



State of
New Hampshire

HOUSE RECORD

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

Web Site Address: www.gencourt.state.nh.us

Vol. 35

Concord, N.H.

Friday, May 31, 2013

No. 42

Contains: Meetings, Notices, Reports and Amendments for June 5, List of Retained Senate Bills, 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, **June 5th**, at 10:00 a.m. Please hold Thursday, the 6th, as a possible session day as well.

Members and staff are invited to attend The Speaker's Annual ice Cream Social on **Wednesday, June 5th**. The social will be held during the session lunch break in the driveway of the Upham-Walker House, or in case of inclement weather, in LOB Rooms 210-211.

Your cooperation has been greatly appreciated in limiting travel to Concord to Tuesdays, Wednesdays, and Thursdays. To expand on this, as in past summers, there will be no legislative activity or mileage reimbursement for the entire month of July, except for statutory committees with meeting requirements set in law.

Terie Norelli, Speaker

NOTICE

There will be a meeting of chairs and vice chairs on Tuesday, **June 4**, 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, **June 5** at **9:00 a.m.** in Representatives Hall.
Rep. Stephen Shurtleff, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **June 5** at **9:00 a.m.** in Rooms 305-307, LOB.
Rep. Gene G. Chandler, Republican 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:

June 6
June 13
June 20

AVAILABLE FRIDAY:

June 7
June 14
June 21

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES FOR 2013 SESSION

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

Last day to act on Senate Bills
Last day to form Committees of Conference
Last day to sign Committee of Conference reports (4:00 pm)
Last day to act on Committee of Conference reports

WEDNESDAY, JUNE 5 CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 173, relative to criminal background checks for individuals volunteering or applying for employment at licensed child care facilities. **OUGHT TO PASS.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety: This bill came to the committee to review for criminal penalties. As this bill neither adds criminal penalties nor reduces existing penalties, our committee voted unanimously to recommend Ought to Pass. **Vote 13-0.**

EDUCATION

SB 97, relative to high school equivalency and relative to illiteracy. **OUGHT TO PASS.**

Rep. Rick M Ladd for Education: The American Council on Education, GED's long-time non-profit administrator, has now partnered with Pearson, the world's largest education and testing company, to redesign the GED test, making it a for-profit enterprise for the first time. New Hampshire's contract with GED expires on December 31 of this year. This bill replaces statutory reference to the GED certificate with the term "high school equivalency." To replace the GED, NH DOE has selected the high school equivalency test, produced by ETS and Iowa Testing Programs, both well-known and successful non-profits. ETS currently produces widely used tests such as: PSAT, SAT, GRE, PRAXIS and AP. This is a proven test and measurement record. Lastly, Pearson has announced that an individual's GED testing costs will total \$120 and that the test will only be offered online. The one time fee, to include two retests for the high school equivalency test by ETS, will cost \$50.00. This is a considerable savings while providing a transition period in which test takers may opt for either the pencil/paper or online versions. **Vote 18-1.**

ELECTION LAW

SB 76, relative to disqualification of candidates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert J Perry for Election Law: This bill as amended clarifies existing law relative to disqualification due to incapacitating physical disability to require a letter from a licensed physician confirming that condition, and adds mental disability as a qualifying condition. **Vote 12-0.**

SB 112, requiring constitutional amendment concurrent resolutions to contain the language for the voter's guide. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary L Till for Election Law: This bill as amended will require that resolutions proposing constitutional amendments, whether passed by the state legislature or a constitutional convention, include explanatory text of the statement for the voter's guide. Previously, the language for the voter's guide was approved by members of the policy committee to which the CACR was referred. **Vote 14-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

Rep. Carol M McGuire for Executive Departments and Administration: This bill updates the laws on disposal of controlled drugs by law enforcement to reflect the change from district to circuit court and clarifies the rulemaking authority for the drug take back and disposal program. The department of justice is the lead agency, with input from the pharmacy board, the department of safety, and the department of environmental services. The committee amendment uses the original "consultation" rather than "consent" by the other agencies, since "consent" would require changes to the rulemaking process in RSA 541-A. **Vote 16-0.**

SB 90, establishing a committee to study developing a policy for veteran preference for government hiring. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne E Schuett for Executive Departments and Administration: The bill establishes a study committee to develop policy for veteran preference in government hiring. The amendment, which was requested by the prime sponsor and which was the subject of a separate hearing, extends the repeal date for the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury in RSA 115-D:5 to allow time to convert it to a permanent commission so that the important work being done on this issue will not be interrupted. **Vote 17-0.**

FINANCE

SB 119-FN-A, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation. **OUGHT TO PASS.**

Rep. Katherine D Rogers for Finance: This bill directs the Joint Legislative Historical Committee to conduct a study relative to the restoration and preservation of the flags displayed in the State House Hall of Flags and issue a report of its findings and recommendations with an estimate of the cost and timeframe for those recommendations on or before November 1, 2014. There will be no financial impact on state expenditures.

It also directs the Joint Legislative Historical Committee to acquire a portrait of Marilla Marks Ricker, an early suffragist and the first woman in New Hampshire history to file for the office of governor. The committee is to oversee the hanging of the portrait in a place of honor in the state house complex befitting a heroine of this historical stature. The cost of the portrait will be defrayed by contributions and funds designated for historical and art acquisitions. **Vote 23-0.**

SB 124-FN, establishing an integrated land development permit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lynne M Ober for Finance: This bill establishes a voluntary alternative process for any project requiring two or more permits from the department of environmental services (DES). This integrated land development permit encompasses four programs: terrain alteration, wetlands, sewage disposal systems and shoreland water quality protection. An applicant may consult with DES before participating. After applying, there is an extensive pre-application technical review followed by a final review. The program allows for early notification to and involvement of all interested parties such as municipalities, regional commissions, state divisions and departments and federal entities. The program may shorten the time for completion of the state permitting process. Although the bill asked for two positions which would be eliminated after two years, the department testified that it was unknown if anyone would bid on a short term position and no work mission had been developed for one of the two positions. Additionally the department testified that they already were using the LEAN process to streamline their rules. Therefore, the committee felt that the department should use a consultant, if needed. Since funding was to come from existing department funds, no money is needed. As a result, the amendment removed the two positions. **Vote 23-0.**

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. **OUGHT TO PASS.**

Rep. Kenneth L Weyler for Finance: To protect student applicants from having a career school cancelled for which they had prepaid tuition, a guaranteed fund was created to reimburse the student in the event the cancellation was due to bankruptcy. Alternative methods had been available for this guarantee, such as bonds or letters of credit, and these methods were less expensive than depositing all tuition in a fund. After 9/11/2001, the hijackers were found to have attended career schools to learn piloting skills. This put an onus on all career schools and made bonding and letters of credit difficult to obtain, thus the fund was established. Now that the bonding and letters of credit have been reestablished, the fund is no longer used or needed. This bill will eliminate a dedicated fund and return the moneys to the schools. Although one description of the bill refers to the membership of the higher education commission, that language was removed previously. **Vote 23-0.**

SB 184-FN, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services. **OUGHT TO PASS.**

Rep. Daniel A Eaton for Finance: SB 184-FN would allow the department of fish and game to complete their own emergency medical training that would run concurrent with their certification. Currently, the department is required to train with another agency at a cost of over \$25,500.00 in a time frame that exceeds the time frame of the certification. SB 184-FN will save the department of fish and game money without diminishing the quality or type of training. **Vote 23-0.**

SB 192-FN-L, establishing a committee to study the establishment of a state infrastructure bank. **OUGHT TO PASS.**

Rep. Kenneth L Weyler for Finance: There have been previous bills to establish a state infrastructure bank. The model used was the Bank of North Dakota. That bank works with the state's private banks to ensure sufficient capitalization for projects in that state. The sponsors feel that these previous attempts had not seen sufficient analysis. This bill would just study the issue rather than mandate the establishment. One remarkable factor about this bill was the number of Senators as members of the committee; there are three, equal to the number of House members. This leads us to believe that there must be a real interest in this subject in the Senate. **Vote 23-0.**

PUBLIC WORKS AND HIGHWAYS

SB 19-FN, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gene G Chandler for Public Works and Highways: This bill deals with ensuring that any sale of the former Laconia state school property would come before the long range capital planning and utilization com-

mittee as is the common practice in such instances. Language was inserted into the last budget that removed the requirement that this one sale would be exempt from the requirements of coming before the long range capital planning and utilization committee.

The Senate amendment added language pertaining to an unrelated subject: the removal of the toll booth at Exit 12 in Merrimack.

The committee is dealing with the Merrimack toll issue in other legislation so the committee amended this bill to remove the toll language and revert back to the original bill. **Vote 17-1.**

SCIENCE, TECHNOLOGY AND ENERGY

SB 98, authorizing group net metering for limited electrical energy procedures and establishing a committee to study reimbursement rates for excess electricity generated by customer-generator groups. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacqueline A Cali-Pitts for Science, Technology and Energy: Group net metering allows electric energy customers to receive credit for energy produced by renewable sources. Group net metering will permit more customers to take advantage of credits and promote renewable energy. After much work and collaboration and with the approval of the prime sponsor, the committee amended the net metering statute to allow for group net metering and to create a host group net metering model. Group hosts must be registered by the public utilities commission, have members of the group live within the same utility provider area and be on default service. The clearest example would be that of a municipality that has a renewable energy source and wishes other buildings gain advantage of that source. The program will be regularly monitored. **Vote 19-0.**

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. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert A Backus for Science, Technology and Energy: This bill, as amended, requires the office of energy and planning (OEP) with an outside vendor, and with full opportunity for public input, to perform a study to examine all aspects of the procedures, practices and structures of the site evaluation committee (SEC). Among the areas to be considered are whether new requirements for alternatives are needed and the issue of burial of transmission lines. A report on the study is due on December 31, 2013. It also establishes a stakeholder process to be overseen by the OEP assisted by a consultant to develop specific criteria to develop rules to be applied by the SEC when considering applications for new energy projects. The date for these rules to be in place is January 1, 2015, and the stakeholder process is to be completed a year earlier. The bill thus addresses both the concerns expressed about the siting process and the criteria to determine the appropriateness of certain sites for new renewable generation facilities, including wind turbines and new transmission lines. The bill authorizes the OEP and the SEC to utilize funds from the energy efficiency portion of the systems benefits charge up to \$200,000 through the public utilities commission to retain a consultant or consultants to carry out the provisions of the act, and to utilize other sources of funding that may be available. **Vote 18-0.**

