adoption of the floor amendment (2013-1554h).)

2013 HOUSE BILLS AMENDED BY THE SENATE

HB 115, relative to the procedure for filling vacancy on a cooperative school district budget committee. (House Concurred 5/22/13)

HB 134, relative to contingency funds in towns. (House Concurred 5/22/13)

HB 138, permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot. (House Concurred 5/22/13)

HB 139, relative to the time towns that have adopted official ballot voting have to approve bonding in solid waste management districts. (House Concurred 5/22/13)

HB 142, relative to teacher evaluation systems. (House Nonconcurrent; C of C 5/22/13)

HB 155, relative to the use of open source software by state agencies; including the department of information technology in the uniform electronic transactions act; and repealing the information practices act. (SJ 4/18/13)

HB 160, relative to a school district's transportation responsibility for pupils of divorced parents with joint decision making responsibility. (House Concurred 5/22/13)

HB 161, relative to school district policies on health and sex education. (House Nonconcurrent 5/22/13)

HB 174, prohibiting the department of safety from providing motor vehicle records for the purpose of creating or enhancing a federal identification database. (House Concurred 5/22/13)

HB 177, relative to licensing requirements for homestead food. (House Concurred 5/22/13)

HB 183, relative to processing absentee ballots. (SJ 5/2/13)

HB 193, relative to registration of vehicles by residents without a permanent street address. (House Concurred 5/22/13)

HB 195, relative to commercial driver learner permits. (House Concurred 5/22/13)

HB 196, relative to weight of commercial vehicles with idle reduction devices. (House Concurred 5/22/13)

HB 204-FN-L, relative to the removal of social security and other numbers from registry of deeds documents available on the Internet. (House Concurred 5/22/13)

HB 232, relative to the membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment. (House Concurred 5/8/13)

HB 235, allowing counties to contract for professional real estate services for the sale or lease of county property. (House Concurred 5/22/13)

HB 242, relative to child passenger restraint requirements. (House Nonconcurrent; C of C 5/22/13)

HB 252, consolidating the property appraisal division and the municipal services division of the department of revenue administration. (SJ 5/2/13)

HB 265, relative to procedures by absentee voters. (SJ 5/2/13)

HB 305, establishing a committee to study the apportionment formula for cooperative school districts for towns with electric generation facilities. (House Concurred 5/22/13)

HB 308, relative to technical changes to election laws. (SJ 4/18/13)

HB 313, relative to the regulation of the compounding of drugs by pharmacists. (House Concurred 5/22/13)

HB 327-FN, relative to payment of attorneys' fees for indigent parents in termination of parental rights cases. (House Concurred 5/22/13)

HB 353, relative to the regulation of private investigators and security guards. (SJ 5/2/13)

HB 361, relative to worksharing. (House Concurred 5/22/13)

HB 383, relative to operation of OHRVs on the traveled portion of public highways, where permitted. (House Concurred 5/22/13)

HB 391-FN, establishing a committee to study options for mitigation of damages associated with highway noise. (House Concurred 5/22/13)

HB 450-FN, relative to the annulment of criminal records. (House Concurred 5/22/13)

HB 488-FN, changing the definition of "cigarette" under the tobacco tax to match the definition of "cigarette" under the Master Settlement Agreement. (House Concurred 5/8/13)

HB 505, relative to the economic development advisory council. (House Concurred 5/22/13)

HB 513, relative to the shoreland protection act. (House Concurred 5/22/13)

HB 521, establishing a committee to study New Hampshire election laws and procedures. (SJ 4/18/13)

HB 522, relative to duties of town treasurers. (House Concurred 5/22/13)

HB 551, relative to the composition and duties of the task force on work and family. (House Concurred 5/22/13)

HB 556, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire. (House Concurred 5/8/13)

HB 574, increasing the size limitations for OHRVs operating on state-owned trails in Coos and Grafton counties. (House Concurred 5/8/13)

HB 644-FN, relative to parole procedures and relative to sanctions for violations of probation. (House Concurred 5/22/13)

COMMITTEES OF CONFERENCE

HB 142, relative to teacher evaluation systems. (Reps. Grassie, Myler, Gorman and Ladd)

HB 242, relative to child passenger restraint requirements. (Reps. M. O'Brien, Rhodes, Burtis and Packard)

2013 HOUSE COMMITTEE OF CONFERENCE PROCEDURES

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

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

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

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

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

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

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

Reports of all Committees of Conference must be filed with the Office of Legislative Services by the June 20, 2013 deadline adopted by the House. All Committee of Conference members must sign their reports in the Office of Legislative Services by June 20, 2013 by 4:00 p.m.