SB 191-FN-A, establishing a state energy strategy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William S Baber for Science, Technology and Energy: The state's existing energy plan was created in 2002 and has not been updated. Unforeseen by that plan were the dramatic drop in natural gas prices, the near elimination of the use of coal for the generation of electricity, the possibility of a major transmission line from Canada, the impacts of wind energy farms, and dramatic reduction in the cost of solar panels. A new strategic plan will provide forward-looking guidance on electric, gas, and thermal energy strategies; seek to optimize the ready availability of energy supply, energy affordability; the retention in-state of energy expenditures; the retention of jobs and the use of renewable energy sources and energy efficiency policies, including demand-side policies; and minimize negative impacts to the economy, the environment, and the natural beauty of our state. This bill, as amended, establishes a council of five legislators, and three department heads to oversee the hiring of a consultant and to guide the creation of a new ten-year energy strategy for the state. The amendment refines and extends the goals of the senate version, reduces the size of the advisory council, sunsets the council upon completion of the strategy, extends the review cycle to three years, refers the need to update the strategy to the respective house and senate committees, extends funding to include all available and appropriate public utility commission funds, and requires that outside funding be sought. **Vote 18-0.**

WAYS AND MEANS

SB 14, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development. **OUGHT TO PASS.**

Rep. Patrick F Abrami for Ways and Means: The House supported the policy that allows the commissioner of the department of resources and economic development to give authority to municipal officials to utilize summons procedures under RSA 31:39-d to cite individuals for violations of state park administrative rules or forests and lands administrative rules, or both. The committee unanimously agrees that the municipalities shall retain 100 percent of any fine collected. **Vote 12-0.**

SB 75, relative to games of chance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gilman C Shattuck for Ways and Means: This is the senate version of the house position on changes to charitable gaming administered by the racing and charitable gaming commission. These are changes made to the senate bill in this amendment. The committee reversed a senate restriction that only one licensed charitable gaming organization may conduct games of chance at a location on a licensed game date. It requires the full 35 percent of gross revenues, less prizes, be retained by the charitable organization, and allows no fees other than rent of premises to be charged by the game operator. It limits auditing by the commission as required by the senate to records relevant to games of chance. It removes a senate requirement for excessive criminal background checks. It deletes a new prohibition of unauthorized devices, and a bill will be submitted next year to deal with gaming device authorization for all forms of charitable and commercial gaming. It adds the existing house positions increasing the maximum wager for games of chance from \$4 to \$6 and allowing the commission to pay the state treasurer monthly instead of daily. **Vote 14-0.**

SB 134-FN, relative to the division of higher education and the higher education commission. **OUGHT TO PASS.**

Rep. David B Karrick for Ways and Means: This bill cleans up loose ends from the transfer of the post-secondary education commission to a division of the department of education last term. Ways and Means is only concerned with the revenue aspects of this bill. Fees and activities have not changed with the two dedicated funds that were in irregular status hereby merged in the higher education fund. **Vote 12-1.**

SB 155-FN-A, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags. **OUGHT TO PASS.**

Rep. Frank V Sapareto for Ways and Means: SB 155 creates a means to raise much needed funds to preserve and restore the irreplaceable battle flags in the Hall of Flags. The NH liquor commission will sell a special commemorative bottle that will generate the customary profit but include additional profit of about \$7.00 per bottle that will go to a special fund (already in existence) to pay for flag restoration. These flags are treasures that are being destroyed by time. We can't afford to wait any longer to preserve them. **Vote 13-0.**

WEDNESDAY, JUNE 5 REGULAR CALENDAR

TRANSPORTATION

SPECIAL ORDER

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.**

COMMERCE AND CONSUMER AFFAIRS

SB 41, revising the New Hampshire business corporations act, RSA 293-A. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris Muns for Commerce and Consumer Affairs: This bill provides important updates and revisions to the New Hampshire business corporations act, first passed by this legislature in 1993. Since that time there have been virtually no changes to New Hampshire laws that provide guidelines on how corporations are formed, governed and dissolved and New Hampshire has fallen behind other states around the country as being a desirable state in which to incorporate. Like our existing corporation act, SB 41 is based on model language from the American Bar Association's committee on corporate laws. It reflects the best practices and most current case law drawn from 20 years of experience in other states. Although based on the model act, SB 41 is tailored for New Hampshire and includes important protections of shareholder rights. It has the full support of the secretary of state. Most of the changes in SB 41 are updates to concepts that exist in the current statute, with the changes reflecting current methods of doing business and best practices. For example, revisions in SB 41 allow for delivery of documents to the secretary of state by electronic transmission; authorizes remote participation by shareholders at a shareholder meeting; and simplifies the process for entities to convert to corporations, and for out-of-state corporations to re-domicile in New Hampshire. Finally, the bill clarifies a number of issues that are vague or unclearly defined in our current, outdated statute. The amendment corrects a drafting error contained in the bill passed by the Senate; gives the secretary of state the right to notify corporations of inconsistencies with filings; and provides an expedited administrative process for minority shareholders to receive shareholder information in advance of an annual meeting. SB-41 is a top priority for the Business & Industry Association and reflects a truly bipartisan approach and effort to improve New Hampshire's business climate. **Vote 14-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 198, relative to the authority of county correctional officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gene P. Charron for Criminal Justice and Public Safety: The purpose of this bill is to enable the county commissioners to organize a county transport and a custody force consisting of county department of corrections personnel for the purpose of providing general security for county department of corrections roads, buildings and grounds.

This bills amends RSA 30-B which will now include a new subdivision 30-B:25 and 30-B: 26. Over the years county corrections has grown considerably and it is not uncommon for county corrections to provide transport of inmates to other county facilities, medical appointments and other purposes as needed. Most if not all 10 counties engage in transport. The county cruisers are marked and equipped with communication and in most cases blue emergency lights. Even though the emergency lights were an accepted practice over the years, it appears that the blue lights were not permissible according to RSA 266:78-b. A short version of the law is that the blue lights are only permissible for law enforcement officers who have the powers of arrest. Correctional personnel do not have powers of arrest.

The county commissioners with the passage of this bill will be enabled, if they wish, to create a transport and custody force. The officers will be ex officio constables with limited powers of arrest on county grounds. Within

the new statutes are required training and written policies. The new amendments will also allow limited use of blue lights. The creation of this bill has the support of county commissioners, corrections superintendents and law enforcement agencies. The passage of this law will bring county corrections in conformance. **Vote 11-2.**

EDUCATION

SB 27-FN, relative to monitoring by the department of education of programs for children with disabilities. **OUGHT TO PASS.**

Rep. Beth R Arsenault for Education: This bill is relative to the monitoring of programs for children with disabilities by the department of education (DOE). It requires a written response to the report submitted by the organization that conducted the 2012 independent evaluation. This response will include a detailed plan as to how the department will address those areas identified as needing improvement on or before December 30, 2013. It requires an evaluation be repeated in 2015 and decennially thereafter and will include feedback on the steps the department has taken in response to the 2012 report. **Vote 15-4.**

SB 48, relative to school performance and accountability. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Anne C Grassie for Education: This bill, as amended, establishes definitions of priority schools and focus schools, therefore making various changes to the statutes on school performance and accountability. It also eliminates the requirement to assess student's dispositions' while promoting the capacity of effective teachers to support students' work-study practices for success in college, career and citizenship. **Vote 15-4.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 135-FN, relative to the regulation of the practice of genetic counseling. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lucy M Weber for the **Majority** of Executive Departments and Administration: The practice of genetic counseling is an emerging specialty. Currently, anyone can identify himself or herself as a genetic counselor, whether he or she has appropriate training or not. This bill was introduced to ensure that medical professionals and members of the public are advised in this most personal aspect of their lives by qualified professionals. The bill, as amended in its entirety by the committee amendment, defines the practice of genetic counseling, adds genetic counselors to the list of allied health professionals, establishes that all genetic counselors must be certified by either the American Board of Genetic Counselors or the American Board of Medical Genetics, establishes a genetics counseling governing board, and provides for NH state licensure by that board. It sets out requirements for licensure and specific guidelines for rulemaking. The bill establishes strict privacy controls for patients' genetic information. The majority of the committee was persuaded that regulation of this emerging field was necessary to ensure that services in this most personal and private area are delivered by qualified and ethical professionals. **Vote 12-5.**

Rep. Carol M McGuire for the **Minority** of Executive Departments and Administration: This bill is an unnecessary overreach of government. The 20 or so genetic counselors in the state work with doctors, clinics, and hospitals, not direct to consumers. Doctors know - or can easily learn - how to find a qualified genetic counselor, and individuals typically approach their doctors first, as with any medical question. All the patient harm the committee heard about was due to doctors and other medical professionals (exempted from licensing and other restrictions by SB 135) acting beyond their knowledge, not from non-qualified people claiming to be genetic counselors, and SB 135 will not fix that. There is no need to license yet another narrow profession.

FINANCE

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

Rep. Cindy Rosenwald for the **Majority** of Finance: The objective of this bill is to limit the population of committed youth at the Sununu Center to those who are dangerous to themselves or others through periodic court reviews and appointment of counsel. The amendment adds a one-year \$5.3 million federal grant that was awarded to the insurance department in April, after the budget had passed the House. This grant, which has no state match, is to provide assistance to consumers in obtaining tax credits to purchase health insurance without interrupting the department's traditional role in regulating the insurance market or interfering with the existing insurance producer environment. The amended bill does not authorize any policy of how the grant money will be spent on consumer assistance; its sole function is to accept the federal grant. The oversight committee on health reform implementation established in RSA 420-N:3 shall determine all policies regarding implementation of the Affordable Care Act. **Vote 15-8.**

Rep. Dan McGuire for the **Minority** of Finance: SB 129 is a valuable bill which would reduce the population of juvenile delinquents at the Sununu Youth Center to just those violent offenders who are a danger to the

public or themselves. Incarceration is ineffective for others and is very expensive, roughly \$250,000 each. The amendment would accept a one-year federal grant for the insurance department to inform the public about the federal Affordable Care Act (aka Obamacare) and market its features to consumers. There are two problems with this. First, this is an entirely federal program. NH had an opportunity to be involved and we declined. It is more appropriate for the federal government to implement the act directly, including public awareness. This would be the likely outcome if we reject the grant. Second, attaching an amendment like this risks the passage of the worthwhile underlying bill, as we have seen many times in the past.

MUNICIPAL AND COUNTY GOVERNMENT

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

Rep. James E Coffey for the **Majority** of Municipal and County Government: This bill amends RSA 167:27, which forbids any person presently receiving old age assistance or aid to the totally and permanently disabled under this chapter, or RSA 161, from receiving at the same time any other relief from the state, or from any political subdivision thereof, except for medical and surgical assistance, by allowing the governing body to provide assistance as part of their welfare guidelines. This was portrayed by the bill's advocates as allowing local option, but local option usually means the legislative body, not a majority of the selectmen who could alter the guidelines based on who was applying or change the rules annually as the selectmen come and go. Adoption of this bill would result in substantially different standards among the towns and cities which might lead some clients to choose to locate in those communities providing additional services. This bill was opposed by the New Hampshire welfare officer's association for that reason. During the committee discussion an amendment was considered that would simply remove the restriction but the majority of the committee believed that this would have resulted in an unfunded mandate because under RSA 165:1 all towns and cities would then have to provide additional assistance. If there is a need to increase the cash benefits for the recipients it should be part of a need based budgetary request from the department of health and human services, and be included in the state's budget. **Vote 9-6.**

Rep. James Verschuere for the **Minority** of Municipal and County Government: RSA 165:1 states, "Whenever a person in any town is poor and unable to support himself, he shall be relieved and maintained by the overseers of public welfare of such town..." However, RSA 165:27 bars municipalities from providing aid to an individual who receives old age assistance (OAA) or aid to the permanently and totally disabled (APTD). This bill would enable but not require municipalities to choose to provide assistance under RSA 165 to a person who is also receiving OAA or APTD if the individual meets the guidelines adopted by the governing body. The result of current law is that individuals who fully qualify for assistance from their municipalities may not receive it. If they do, they forfeit the APTD or OAA support. The prohibition is thus in direct conflict with the intention of RSA 165:1 which requires municipalities to provide support to qualifying individuals. This bill begins to address this conflict in the law by allowing the governing body to choose not to accept the prohibition. The minority of the committee believes that the prohibition ought to be removed from the statute altogether, asserting that there is no justification for denying aid to an individual who is unable to support himself solely because s/he is receiving another particular type of aid. This bill takes a first step to rectify the wrong of the current RSA 165:27.

SCIENCE, TECHNOLOGY AND ENERGY

SB 123-FN-L, relative to the use of proceeds from the regional greenhouse gas initiative program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Beatriz Pastor for Science, Technology and Energy: Current statute mandates that all monies remaining in the RGGI fund, after all amounts in excess of \$1 for the sale of allowances have been rebated to ratepayers, be allocated by the commission to the electrical utilities for core energy efficiency programs — which are approved by the commission and funded by the system benefit charge. SB 123, as amended, makes two changes to the current distribution of funds. First, it requires that the commission allocate at least 15% of these RGGI funds to the low-income energy efficiency program. Second, it requires that, after January 1, 2014 the core utilities dedicate up to \$ 2,000,000 of these funds for municipal and local government energy efficiency projects. The purpose of this distribution adjustment is to encourage and support municipalities in the development of energy efficiency projects within their own communities. **Vote 15-3.**

SB 148-FN, relative to electric renewable portfolio standards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Nickolas J Levasseur for Science, Technology and Energy: This bill corrects a problem that arose under the existing law that resulted in higher than expected payments into the renewable energy fund. To reduce the amount of these payments in the future, the near term renewable energy goals for Class III renewable generators have been lowered to more accurately reflect expected supply. The bill also provides short term support for the continuation of the jobs and significant economic benefits to the state from its existing bio-

mass plants, but does so at an overall cost savings to ratepayers. The bill encourages the development of new renewable energy generators (thermal energy) with amendments to existing law which clarify the eligibility of thermal energy generators that sell steam used for heating. Finally, the bill establishes a study committee to review various aspects of NH's RPS law and program to make sure it is meeting its goals. **Vote 16-1.**

WAYS AND MEANS

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. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan W Almy for the **Majority** of Ways and Means: The bill merges the plumbing and gas-fitting trades in one board and updates the law of both. The committee found two problems. The first is a matter of fee policy: the bipartisan consensus is that the long-standing policy on 125 percent agencies does not work for professions engaged in strongly cyclical industries, such as construction. In order to avoid delaying this critical bill, we have committed to developing a bill on this issue for next year. The other is a matter of first-committee policy: since it left the first committee, complaints have arisen that the bill does not allow simply plumbing to be done by unlicensed relatives and neighbors of a homeowner, nor by the owner of a duplex or quadplex unit or summer cottage. The committee can only deal with the fees, but the committee expects that this second problem will be addressed in a floor amendment. We have no problem otherwise with the bill's fee or fund structure as developed in the Senate. **Vote 12-1.**

Rep. Laurie J Sanborn for the **Minority** of Ways and Means: During the executive session, the minority learned about a significant policy problem with this bill which would eliminate property owners' ability to fix their own water plumbing. We hope that an amendment will be put forth that will fix an otherwise good bill. If a suitable amendment cannot be moved, the minority regretfully recommends ITL.

2013 LIST OF RETAINED SENATE BILLS

COMMERCE AND CONSUMER AFFAIRS,

SB 92, prohibiting multiple prescription drug failures.

SB 169, relative to non-covered services under dental insurance plans.

SB 180-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

EDUCATION

SB 82, establishing a commission to identify strategies needed for developing and implementing a competency-based public education system.

ELECTION LAW

SB 196-FN, relative to the definition of push-polling.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 116-FN, relative to the licensure of liquefied propane installation and service technicians,

PUBLIC WORKS AND HIGHWAYS

SB 3-FN, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack.

SB 15, naming a portion of route 101 after the 101st Airborne Division Screaming Eagles.

SB 29, relative to the motorist service signing program

RESOURCES, RECREATION AND DEVELOPMENT

SB 190-FN, relative to admission fees for certain persons at state parks and historical sites,

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

SB 88, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces.

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. (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 119, relative to voter registration. (SJ 5/28/13)

HB 123, relative to the limitation of liability for negligence regarding public safety officers. (SJ 5/28/13)

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. (House Concurred 5/29/13)

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 225, relative to the rulemaking authority of the liquor commission. (SJ 5/28/13)

HB 228, relative to insurance fraud. (SJ 5/28/13)

HB 229-FN, relative to a financial examination supervisor. (SJ 5/28/13)

HB 231, relative to reinsurance. (SJ 5/28/13)

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 253**, relative to limitations on sales by nano breweries for consumption on the premises. (SJ 5/28/13)
- HB 265**, relative to procedures by absentee voters. (SJ 5/2/13)
- HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding. (SJ 5/28/13)
- HB 278**, relative to voluntary installation of fire suppression sprinklers. (SJ 5/28/13)
- HB 283**, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B. (SJ 5/28/13)
- 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 306**, relative to New Hampshire's regional greenhouse gas initiative. (SJ 5/28/13)
- 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 342-FN**, relative to reporting of compensation paid to retired members of the retirement system. (SJ 5/28/13)
- HB 353**, relative to the regulation of private investigators and security guards. (House Nonconcurrent; C of C 5/29/13)
- 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 385**, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. (SJ 5/28/13)
- HB 391-FN**, establishing a committee to study options for mitigation of damages associated with highway noise. (House Concurred 5/22/13)
- HB 403**, establishing a committee to study end of life decisions. (SJ 5/28/13)
- HB 410**, establishing a commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B. (SJ 5/28/13)
- HB 413**, relative to property abandoned by tenants. (SJ 5/28/13)
- HB 442**, prohibiting residency restrictions for registered sex offenders and offenders against children. (SJ 5/28/13)
- HB 450-FN**, relative to the annulment of criminal records. (House Concurred 5/22/13)
- HB 472**, relative to residential units in rooming houses. (SJ 5/28/13)
- 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 506**, relative to certain time periods for adoption and amendment of town codes and ordinances. (House Concurred 5/29/13)
- 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 526-FN**, relative to termination of activities and dissolution of the association created under RSA 404-G. (SJ 5/28/13)
- HB 528**, relative to support and care costs for children with disabilities. (SJ 5/28/13)
- HB 546**, relative to medical examinations under workers' compensation. (SJ 5/28/13)
- 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 573-FN**, relative to the use of cannabis for therapeutic purposes. (SJ 5/28/13)
- HB 574**, increasing the size limitations for OHRVs operating on state-owned trails in Coos and Grafton counties. (House Concurred 5/8/13)
- HB 575**, relative to hours of sales of on-premises liquor licensees. (SJ 5/28/13)
- HB 588**, extending the instream flow pilot program for 2 years. (SJ 5/28/13)
- HB 595-FN**, relative to photo identification of voters. (SJ 5/28/13)
- HB 599-FN**, relative to establishing a single liquor commissioner. (SJ 5/28/13)
- HB 602**, establishing a commission to study general court policies and procedures relative to persons with disabilities. (SJ 5/28/13)
- HB 630-FN**, relative to the use of proceeds from the regional greenhouse gas initiative program. (SJ 5/28/13)

HB 634, relative to water resource management and protection plans in municipal master plans. (SJ 5/28/13)
HB 635, establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas. (House Nonconcurrent; C of C 5/29/13)
HB 640, relative to the standard valuation law. (SJ 5/28/13)
HB 644-FN, relative to parole procedures and relative to sanctions for violations of probation. (House Concurrent 5/22/13)
HB 686, relative to approval of liquor commission contracts. (SJ 5/28/13)

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)
HB 353, relative to the regulation of private investigators and security guards. (Reps. Weber, C. McGuire, P. Schmidt and M. Nelson)
HB 635, establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas. (Reps. Campbell, Chandler, Ramsey and Piper)

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

FRIDAY, MAY 31

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

9:00 a.m. Regular meeting.