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

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

See House Rule 49 for more information

COMMITTEE MEETINGS

TUESDAY, MAY 28

COMMERCE AND CONSUMER AFFAIRS, Rooms 301-303, LOB

9:30 a.m. Dartmouth students report on RSA 339 on trade and commerce statutes.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. Executive session on **SB 173**, relative to criminal background checks for individuals volunteering or applying for employment at licensed child care facilities, **SB 198**, relative to the authority of county correctional officers.
- 1:00 p.m. Full committee work session on retained **HB 480-FN**, relative to solitary confinement.

ELECTION LAW, Room 308, LOB

- 10:00 a.m. Executive session on **SB 76**, relative to disqualification of candidates, **SB 112**, requiring constitutional amendment concurrent resolutions to contain the language for the voter's guide, **SB 196-FN**, relative to the definition of push-polling.

FINANCE – (DIVISION II), Room 209, LOB

- 10:00 a.m. Work session on **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.
- 10:30 a.m. Work session on **SB 184-FN**, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services.
- 11:00 a.m. Work session on **SB 192-FN-L**, establishing a committee to study the establishment of a state infrastructure bank.

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

- 10:00 a.m. Subcommittee work session on retained **HB 476**, relative to medical care price disclosure and transparency.
- 11:00 a.m. Subcommittee work session on retained **HB 597-FN**, relative to mandatory drug testing for certain health care workers.
- 1:00 p.m. Subcommittee work session on retained **HB 584**, relative to covered prescription drugs.

HISTORICAL COMMITTEE (RSA 17-I), Room 104, LOB

- 9:30 a.m. Organizational meeting.

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

- 1:00 p.m. Rescheduled continuation of the May 14 meeting.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:15 a.m. Subcommittee work session on retained **HB 523-FN**, relative to voluntary certification for road salt applicators.
- 11:30 a.m. Subcommittee work session on retained **HB 292-FN-A**, requiring milfoil decals on private vessels registered in other states or countries and operating on the inland waters of New Hampshire.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:00 a.m. Continued executive session on **SB 99-FN**, requiring the site evaluation committee to direct a study of site evaluation criteria and establishing a committee to study the criteria for siting of wind powered electric generating facilities, other electric generating facilities, and transmission facilities, **SB 123-FN-L**, relative to the use of proceeds from the regional greenhouse gas initiative program, **SB 191-FN-A**, establishing a state energy strategy.
- 1:00 p.m. Full committee work session on retained **HB 286**, relative to broadband infrastructure.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. Continued executive session on **SB 75**, relative to games of chance and executive session on **SB 14**, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development, **SB 134-FN**, relative to the division of higher education and the higher education commission, **SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags, **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.

WEDNESDAY, MAY 29**FINANCE, Rooms 210-211, LOB**

- 10:00 a.m. 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 124-FN**, establishing an integrated land development permit, **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 162-FN**, repealing the student tuition guaranty fund and making provisions for the disburse-

ment of remaining funds, and relative to the membership of the higher education commission, ***SB 184-FN***, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services, ***SB 192-FN-L***, establishing a committee to study the establishment of a state infrastructure bank.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

11:00 a.m. Continued executive session on ***SB 3-FN***, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack

THURSDAY, MAY 30

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

1:00 p.m. Rescheduled subcommittee on lyme disease and other tick borne diseases. Meeting to show lyme disease documentary "Under Our Skin" followed by a presentation and Q/A.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. Subcommittee work session on retained ***HB 545***, relative to rafting of boats.

FRIDAY, MAY 31

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

10:00 a.m. Rescheduled regular meeting.

MONDAY, JUNE 3

TASK FORCE ON WORK AND FAMILY (RSA 276-B:1), Room 207, LOB

1:15 p.m. Regular meeting.

WEDNESDAY, JUNE 5

NEW HAMPSHIRE BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2), Room 100, Walker Building, 21 South Fruit Street, Concord

2:00 p.m. Regular meeting.

FRIDAY, JUNE 7

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

9:00 a.m. Continued regular meeting.

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

10:00 a.m. Regular business.

MONDAY, JUNE 10

COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND SPECIES (RSA 487:30), Room 307, LOB

10:00 a.m. Regular meeting.

TUESDAY, JUNE 11

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Subcommittee work session on retained ***HB 422***, relative to the adoption, revision, and amendment of municipal charters.

FRIDAY, JUNE 14

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

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.

FRIDAY, JUNE 21**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, JUNE 24**OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB**

9:00 a.m. Regular meeting.