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.

TUESDAY, JUNE 4**EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB**

10:00 a.m. Full committee organizational work session on retained **HB 173**, repealing the authority for supplemental allowances under the judicial retirement plan, **HB 312**, restricting the collection of biometric data by state agencies, municipalities, and political subdivisions, **HB 326-FN**, relative to licensure of polysomnographers by the board of respiratory care practitioners. **HB 419-FN**, establishing a deferred retirement option in the judicial retirement plan. **HB 421**, relative to regulation of real estate brokerage and sales by the real estate commission, **HB 469**, relative to time limits for regulatory boards and commissions to hold disciplinary proceedings, **HB 473-FN**, relative to retirement system status for members of the university system police force, **HB 627-FN**, requiring unused vacation and sick leave to be converted to service time for purposes of calculating retirement system benefits, **HB 646-FN**, relative to New Hampshire correctional industries, **HB 658-FN**, relative to registration for medical technicians, **SB 116-FN**, relative to the licensure of liquefied propane installation and service technicians.

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

9:30 a.m. Subcommittee work session on retained **HB 476**, relative to medical care price disclosure and transparency.

10:45 a.m. Subcommittee work session on retained **HB 597-FN**, relative to mandatory drug testing for certain health care workers.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Full committee work session on revenue estimates.

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.

10:30 a.m. Audits: State of New Hampshire, New Hampshire Veterans' Home financial audit report for the fiscal year ended June 30, 2012.

State of New Hampshire, Department of Resources and Economic Development Communications Program internal control over revenue rental of space for antenna facilities June 2013

MONDAY, JUNE 10**ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), Room 100, State House**

3:00 p.m. Regular meeting.

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

10:00 a.m. Regular meeting.

TUESDAY, JUNE 11**COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB**

11:00 a.m. Subcommittee work session on retained **HB 562**, relative to the interest rate on title loans.

1:00 p.m. Subcommittee work session on retained **HB 585**, relative to insurance parity for optometrists.

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

11:00 a.m. Long term care subcommittee presentation and discussion: Mohamed Ally, MD –President and COO-Meridian Health Plan, Manchester, NH

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

9:30 a.m. Regular meeting.

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

9:30 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.

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.

MONDAY, JUNE 17**STATE RETIREE HEALTH PLAN COMMISSION (RSA 100-A:56), Room 425, State House Annex, 25 Capitol Street, Concord**

1:00 p.m. Regular meeting.

TUESDAY, JUNE 18**PUBLIC WORKS AND HIGHWAYS, Room 201, LOB**

10:00 a.m. Full committee work session on consequences and scenarios for future DOT budgets without additional highway fund revenues.

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

Coos County Delegation has scheduled a working session on Wednesday, **June 5th** for the entire delegation to discuss both the barn and the former administrator's home. The meeting will take place in Room 203, LOB immediately following the lunch break from the House session. Food and beverages will be provided.

Rep. Robert L. Theberge, Chairman

Coos County Delegation

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

Rockingham County Executive Committee will meet for the second quarter budget review on Friday, **July 19, 2013** at 9:30 a.m. at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood, N.H.

Rep. Kevin K. Waterhouse, Clerk

Rockingham County 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, 306, 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

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

All pro-business members of the House are invited to attend the NH House Business Caucus meeting on Tuesday, **June 4** from 3:00 – 4:00 p.m. in Room 203, LOB.
Reps. Laurie Sanborn, Adam Schroadter and
Patrick Abrami

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 legislators and staff and their families are invited to participate in the 2nd Annual New Hampshire Women United Rally at the State House Plaza on Sunday, **June 9**, 2013 from 11:00 a.m.–3:00 p.m. This year being the 100th Celebration of the March on Washington, it's a special year, and we'd like to honor those who made it possible for Women to become full citizens of this wonderful country. We are inviting a few Special Speakers, some Great Performers, and many organizations that work for the progress and well-being of NH's women and children and their families. More information is available at: <http://nhwomenunited.org>.
Reps. Janice E. Schmidt and Sylvia E. Gale

New Hampshire's Regional Planning Commissions cordially invite all House members and staff to join the next Granite State Future Statewide Advisory Committee meeting on Tuesday, **June 11th**, from 9:30-10:30 a.m. in Room 201, LOB. Join us to learn more about the RPCs Regional Plans, new public input tools of interest to towns and elected officials, and get your questions answered.
Rep. David Campbell

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 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 12	12:00	Westmoreland School	42/4&5
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 School-Rochester	48/4
June 17	9:30	St. Antyhony's School – Manchester	20/4
June 17	11:00	Henry Moore School – Candia	54/4
June 18	10:30	Effingham Elementary School	18/4
June 18	10:30	Wells Memorial School – Harrisville	8/4
June 18	1:30	St. Joseph's Cathedral Senior Group	12/SRS
June 19	11:00	Madison Elementary School	24/4

WEDNESDAY, JUNE 5

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to SB 19

(2013-1632h)

Proposed by the Committee on Public Works and Highways - C

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

AN ACT repealing provisions relative to the sale of the former Laconia state school property.

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

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

AMENDED ANALYSIS

This bill repeals certain procedural exemptions related to the sale of the former Laconia state school property.

Amendment to SB 41**(2013-1778h)****Proposed by the Committee on Commerce and Consumer Affairs - R**

Amend RSA 293-A:1.25 as inserted by section 1 of the bill by inserting after paragraph (e) the following new paragraph:

(f) If, at any time, the secretary of state or any of those acting on his or her behalf determines that any document recorded by them under RSA 292, RSA 293-A, RSA 293-B, RSA 294-A, RSA 301, RSA 301-A, RSA 304-A, RSA 304-B, RSA 304-C, RSA 305-A, or RSA 349 contains defects or inconsistencies, the secretary of state shall notify the filer of said document, in writing, of any defects and inconsistencies.

Amend RSA 293-A:10.04 as inserted by section 1 of the bill by replacing it with the following:

293-A:10.04 Voting on Amendments by Voting Groups.

(a) If a corporation has more than one class of shares outstanding, the holders of the outstanding shares of a class are entitled to vote as a separate voting group (if shareholder voting is otherwise required by this chapter) on a proposed amendment to the articles of incorporation if the amendment would:

- (1) increase or decrease the aggregate number of authorized shares of the class;
- (2) effect an exchange or reclassification of all or part of the shares of the class into shares of another class;
- (3) effect an exchange or reclassification, or create the right of exchange, of all or part of the shares of another class into shares of the class;
- (4) change the rights, preferences, or limitations of all or part of the shares of the class;
- (5) change the shares of all or part of the class into a different number of shares of the same class;
- (6) create a new class of shares having rights or preferences with respect to distributions that are prior or superior to the shares of the class;

(7) increase the rights, preferences, or number of authorized shares of any class that, after giving effect to the amendment, have rights or preferences with respect to distributions that are prior or superior to the shares of the class;

(8) limit or deny an existing preemptive right of all or part of the shares of the class; or

(9) cancel or otherwise affect rights to distributions that have accumulated but not yet been authorized on all or part of the shares of the class.

(b) If a proposed amendment would affect a series of a class of shares in one or more of the ways described in subsection (a), the holders of shares of that series are entitled to vote as a separate voting group on the proposed amendment.

(c) If a proposed amendment that entitles the holders of 2 or more classes or series of shares to vote as separate voting groups under this section would affect those 2 or more classes or series in the same or a substantially similar way, the holders of shares of all the classes or series so affected must vote together as a single voting group on the proposed amendment, unless otherwise provided in the articles of incorporation or required by the board of directors.

(d) A class or series of shares is entitled to the voting rights granted by this section although the articles of incorporation provide that the shares are nonvoting shares.

Amend RSA 293-A:14.20(a)(4)-(5) as inserted by section 1 of the bill by replacing them with the following:

(4) the corporation does not notify the secretary of state within 60 days that its registered agent or registered office has been changed, that its registered agent has resigned, or that its registered office has been discontinued;

(5) the corporation's period of duration stated in its articles of incorporation expires; or

(6) the corporation or any individual acting on its behalf files any document with the secretary of state that, either alone or in conjunction with any other document, constitutes a knowing violation of applicable statutes.

Amend RSA 293-A:14.21 as inserted by section 1 of the bill by inserting after paragraph (e) the following new paragraphs:

(f) In connection with the issuance of a notice of dissolution by the secretary of state under RSA 293-A:14.21(a) on grounds set forth in RSA 293-A:14.20(a)(6), a hearing shall be set for 10 business days after the issuance of the notice of dissolution. All hearings shall be conducted in accordance with RSA 421-B:26-a. If the person whom the notice is issued fails to appear for the hearing, then such person shall be deemed in default, and the dissolution shall become final.

(g) Unless an order is final pursuant to RSA 293-A:14.21(f), any administrative dissolution by the secretary of state on grounds set forth in RSA 293-A:14.20(a)(6) may be appealed to the superior court of the county where the corporation's principal office, or, if none in this state, its registered office, is located or the business and commercial dispute docket of the superior court, which court shall be deemed to have jurisdic-

tion to hear such matter and to which the corporation and the secretary of state shall be deemed to have consented. Any appeal under this section shall not affect any rights of the corporation under RSA 293-A:14.22, RSA 293-A:14.22-a, or RSA 293-A:14.23.

Amend RSA 293-A:16.02(e)-(h) as inserted by section 1 of the bill by replacing them with the following:

(e) For purposes of RSA 293-A:16.02(d), if a shareholder makes a written demand on a corporation for an alphabetical list of the names and addresses of its shareholders who are entitled to notice of a shareholders' meeting for the purpose of communicating with other shareholders relating to an item of business listed in the notice, and the corporation refuses to allow inspection and copying of the list, the shareholder may petition the secretary of state to issue an order requiring the corporation to allow the shareholder to inspect and copy the list of shareholders pursuant to the provisions of RSA 421-B:26-a. The secretary of state, or his or her designee, shall confirm that (i) the petitioner is a shareholder of the corporation, (ii) the corporation has given a notice of shareholder meeting to its shareholders, and (iii) the shareholder made a written demand to inspect and copy the shareholder list for the purpose of communicating with the shareholders regarding an item of business set forth in the notice. If the secretary of state confirms such information, he or she shall schedule a hearing no later than 10 business days after making such confirmation. The secretary of state shall promptly give the petitioner and the corporation notice of the hearing. At such hearing, the presiding officer shall determine whether the petitioner has made the demand for the inspection and copying of the shareholder list for a proper purpose and in good faith and in accordance with RSA 293-A:16.02(d) and, if so, he or she shall order the corporation to comply with the law. If the corporation fails to attend the hearing, the corporation shall be deemed to be in default, and the presiding officer may issue an order requiring it to allow the petitioner to inspect and copy the shareholder list. Such order in the case of default shall be deemed final and may be enforced by the secretary of state pursuant to RSA 293-A:16.02(f).

(f) Unless an order is final pursuant to RSA 293-A:16.02(e), any order or refusal to grant an order by the secretary of state under this subsection may be appealed to the superior court of the county where the corporation's principal office, or, if none in this state, its registered office, is located or the business and commercial dispute docket of the superior court, which court shall be deemed to have jurisdiction to hear such matter and to which the corporation or shareholder, as the case may be, shall be deemed to have consented. The secretary of state or his or her designee may bring an action in the superior court to enforce compliance with any final order under this section. Upon a proper showing, an injunction or other equitable relief may be granted.

(g) The right of inspection granted by this section may not be abolished or limited by a corporation's articles of incorporation or bylaws.

(h) This section does not affect:

(1) the right of a shareholder to inspect records under RSA 293-A:7.20 or, if the shareholder is in litigation with the corporation, to the same extent as any other litigant; or

(2) the power of a court, independently of this chapter, to compel the production of corporate records for examination.

(i) For purposes of this section, "shareholder" includes a beneficial owner whose shares are held in a voting trust or by a nominee on the shareholder's behalf.

Amendment to SB 44

(2013-1600h)

Proposed by the Committee on Executive Departments and Administration - C

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

1 Controlled Drug Act; Disposal of Controlled Drugs in Possession of Law Enforcement Officer. Amend RSA 318-B:17, I-a and I-b to read as follows:

I-a. The ~~[district]~~ **circuit** court having jurisdiction over a misdemeanor **or violation** controlled drug offense may order such controlled drugs forfeited and destroyed upon written motion. Such order shall not be entered until after the period for appeal of the offense has expired.

I-b. The ~~[district]~~ **circuit** court shall require the same record and reporting of the officer who is destroying the controlled drugs as is required under paragraph I for the superior court, with the exception of notification to the Drug Enforcement Administration.

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

III. The department of justice, **in consultation with 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.

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

AMENDED ANALYSIS

This bill amends the procedure for disposal of controlled drugs in the possession of a law enforcement officer and makes the department of justice responsible for adopting rules for the pharmaceutical drug take-back program.

**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 48
(2013-1641h)**

Proposed by the Committee on Education - R

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

1 New Section; School Performance and Accountability; Purpose. Amend RSA 193-H by inserting after section 1 the following new section:

193-H:1-a Purpose.

I. The purpose of this chapter is to create an accountability model that will best support schools and educators as they work to enable all students to progress toward college and career readiness with clearly defined learning outcomes.

II. New Hampshire's student assessment system should promote and measure knowledge and skills that lead students to graduate from high schools ready for college and career.

III. Students best learn at their own pace as they master content and skills, allowing them to advance when they demonstrate the desired level of mastery rather than progressing based on a predetermined amount of seat time in a classroom will assure that students will reach college and career readiness.

IV. New Hampshire's system of educator support should promote the capacity of educators to deeply engage students in learning rigorous and meaningful knowledge, skills, and work-study practices for success in college, career, and citizenship.

V. Competency-based strategies provide flexibility in the way that credit can be earned and awarded and provide students with personalized learning, including those that are offered through on-line, blended, and community based opportunities.

2 School Performance and Accountability; Definitions. Amend RSA 193-H:1 to read as follows:

193-H:1 Definitions. In this chapter:

I. "Commissioner" means the commissioner of the department of education.

I-a. "Competencies" means student learning targets that represent key content-specific concepts, skills, and knowledge applied within or across content domains.

II. "Department" means the department of education.

III. "[Highly-qualified] ***Effective*** teacher" means a person who is certified by the local school board ***and holds a valid teaching credential***, and who has demonstrated, through a process approved by the department of education, teaching skills in the core subjects of instruction.

IV. ***"Focus school" means a low performing school that has the largest within-school gaps between the highest achieving subgroup or subgroups of students and the lowest-achieving subgroup or subgroups of students or, for a high school, has the largest within-school gaps in graduation rates.***

V. ***"Priority school" means:***

(a) A school that is among the lowest performing 5 percent of schools in the state based on the achievement of all students on the statewide assessment pursuant to RSA 193-C and which, when measuring the achievement of all students, has demonstrated a lack of progress on the statewide assessment over 3 years; or

(b) A high school with a graduation rate of less than 60 percent over 3 consecutive years.

VI. "Statewide assessment" means the New Hampshire education improvement and assessment program as established under RSA 193-C.

VII. "Work-study practices" means those behaviors that enhance learning achievement and promote a positive work ethic such as, but not limited to, listening and following directions, accepting responsibility, staying on task, completing work accurately, managing time wisely, respecting authority, observing rules, showing initiative, and being cooperative.

3 School Performance and Accountability; Statewide Performance Assessment and Targets. Amend RSA 193-H:2 to read as follows:

193-H:2 Statewide Performance Targets.

I. On or before the 2013-2014 school year, schools shall ensure that all pupils are performing at the basic level or above on the statewide assessment as established in RSA 193-C.

II. In addition to the requirements of paragraph I, schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, ***as*** established in rules adopted by the state board of education pursuant to RSA 541-A ***which shall include rules for:***

(a) The statewide improvement and assessment program pursuant to RSA 193-C.

(b) Attendance rates.

(c) The percentage of pupils who graduate with a diploma from an approved high school.

III. [Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to the statewide assessment.

IV. ~~Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to attendance rate.~~

V. ~~Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to the percentage of pupils who graduate with a regular diploma from an approved high school.~~

VI.] Notwithstanding RSA 541-A, the state board of education shall receive approval from the legislative oversight committee established in RSA 193-C prior to the submission of any rules to the joint legislative committee on administrative rules relative to statewide performance targets required under this section.

4 School Performance and Accountability; Identification and Public Disclosure. Amend RSA 193-H:3 to read as follows:

193-H:3 Identification and Public Disclosure of *Priority Schools and Focus Schools* [~~in Need of Improvement~~].

I. The commissioner shall annually compile and disseminate to the governor and council, the president of the senate, the speaker of the house of representatives, local school boards, superintendents of schools, and the public, and shall make available on the department website, a list of *priority schools and focus schools* [~~that are not meeting~~] **based on** the statewide performance targets established in RSA 193-H:2.

II. A school or school district designated by the commissioner as [~~not meeting statewide performance targets~~] **a priority school or a focus school** shall have 30 days from the date of the report to appeal such designation to the state board of education.

5 School Performance and Accountability; Local Education Improvement Plan. Amend RSA 193-H:4, I to read as follows:

I.(a) A school or school district shall have one year from the date that a school or school district has been designated as [~~in need of improvement~~] **a priority school or a focus school** pursuant to RSA 193-H:3 to take action to remedy identified problems at the local level. The school or school district shall create a plan that identifies actions that it intends to correct the areas of concern. This plan shall be submitted to the state board within 90 days of the date that the school or school district was designated as [~~in need of improvement~~] **a priority school or a focus school**. If the plan does not sufficiently address the areas of concern, the state board shall disapprove the plan within 30 days. If the state board disapproves the plan, the state board's designee shall work with the school or school district to amend the plan so that it meets state board approval. One year following the designation, if the school or school district is not making satisfactory progress in implementing its plan, the commissioner of education shall issue a notice to the school or school district and shall initiate a process for providing assistance pursuant to paragraph II; or

(b) If a school or school district has been designated as [~~in need of improvement~~] **a priority school or a focus school**, then the school or school district may request assistance from the department of education. The department shall provide technical assistance to those schools that request assistance under this section.

(c) On or before the one year anniversary of being designated as a [~~school or school district in need of improvement~~] **priority school or a focus school**, the commissioner shall designate a progress review team to evaluate the implementation of the improvement plans and the progress toward state performance targets. The progress review team shall deliver a report to the state board. This report shall include evidence of satisfactory implementation and progress towards state performance targets or lack thereof and recommendations regarding future actions pursuant to subparagraph II(b).

6 School Performance and Accountability; Local Education Improvement Plan. Amend RSA 193-H:4, III(a) to read as follows:

(a) Identify the area in which the school [~~failed~~] **needs** to meet the annual statewide performance targets established under RSA 193-H:2.

7 Repeal. The following are repealed:

I. RSA 193-C:1, V, relative to the local education improvement and assessment plan.

II. RSA 193-C:9, relative to the local education improvement fund.

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

Amendment to SB 75

(2013-1952h)

Proposed by the Committee on Ways and Means - C

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

2 New Subparagraph; Application; Game of Chance Facility. Amend RSA 287-D:2-c by inserting after subparagraph (g) the following new subparagraph:

(h) The application shall include a description of the licensed premises.

3 Pari-Mutuel Commission; Reference Changed. Amend RSA 287-D:3, II to read as follows:

II. All devices and equipment used to conduct said games of chance shall be subject to inspection by duly authorized law enforcement or [~~pari-mutuel~~] **racing and charitable gaming** officials.