TUESDAY, JUNE 25**STATEWIDE EDUCATION IMPROVEMENT AND ASSESSMENT PROGRAM LEGISLATIVE OVERSIGHT COMMITTEE (RSA 193-C:7), Room 103, LOB**

10:00 a.m. Regular meeting.

FRIDAY, JUNE 28**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB**

9:00 a.m. Continued regular meeting.

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 308, LOB

1:00 p.m. Regular meeting.

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 303, LOB

9:00 a.m. Joint meeting with subcommittee.

OFFICIAL NOTICES**COUNTY DELEGATION NOTICE**

Grafton County Executive Committee will meet on **June 3, June 7, June 10** and **June 17** if needed at 9:00 a.m. at the Grafton County Complex in North Haverhill.

Rep. Andrew White, Chairman
Grafton County Executive Committee

Grafton County Delegation will meet on **June 24** at 10:00 a.m. for budget vote at the Grafton County Complex in North Haverhill.

Rep. Andrew White, Chairman
Grafton County Delegation

COUNTY DELEGATION NOTICE

Hillsborough County Executive Committee will meet on Thursday, **May 30**, 2013 at 8:30 a.m. at the Hillsborough County Complex, Bouchard Building, Goffstown, NH. Immediately following the Executive Committee meeting the Executive Committee Budget Review session will begin.

Rep. Mariellen MacKay, Clerk
Hillsborough Executive Committee

REVISED FISCAL NOTES

The following House and Senate Bills have a revised fiscal note: HBs 112, 142, 147, 177, 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, 450, 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, 119, 123, 124, 126, 129, 131, 132, 134, 135, 138, 146, 152, 153, 157, 160, 162, 189, 190, 192, 194, 196.

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 Tuesday mornings through the remainder of the legislative session. Republican Office staff will be available to members from 9:30 a.m.- 11:30 a.m. in room 300A. Feel free to stop by if you have questions, requests or suggestions.

Rep. Gene G. Chandler

All pro-business members of the House are invited to attend the NH House Business Caucus meeting on Tuesday, **May 28** from 3:00 – 4:00 p.m. in Room 203, LOB.

Reps. Laurie Sanborn, Adam Schroadter and
Patrick Abrami

Members are invited to join Belknap County Republicans on the 8th annual Lincoln Day Dinner-Cruise on the M/V Mount Washington on Friday, **May 31**. Great event, beautiful setting, New Hampshire at its finest. Boarding will commence at 5:30 p.m. at Weirs Beach with return at 9:00 p.m. Tickets are \$50.00 and are available from Rep. Frank Tilton (franktilton@gmail.com, 528-8466) or other Belknap County representatives.

Rep. Franklin T. Tilton

The New Hampshire Soft Drink Association cordially invites all House members and staff to enjoy a hot breakfast on Wednesday, **June 5th** from 8:00-10:00 a.m. in the State House Cafeteria. Please come and see how the beverage industry in New Hampshire is delivering jobs, choice and recycling innovation for the people of New Hampshire. Experts will be on hand to demonstrate how plastic bottles are recycled and reused. It is a great demonstration to see. Please RSVP to jgrimbilas@biancopa.com See you there!

Reps. Stephen J. Shurtleff and Gene G. Chandler

All members of the Republican caucus are invited to the House Republican Alliance's weekly to be held Tuesdays from 8:30 -10:00 a.m. in Room 206, LOB.

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

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Group#/Grade</i>
May 24	9:00	New Hampton Community School	24/4
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 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 29	11:30	New Castle Elementary	12/3&4
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	45/4
May 31	9:00	Henniker Community School	40/4
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
June 3	9:30	Gilmanton Elementary School	38/4
June 3	10:30	Lincoln Akerman School – Hampton Falls	40/4
June 3	11:30	John Fuller School – North Conway	40/4
June 4	10:15/11:15 SH/HM	Birch Hill Elementary School – Nashua	90/4
June 5	9:00	Chichester Central School	36/4
June 5	10:15	Winchester Elementary School	55/4
June 5	11:30	Kensington Elementary School	30/4
June 6	10:15/11:30 SH/HM	Maple Ave. Elementary School – Claremont	65/4
June 7	9:00/10:30 SH/SC	Riddle Brook School – Bedford	60/4
June 7	11:30	St. Joseph's Regional School – Keene	14/4
June 7	11:30	Groveton Elementary School	28/4
June 10	9:00/10:30 SH/SC	Riddle Brook School – Bedford	80/4
June 10	11:30	Salisbury/Webster Elementary Schools	30/4
June 11	9:00	Pharmacy Students	15/adults
June 11	10:00/11:30 SH/HM	Interlakes Elementary School – Meredith	80/4
June 11	12:30	Edward Fenn School – Gorham	40/4
June 12	9:30/11:00 SH/HM	Maple St. School – Hopkinton	80/4
June 13	9:30	Saint Anselm College-New Leadership	25/col
June 13	10:00/11:30	Woodman Park School – Dover	110/4
June 12	10:00	Dunbarton Elementary School	21/4
June 14	9:15	Ben Franklin Elementary School – Keene	33/4
June 14	10:30	Boscawen Elementary School	12/5
June 14	11:30	Wheelock Elementary School – Keene	32/4
June 14	12:30	William Allan Gardner School-Rochester	48/4
June 17	9:30	St. Antyhony's School – Manchester	20/4
June 18	10:30	Effingham Elementary School	18/4
June 18	1:30	St. Joseph's Cathedral Senior Group	12/SRS