4 Fees. Amend RSA 287-D:3, VI-VIII to read as follows:

VI. Any contract for the rental of a **licensed** facility for a game of chance shall be independent of any contract for the rental of equipment. **If a charitable organization hires a game operator employer or primary game operator to conduct games of chance on its behalf then the charitable organization shall not pay any fees. Any fees shall be paid by the game operator employer or the primary game**

operator retained by the charitable organization to conduct games of chance. Those contracts shall not be contingent upon the charitable organization's agreement that it will contract with a particular business for a particular facility or equipment.

VII. Unless a charitable organization rents a facility from a game operator employer or a primary game operator licensed under RSA 287-D:2-c, the charitable organization shall only rent a facility by means of a fixed rental payment. The fixed rental payment shall not be based on a percentage of what the charitable organization receives from the game of chance and it shall reflect fair rental value of the property for any use not just as a place to hold a game of chance. If a charitable organization rents, **leases, or uses a licensed** facility from a licensed game operator under RSA 287-D:2-c, the charitable organization shall retain no less than 35 percent of the gross revenues from any games of chance minus any prizes paid in accordance with RSA 287-D:3, VIII **and exclusive of all rental or lease payment.** Any rental, **lease, or use** agreement entered into by the charitable organization shall be submitted with the charitable organization's license application for review by the racing and charitable gaming commission. Under no circumstances shall a charitable organization sustain any loss from games of chance, such that its share of the gross revenues minus any prizes paid is less than zero dollars, during a license period with a single game operator. All contracts between a game operator employer and a charitable organization to conduct games of chance, **and any contracts between a charitable organization and a licensed facility holder or licensed facility owner** under this chapter shall contain the following language: "This agreement represents the entire agreement between the parties hereto. No charge or fee of any kind that is not contained in this agreement shall be paid by the charity."

VIII. The charitable organization shall retain no less than 35 percent of the gross revenues from any game of chance minus any prizes paid on any game date in which game operators licensed under RSA 287-D:2-c are involved in any capacity. Such revenues shall be used by the organization to advance its charitable purpose. No fee for any service which is required by or provided by the game operator employer or primary game operator shall be allowed unless such fee is agreed to in writing and [disclosed to] **approved by** the commission as part of the agreement between the game operator employer or primary game operator and the charity. **A game operator employer or primary game operator, hired by a charitable organization to conduct games of chance on its behalf, shall not charge or assess any fees, to the charitable organization for the providing of any services or the collection of any reimbursements including but not limited to any accounting fees, any administrative fees, any advertising fees, any financial paperwork fees, any marketing fees, or any law enforcement or security fees.**

5 Financial Report and Audit. Amend RSA 287-D:5, VI to read as follows:

VI. All financial records pertaining to the games of chance shall be maintained by the treasurer of the charitable organization or other duly authorized director, officer, or official of the charitable organization and shall be made available to the racing and charitable gaming commission, the attorney general or the chief of police of any city or town where games of chance are held upon request. The racing and charitable gaming commission may audit [such financial records] **review or inspect any and all financial records, books, documentation, and bank accounts in the name of the charitable organization that pertain to games of chance.**

6 Transfer to Special Fund. Amend RSA 287-D:3, IX-X to read as follows:

IX. In games where chips have no monetary value, 3 percent of all funds collected from players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer to be deposited into the [general] **special fund established in RSA 284:21-j.** Such payments shall be made [within 5 business days of the game date on which the funds were collected:] **once per month not later than the 5th day of the month for the funds collected in the previous month.**

X. In games where chips have monetary value, 10 percent of the rake or house winnings and other moneys collected by the game operator that are not paid out as prizes to players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer for deposit into the [general fund] **special fund established in RSA 284:21-j.** Such payments shall be made [within 5 business days of the game date on which the funds were collected] **once per month not later than the 5th day of the month for the funds collected in the previous month.**

7 Transfer to Special Fund. Amend RSA 284:12-a, II to read as follows:

II. Investigation fees shall be collected by the commission and shall be continually appropriated to the commission and used by the commission to offset the costs of conducting background checks and monitoring of license applicants and licensees as required under this section, RSA 284:16, RSA 284:16-a, RSA 284:18-a, RSA 284:19, RSA 284:20, RSA 284:20-b, RSA 284:22, and RSA 284:22-a. Funds received hereunder and not expended for such investigations shall lapse to the [general] **special fund established in RSA 284:21-j** 2 years after receipt of such funds.

8 Transfer to Special Fund. Amend RSA 284:31 to read as follows:

284:31 Unclaimed Ticket Money. On or before January 31 of each year every person, association, or corporation conducting a race or race meet, whether live racing or simulcast racing, hereunder shall pay to the

state treasurer all moneys collected during the previous year of pari-mutuel pool tickets and vouchers which have not been redeemed. The books or records of said person, association, or corporation, which clearly show the tickets entitled to reimbursement in any given race, live or simulcast, shall be forwarded to the commission. Such moneys shall become a part of the ~~[general funds of the state]~~ **special fund established in RSA 284:21-j**. The state treasurer shall pay the amount due on any ticket or voucher to the holder thereof from funds not otherwise appropriated upon an order from the commission. Pari-mutuel tickets and vouchers which remain unclaimed after 11 months shall not be paid. Vouchers shall be remitted to the state treasurer on January 31 of the calendar year, 24 months after the year of the unclaimed voucher.

9 Transfer to Special Fund. Amend RSA 284:32-b, I to read as follows:

I. Every person, association or corporation required to submit an annual statement pursuant to RSA 284:15-b or an annual financial report pursuant to RSA 284:32-a who fails to submit such statement or report within the required time period shall be subject to a civil forfeiture of up to \$500 for each day of a continuing violation. Civil forfeitures shall be levied under this section by the state racing and charitable gaming commission, shall be collected by the attorney general, and shall be deposited in the ~~[general fund as unrestricted revenue]~~ **special fund established in RSA 284:21-j**. Such civil penalty shall be in addition to and not a substitute for any other civil or criminal penalty provided by law, including RSA 284:21.

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

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

11 Repeal. RSA 287-D:2-b, II-a, relative to reimbursement of game operator's out-of-pocket expenses, is repealed.

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

Amendment to SB 76

(2013-1480h)

Proposed by the Committee on Election Law - C

Amend the bill by replacing section 1 with the following:

1 Disqualification of Candidate; Disability. Amend RSA 655:38 to read as follows:

655:38 Disqualification of Candidate. If a candidate to be voted for at the general election shall make oath between the date of the candidate's nomination and the day of the election that he or she does not qualify for the public office which he or she seeks because of age, domicile, or incapacitating physical **or mental** disability acquired subsequent to the primary, the secretary of state may remove said person's name from the ballot. **Any such oath citing an incapacitating physical or mental disability shall be accompanied by a letter from a licensed physician confirming such a condition.** A new candidate may be substituted by the appropriate party committee by submitting the name of the new candidate to the secretary of state within 3 days of the notice of disqualification. The name of the substitute candidate shall be placed on the ballots as provided in RSA 656:21.

AMENDED ANALYSIS

This bill requires a letter from a physician for a candidate to disqualify himself or herself because of incapacitating physical or mental disability.

Amendment to SB 90

(2013-1307h)

Proposed by the Committee on Executive Departments and Administration - C

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

AN ACT establishing a committee to study developing a policy for veteran preference for government hiring and extending the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury.

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

6 Commission on the Effects of Service-Connected Post-Traumatic Stress Disorder and Traumatic Brain Injury; Report. Amend RSA 115-D:5 to read as follows:

115-D:5 Report. The commission shall make ~~[an interim report on or before May 1, 2012 and]~~ a final report on or before November 1, ~~[2013]~~ **2014** of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairman of the house health, human services and elderly affairs committee, the chairman of the senate health, education and human services committee, the chairman of the house state-federal relations and veterans affairs committee, the senate clerk, the house clerk, the governor, the members of the New Hampshire congressional delegation, and the state library.

7 Effective Date of Repeal of Commission. Amend 2011, 84:3, I, as amended by 2012, 81:4, I to read as follows:

I. Section 2 of this act shall take effect November 1, ~~[2013]~~ **2014**.

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

AMENDED ANALYSIS

This bill establishes a committee to study developing a policy for giving preference to veterans in government hiring.

This bill also extends the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury.

Amendment to SB 98

(2013-1857h)

Proposed by the Committee on Science, Technology and Energy - C

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

AN ACT authorizing group net metering for limited electrical energy procedures.

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

1 Limited Electrical Energy Producers; Definitions. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns or operates an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a total peak generating capacity of ~~[not more than 100 kilowatts, or that first begins operation after July 1, 2010 and has a total peak generating capacity of 100 kilowatts or more]~~ up to **and including** one megawatt, that is located behind a retail meter on the customer's premises, is interconnected and operates in parallel with the electric grid, and is used ~~[in the first instance]~~ to offset the customer's own electricity requirements. ***Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the nonqualifying facility.***

2 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph XIII the following new paragraph:

XIV.(a) A customer-generator may elect to become a group host for the purpose of reducing or otherwise controlling the energy costs of a group of customers who are not customer-generators. The group of customers shall be default service customers of the same electric distribution utility as the host. The host shall provide a list of the group members to the commission and the electric distribution utility and shall certify that all members of the group have executed an agreement with the host regarding the utilization of kilowatt hours produced by the eligible facility and that the total historic annual load of the group members together with the host exceeds the projected annual output of the host's facility. The commission shall verify that these group requirements have been met and shall register the group host. The commission shall establish the process for registering hosts, including periodic re-registration, and the process by which changes in membership are allowed and administered.

(b) Except as provided in subparagraph (c), the provisions of this section shall apply to a group host as a customer-generator.

(c) Notwithstanding paragraph V, a group host shall be paid for its surplus generation at the end of each billing cycle at rates consistent with the credit the group host receives relative to its own net metering under either subparagraph IV(a) or (b). On an annual basis, the electric distribution utility shall calculate a payment adjustment if the host's surplus generation for which it was paid is greater than the group's total electricity usage during the same time period. The adjustment shall be such that the resulting compensation to the host for the amount that exceeded the group's total usage shall be at the utility's avoided cost or its default service rate in accordance with subparagraph V(b) or paragraph VI. The utility shall pay or bill the host accordingly.

(d) Group hosts shall be responsible for any costs necessary to upgrade a utility's information systems in order to implement this paragraph, as determined by the commission.

(e) The commission is authorized to assess fines against, revoke the registration of, and prohibit from doing business in the state, any group host which violates the requirements of this paragraph and rules adopted pursuant to this paragraph.

3 Renewable Energy Fund. Amend RSA 362-F:10, IV to read as follows:

IV. The commission shall make an annual report by October 1 of each year, beginning in 2009, to the legislative oversight committee on electric utility restructuring ***established*** under RSA 374-F:5, ***the house science, technology and energy committee, and the senate energy and natural resources committee*** detailing how the renewable energy fund is being used and any recommended changes to such use. The report shall also include information on the total peak generating capacity that is net energy metered under RSA 362-A:9 within the franchise area of each electric distribution utility, and the percentage this represents of the amount that is allowed to be net metered within each franchise area. ***Information shall be provided on net metered group host registrations and the associated customer groups, including number and location of group host facilities, generation by renewable source and size of facility, and group load served by such facilities.***

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

AMENDED ANALYSIS

This bill:

- I. Modifies the definition of customer-generator as it relates to net energy metering.
- II. Permits a customer-generator to become a group host to control the energy costs of certain customers.

Amendment to SB 99**(2013-1941h)****Proposed by the Committee on Science, Technology and Energy - C**

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

AN ACT requiring a study of the site evaluation committee and process, and developing regulatory criteria for the siting of energy facilities.

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

1 Study and Report. The office of energy and planning (OEP) shall, in consultation with the senate energy and natural resources committee and the house science, technology and energy committee, contract with an outside vendor to perform a study of the site evaluation committee's organization, structure, and process to better ensure that the review of energy facility applications serves the public good and provides clarity to potential energy project developers. The study shall identify deficits and needs, including but not limited to, potential funding, technology expertise, committee membership, staffing, the roles of participating municipalities and the public, the role of the counsel to the public, whether RSA 162-H allows the site evaluation committee to require applicants to present alternatives, including but not limited to the burial of energy facilities in publicly-owned transportation rights of way, and other issues that may be identified. The study shall also include review and consideration of relevant studies and plans, including but not limited to those developed by the independent system operator of New England (ISO-NE), the public utilities commission, the energy efficiency and sustainable energy board, legislative study committees and commissions, and other state and regional organizations as appropriate. The study shall engage all interested members of the public in a process where meetings are duly noticed and minutes are maintained for all public meetings and posted on the OEP website within 7 days of the meeting. The OEP shall make a report to the speaker of the house of representatives, the senate president, the governor, the senate clerk, the house clerk, and the state library on or before December 31, 2013.

2 New Paragraph; Energy Facility Site Evaluation. Amend RSA 162-H:10 by inserting after paragraph VI the following new paragraph.

VII. No later than January 1, 2015, the committee shall adopt rules, pursuant to RSA 541-A, relative to criteria for the siting of energy facilities, including specific criteria to be applied in determining if the requirements of RSA 162-H:16, IV (b) and (c) have been met by the applicant for a certificate of site and facility. Prior to the adoption of such rules, the office of energy and planning shall hire and manage one or more consultants to conduct a public stakeholder process to develop recommended regulatory criteria, which may include consideration of issues identified in attachment C of the 2008 final report of the state energy policy commission, as well as others that may be identified during the stakeholder process. The office of energy and planning shall submit a report based on the findings of the public stakeholder process to the committee by January 1, 2014.

3 Funding. Up to a combined total of \$200,000 shall be made available by the public utilities commission to the office and energy and planning to fulfill its responsibilities under sections 1 and 2 of this act and to the site evaluation committee for rulemaking under section 2 of this act from the energy efficiency portion of the system benefits charge, the renewable energy fund established under RSA 362-F:10, the energy efficiency fund established under RSA 125-O:23, or other funding sources under the jurisdiction of the public utilities commission. The office and the committee may utilize any other funding sources that are available to them for these purposes.

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

AMENDED ANALYSIS

This bill requires the office of energy and planning to contract with an outside vendor for a study of the site evaluation committee and its processes. The bill requires the site evaluation committee to adopt rules by January 1, 2015. The bill funds the study and the rulemaking process from funding sources under the jurisdiction of the public utilities commission.

Amendment to SB 112**(2013-1408h)****Proposed by the Committee on Election Law - C**

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

AN ACT relative to voters' guides for proposed constitutional amendments.

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

1 Constitutional Amendments; Voter's Guides. Amend RSA 663:3-a to read as follows:
663:3-a Voter's Guides.

I. If the general court proposes the constitutional amendment, the text of the statement for the voter's guide, if any, shall be included in the resolution proposing the constitutional amendment. The joint committee on legislative facilities may authorize the printing ***or distribution*** of [a] ***the*** voter's guide. [~~Distribution of the voter's guide shall not take place until its text has been reviewed and approved by the house and senate policy committees which considered the proposed constitutional amendment.~~]

II. If the constitutional convention proposes the constitutional amendment, the text of the statement for the voter's guide, if any, shall be included in the resolution proposing the constitutional amendment.

2 Constitutional Amendment; Form of Ballot. Amend RSA 663:3 to read as follows:

663:3 Form of Ballot. The following words shall be printed above the constitutional amendment questions on all ballots containing such questions: "Questions Relating to Constitutional Amendments Proposed by the Convention to Revise the Constitution" ***or "Questions Relating to Constitutional Amendments Proposed by the Legislature to Revise the Constitution," whichever is appropriate.*** A constitutional question shall include, in the text of the question, the text of the article of the constitution as it is proposed to be amended, and the results of the vote taken on ordering the proposed amendment to third reading in both the senate and the house of representatives or at the constitutional convention, whichever is appropriate.

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

AMENDED ANALYSIS

This bill provides that a legislative constitutional amendment concurrent resolution (CACR) or a constitutional convention resolution proposing a constitutional amendment shall have the text of the language for the voter's guide, if any, included as part of the resolution.

Amendment to SB 123-FN-LOCAL (2013-1860h)

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

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

1 Energy Efficiency Fund and Use of Auction Proceeds. RSA 125-O:23, II-III are repealed and reenacted to read as follows:

II. All amounts in excess of the threshold price of \$1 for any allowance sale shall be rebated to all retail electric ratepayers in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

III. All remaining proceeds received by the state from the sale of allowances shall be allocated by the commission as an additional source of funding to electric distribution companies for core energy efficiency programs which are approved by the commission and funded by SBC funds. Beginning January 1, 2014, the core utilities shall dedicate up to \$2,000,000 of these remaining RGGI proceeds annually for municipal and local government energy efficiency projects, including projects by local governments that have their own municipal utilities. Funding elements shall include, but not be limited to, funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structured to assist municipal and local governments funding energy efficiency projects. In calendar years 2014, 2015, and 2016, any unused funds allocated to municipal and local government projects under this paragraph remaining at the end of the year shall roll over and be added to the new calendar year program funds and continue to be made available exclusively for municipal and local government projects. Beginning in calendar year 2017, and all subsequent years, funds allocated to municipal and local government projects under this paragraph shall be offered first to municipal and local governments as described in this paragraph for no less than 4 full calendar months. If, at the end of this time, municipal and local governments have not submitted requests for eligible projects that will expend the funds allocated to municipal and local government projects under this paragraph within that program year, the funds shall be offered on a first-come, first-serve basis to business and municipal customers who fund the systems benefit charge.

2 Energy Efficiency Fund and Use of Auction Proceeds. RSA 125-O:23, II-III are repealed and reenacted to read as follows:

II. All amounts in excess of the threshold price of \$1 for any allowance sale shall be rebated to all retail electric ratepayers in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

III. All remaining proceeds received by the state from the sale of allowances shall be allocated by the commission as an additional source of funding to electric distribution companies for core energy efficiency programs which are approved by the commission and funded by SBC funds. In allocating the proceeds, the commission shall first allocate at least 15 percent of the amount of the proceeds to the low-income core energy efficiency

program. Beginning January 1, 2014, the core utilities shall dedicate up to \$2,000,000 of these remaining RGGI proceeds annually for municipal and local government energy efficiency projects, including projects by local governments that have their own municipal utilities. Funding elements shall include, but not be limited to, funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structured to assist municipal and local governments funding energy efficiency projects. In calendar years 2014, 2015, and 2016, any unused funds allocated to municipal and local government projects under this paragraph remaining at the end of the year shall roll over and be added to the new calendar year program funds and continue to be made available exclusively for municipal and local government projects. Beginning in calendar year 2017, and all subsequent years, funds allocated to municipal and local government projects under this paragraph shall be offered first to municipal and local governments as described in this paragraph for no less than 4 full calendar months. If, at the end of this time, municipal and local governments have not submitted requests for eligible projects that will expend the funds allocated to municipal and local government projects under this paragraph within that program year, the funds shall be offered on a first-come, first-serve basis to business and municipal customers who fund the systems benefit charge.

3 Contingency. If HB 630-FN of the 2013 regular legislative session becomes law, section 2 of this act shall take effect January 1, 2014 at 12:01 a.m. and section 1 of this act shall take not take effect. If HB 630-FN does not become law, section 1 of this act shall take effect January 1, 2014 and section 2 of this act shall not take effect.

4 Effective Date.

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

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

AMENDED ANALYSIS

This bill allocates certain proceeds from the regional greenhouse gas initiative (RGGI) program to municipal and local government energy efficiency projects. This bill also permits return of unused allowance sale proceeds to business and municipal customers who fund the systems benefit charge.

Amendment to SB 124-FN

(2013-1863h)

Proposed by the Committee on Finance - C

Amend the bill by deleting section 2 and renumbering the original sections 3-9 to read as 2-8, respectively.

Amend the bill by replacing all after section 6 with the following:

7 Effective Date.

I. Sections 1, 5, and 6 of this act shall take effect January 1, 2015.

II. Sections 2-4 of this act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill establishes a permit process for applicants seeking one or more land development permits from the department of environmental services.

Amendment to SB 129-FN

(2013-1905h)

Proposed by the Majority of the Committee on Finance - R

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

AN ACT relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center and making a supplemental appropriation to the insurance department.