WEDNESDAY, MAY 29 AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Floor Amendment to SB 11-LOCAL (2013-1728h)

Proposed by Rep. Roberts

Amend RSA 31:134 as inserted by section 1 of the bill by replacing it with the following:

31:134 Statement of Purpose. The establishment of water and/or sewer utility districts will enable municipalities to provide property services at a more intensive level than is provided in the balance of the municipality; provide funds for capital expenditures towards constructing and maintaining those utilities; provide funds for the operation and maintenance of those utilities; and authorize the establishment of charges to owners and users of property within such water and/or sewer utility districts in an amount not to exceed the costs to the municipality of providing such utility services at levels over and above those provided in the balance of the municipality.

Amendment to SB 20

(2013-1508h)

Proposed by the Majority of the Committee on Transportation - R

Amend RSA 265-A:37 as inserted by section 4 of the bill by inserting after paragraph III the following new paragraph:

III-a. Upon satisfactory proof that a person who is restricted by law to drive only a motor vehicle equipped with an ignition interlock device has attempted to start a motor vehicle equipped with an ignition interlock device while having an alcohol concentration of greater than .02, the department, after a hearing, may impose for each occurrence an additional period of up to one year following the expiration of the original interlock order during which the person shall be restricted to driving only a vehicle equipped with an ignition interlock device.

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 New Paragraph; Impaired Driver Care Management Programs; Out-of-State Residents. Amend RSA 265-A:40 by inserting after paragraph VIII the following new paragraph:

IX. Notwithstanding other provisions in RSA 265-A, out-of-state residents may elect to obtain required screening, evaluation, treatment, and education services in their legal state of residence provided that they register with a New Hampshire IDCMP and that the New Hampshire IDCMP:

(a) Ensures that screening, evaluation, and treatment services are provided by individuals possessing an International Certification & Reciprocity Consortium/Alcohol and Other Drug Abuse (IC&RC) sanctioned license, or, if the client resides in a non-IC&RC state, by individuals who are approved by that state for the purpose of license reinstatement subsequent to an alcohol or drug DWI conviction;

(b) Ensures that impaired driver education programs are provided by programs which are approved by that state for the purpose of license reinstatement subsequent to an alcohol or drug DWI conviction;

(c) Develops the service plan;

(d) Monitors compliance with the service plan and reports noncompliance to the division of motor vehicles and the sentencing court; and

(e) Determines whether the service plan has been completed and, if so, reports completion to the sentencing court, the division of motor vehicles, and the department of health and human services.

Floor Amendment to SB 47

(2013-1855h)

Proposed by Rep. Baldasaro

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

AN ACT relative to a surviving spouse's right to retain a special number plate for certain veterans.

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

2 Special Number Plates for Certain Veterans. Amend RSA 261:86, I(a)-(b) to read as follows:

(a) Because of being an amputee, or paraplegic, has received said motor vehicle from the United States government or whose vehicle is to replace one so received, or who is evaluated by the United States Department of Veterans Affairs to be permanently and totally disabled from such service-connected disability. The special number plates shall incorporate the international accessibility symbol. ***The surviving spouse shall be entitled to the plate as long as he or she lives, unless he or she remarries.***

(b) Has been determined by the veterans administration to be suffering from total blindness as a result of a service-connected disability. ***The surviving spouse shall be entitled to the plate as long as he or she lives, unless he or she remarries.***

AMENDED ANALYSIS

This bill entitles a surviving spouse to retain a special number plate issued to a veteran who was awarded the Purple Heart medal, was an amputee or paraplegic, or suffered from total blindness.

Floor Amendment to SB 47**(2013-1856h)****Proposed by Rep. Baldasaro**

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

AN ACT relative to a surviving spouse's right to retain a special number plate for certain veterans or a special number plate for veterans.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:
2 Special Number Plates for Certain Veterans. Amend RSA 261:86, I(a)-(b) to read as follows:

(a) Because of being an amputee, or paraplegic, has received said motor vehicle from the United States government or whose vehicle is to replace one so received, or who is evaluated by the United States Department of Veterans Affairs to be permanently and totally disabled from such service-connected disability. The special number plates shall incorporate the international accessibility symbol. ***The surviving spouse shall be entitled to the plate as long as he or she lives, unless he or she remarries.***

(b) Has been determined by the veterans administration to be suffering from total blindness as a result of a service-connected disability. ***The surviving spouse shall be entitled to the plate as long as he or she lives, unless he or she remarries.***

3 Special Number Plates for Veterans. Amend RSA 261:87-b, I to read as follows:

I. The director is hereby authorized to issue special number plates to be used on motor vehicles owned by veterans of the United States armed services, in lieu of other number plates. The design of these special plates shall be determined by the commissioner, and shall be distinct from the design or designs of those plates issued under RSA 261:86. Such plates shall be issued only to veterans as defined in RSA 21:50, I(a) upon application, proof of veteran status in a form authorized by RSA 21:50, I(b), and payment of the regular motor vehicle registration fee and the \$4 per plate fees under RSA 261:75. The director shall also issue such plates to any person providing proof of honorable discharge from the armed services of any nation allied with the United States during World War II and proof of such person's service during World War II. Renewals of such special number plates shall be charged the fee assessed for standard motor vehicles as prescribed under RSA 261:141. The plates furnished pursuant to this section are non-transferable and shall expire upon the death of the veteran, except that the surviving spouse ~~[may use the plates for one year after the death of the veteran]~~ ***shall be entitled to the plate as long as he or she lives, unless he or she remarries*** and shall be eligible to replace the plates during ~~[that]~~ ***the year after the death of the veteran*** at no charge under RSA 261:75.

AMENDED ANALYSIS

This bill entitles a surviving spouse to retain any special number plate for certain veterans or special number plate for veterans until he or she remarries.

Amendment to SB 96**(2013-1582h)****Proposed by the Majority of the Committee on Judiciary - R**

Amend the bill by replacing section 1 with the following:

1 New Sections; Frivolous Lawsuits; Vexatious Litigants; Powers of Court. Amend RSA 507 by inserting after section 15 the following new sections:

507:15-a Vexatious Litigants.

I. In this section, "vexatious litigant" means an individual who has been found by a judge to have filed 3 or more frivolous lawsuits which the judge finds, by clear and convincing evidence, were initiated for the primary purpose of harassment.

II. The court may require a vexatious litigant to:

- (a) Retain an attorney or other person of good character to represent him or her in all actions; or
- (b) Post a cash or surety bond sufficient to cover all attorney fees and anticipated damages.

507:15-b Powers of Court. RSA 507:15 and RSA 507:15-a shall not be construed to diminish the inherent power of any court to grant appropriate relief not specified in those sections.

Amendment to SB 179**(2013-1698h)****Proposed by the Majority of the Committee on Science, Technology and Energy - R**

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

AN ACT clarifying the definition of "renewable generation facility" for purposes of payments in lieu of property tax payments and allowing certain facilities that combust municipal waste for energy to make payments in lieu of property tax payments.

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

1 Definition of Renewable Generation Facility. Amend RSA 72:73 to read as follows:

72:73 Definition of Renewable Generation Facility. In this subdivision, “renewable generation facility” means a facility which produces electric energy for resale solely by the use, as a primary energy source, of ~~[renewable energy as defined in RSA 374-F:3, V(f)(3)]~~ ***geothermal energy, tidal or wave energy, wind energy, solar thermal energy, photovoltaic energy, landfill gas energy, hydro energy, biomass energy, energy generated from bio-oil, bio synthetic gas, and biodiesel as defined in RSA 362-A:1-a, I, I-a, and I-b***, including the land, all rights, easements, and other interests thereto, and all dams, buildings, structures, and other improvements situated thereon which are necessary or incidental to the production of power at the facility.

2 Facilities That Combust Municipal Waste for Energy; Payments in Lieu of Property Taxes. A facility that combusts municipal waste for energy, constructed prior to July 16, 2009, where mercury emissions are reduced to an emission rate of 0.028 milligrams per dry standard cubic meter or less corrected to 7 percent oxygen by volume on a dry basis, or at least 85 percent control efficiency, may make payments in lieu of taxes in accordance with RSA 72:74.

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

AMENDED ANALYSIS

This bill clarifies the definition of “renewable generation facility” for purposes of payments in lieu of property tax payments and allows certain facilities that combust municipal waste for energy to make payments in lieu of property tax payments.