Amend the bill by replacing all after section 8 with the following:

9 Appropriation; Insurance Department; Consumer Assistance Grant. In addition to any other sums appropriated for the fiscal year ending June 30, 2014, the following appropriation is hereby authorized to the department of insurance:

02-24	Department of Insurance		
02-24-24-240010-1235	Consumer Assistance Grant		
02-24-24-240010-1235 020	Current Expense	Federal Funds	\$15,300
02-24-24-240010-1235 030	Equipment	Federal Funds	\$500
02-24-24-240010-1235 041	Audit set Aside	Federal Funds	\$5,374
02-24-24-240010-1235 046	Consultants	Federal Funds	\$3,164,802
02-24-24-240010-1235 050	Personal Services Part Time Temp	Federal Funds	\$18,414
02-24-24-240010-1235 060	Benefits	Federal Funds	\$1,408
02-24-24-240010-1235 070	In-State Travel	Federal Funds	\$20,688
02-24-24-240010-1235 080	Out of State Travel	Federal Funds	\$17,898
02-24-24-240010-1235 102	Contracts for Program Services	Federal Funds	\$2,128,298
	Total:		\$5,372,682

10 Effective Date.

I. Sections 1-8 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect July 1, 2013.

AMENDED ANALYSIS

This bill:

I. Limits the commitment of children to the youth development center to cases where a court is presented with evidence that a juvenile is dangerous.

II. Provides a definition for shelter care facility in cases involving juvenile delinquency and children in need of services.

III. Requires that the department make treatment available in both non-secure and secure settings.

IV. Creates a presumption of parole after 6 months for children at the youth development center for non-violent offenses.

V. Provides for a right to counsel for children facing revocation of their parole from the youth development center, which cannot be waived if the child has a disability.

VI. Provides for periodic court review of cases where a juvenile is held at the youth development center for more than 6 months.

VII. Makes a supplemental appropriation to the insurance department for consumer assistance grants.

Floor Amendment to SB 129-FN

(2013-1967h)

Proposed by Reps. Kurk and John Hunt

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

AN ACT relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center and making a supplemental appropriation to the insurance department.

Amend the bill by replacing all after section 8 with the following:

9 Appropriation; Insurance Department; Consumer Assistance Grant. In addition to any other sums appropriated for the fiscal year ending June 30, 2014, the following appropriation is hereby authorized to the department of insurance:

02-24	Department of Insurance		
02-24-24-240010-1235	Consumer Assistance Grant		
02-24-24-240010-1235 020	Current Expense	Federal Funds	\$15,300
02-24-24-240010-1235 030	Equipment	Federal Funds	\$500
02-24-24-240010-1235 041	Audit set Aside	Federal Funds	\$5,374
02-24-24-240010-1235 046	Consultants	Federal Funds	\$3,164,802
02-24-24-240010-1235 050	Personal Services Part Time Temp	Federal Funds	\$18,414
02-24-24-240010-1235 060	Benefits	Federal Funds	\$1,408
02-24-24-240010-1235 070	In-State Travel	Federal Funds	\$20,688
02-24-24-240010-1235 080	Out of State Travel	Federal Funds	\$17,898
02-24-24-240010-1235 102	Contracts for Program Services	Federal Funds	<u>\$2,128,298</u>
	Total:		\$5,372,682

10 Approval by Joint Health Care Reform Oversight Committee. The department of insurance may expend funds appropriated in section 9 of this act only with prior approval of the joint health care reform oversight committee established in RSA 420-N:3. This requirement shall not apply to the acceptance of grants or to transfers of appropriations.

11 Effective Date.

Sections 1-8 of this act shall take effect 60 days after its passage.

The remainder of this act shall take effect July 1, 2013.

AMENDED ANALYSIS

This bill:

I. Limits the commitment of children to the youth development center to cases where a court is presented with evidence that a juvenile is dangerous.

II. Provides a definition for shelter care facility in cases involving juvenile delinquency and children in need of services.

III. Requires that the department make treatment available in both non-secure and secure settings.

IV. Creates a presumption of parole after 6 months for children at the youth development center for non-violent offenses.

V. Provides for a right to counsel for children facing revocation of their parole from the youth development center, which cannot be waived if the child has a disability.

VI. Provides for periodic court review of cases where a juvenile is held at the youth development center for more than 6 months.

VII. Makes a supplemental appropriation to the insurance department for consumer assistance grants.

**Amendment to SB 135-FN
(2013-1718h)**

Proposed by the Majority of the Committee on Executive Departments and Administration - R
Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Genetic Counselors. Amend RSA by inserting after chapter 326-J the following new chapter:

CHAPTER 326-K

GENETIC COUNSELORS

326-K:1 Definitions. In this chapter and RSA 328-F:

- I. "ABGC" means the American Board of Genetic Counseling, its equivalent, or successor.
- II. "ABMG" means the American Board of Medical Genetics, its equivalent, or successor.
- III. "Board" means the genetic counselors governing board established in RSA 328-F.
- IV. "Genetic counselor" means an individual, who is licensed by the board under this chapter, to engage in the practice of genetic counseling.
- V. "NSGC" means the National Society of Genetic Counselors, its equivalent, or successor.
- VI. "Practice of genetic counseling" means, for the purposes of advising an individual client, a client's family, or other licensed health care professionals:
 - (a) Obtaining and evaluating individual, family, and medical histories to determine genetic risk for genetic or medical conditions and diseases in a patient, his or her offspring, and other family members;
 - (b) Discussing the features, natural history, means of diagnosis, genetic and environmental factors, and management of risk for genetic or medical conditions and diseases;
 - (c) Identifying and coordinating genetic laboratory tests and other diagnostic studies as appropriate for the genetic assessment;
 - (d) Integrating genetic laboratory test results and other diagnostic studies with personal and family medical history to assess and communicate risk factors for genetic or medical conditions and diseases;
 - (e) Explaining the clinical implications of genetic laboratory tests and other diagnostic studies and their results;
 - (f) Evaluating the client's or family's responses to the condition or risk of recurrence and provide client-centered counseling and anticipatory guidance; and
 - (g) Providing written documentation of medical, genetic, and counseling information for families and health care professionals.

326-K:2 Exemptions from Licensure. Except for the requirements under RSA 326-K:8, the requirements for licensure under this chapter shall not apply to:

- I. Any person licensed by the state to practice in a profession other than that of genetic counseling when acting within the scope of the person's profession and doing work of a nature consistent with the person's training. Such person shall not hold himself or herself out to the public as a genetic counselor.
- II. Any person employed as a genetic counselor by the federal government or an agency thereof if such person provides genetic counseling services solely under the direction and control of the organization by which he or she is employed.
- III. A student, if the following conditions apply:
 - (a) The student is enrolled in an ABGC accredited genetic counseling educational program;
 - (b) The genetic counseling services performed by the student are an integral part of the student's course of study;
 - (c) The genetic counseling services are performed under the direct supervision of a licensed genetic counselor; and
 - (d) The student is designated by the title, "genetic counseling intern."

326-K:3 Eligibility for Initial Licensure. In addition to requirements under RSA 328-F, the board shall require the following as a minimum to qualify for licensure. Each applicant shall:

- I. Comply with the NSGC Code of Ethics.
- II. Provide satisfactory evidence of having fulfilled the following criteria:
 - (a) Genetic counselor currently certified by ABGC or ABMG; or
 - (b) Medical geneticist currently certified by ABMG.
- III. Be at least 18 years of age.
- IV. Be of good moral character.
- V. Demonstrate sufficient evidence of good professional character and reliability to satisfy the board that the applicant shall faithfully and conscientiously avoid professional misconduct and adhere to this chapter, RSA 328-F, and the board's rules.

326-K:4 Provisional License.

- I. A provisional license may be issued by the board to an applicant who meets all of the requirements for licensure except for the certification component and has been granted active candidate status by ABGC.
- II. A provisional license shall be valid for the ABGC examination cycle for which active candidate status by the ABGC has been granted. Such provisional license shall expire automatically upon the earliest of the following:

- (a) Issuance of a full license;
- (b) Thirty days after the applicant fails to pass the certification examination; or
- (c) Two years from the issuance of a provisional license.

III. A provisional license may only be extended upon approval of the board for good cause shown.

IV. A provisional licensed genetic counselor shall work under the general supervision of a licensed genetic counselor or a licensed physician at all times during which the provisional licensed genetic counselor performs genetic counseling. An application for extension of the provisional license shall be signed by the supervising licensed genetic counselor or supervising licensed physician.

V. The board is authorized to issue conditional provisional licenses in accordance with rules adopted pursuant to RSA 541-A.

326-K:5 Prohibition on Unlicensed Practice; Professional Identification.

I. No person shall practice or represent himself or herself as a genetic counselor in this state without first applying for and receiving a license or provisional license from the board to practice as a licensed genetic counselor.

II. A genetic counselor whose license is suspended or revoked or whose surrender of license with or without prejudice has been accepted by the board, shall promptly deliver the original license to the board.

III. Individuals holding currently valid licenses issued under this chapter may use the title "genetic counselor" and write the designation "licensed genetic counselor" following his or her written name.

IV. No person shall represent himself or herself or the services offered by using the term genetic counselor unless he or she is licensed in accordance with this chapter. No person, who is not so licensed may use in connection with his or her name or place of business, the title "genetic counselor," "licensed genetic counselor," "gene counselor," "genetic consultant," "genetic associate," or any words, letters, abbreviations or insignia indicating or implying a person holds a genetic counseling license, or any similar words if the intent of such use is to imply that the person is licensed.

V. Any person who states or implies by word or act that he or she is currently licensed to practice genetic counseling at a time when he or she does not hold a currently valid license shall be guilty of a misdemeanor.

326-K:6 Reciprocity. The board may, in its discretion, grant a license under this chapter to an individual certified or licensed in another state if it determines that the requirements or standards for certification or licensure in that state are equivalent to, or greater than, those established by this chapter.

326-K:7 Compensation. Notwithstanding RSA 328-F:6 and RSA 328-F:15, I(g), the members of genetic counselors governing board shall serve without compensation for attendance at meetings and shall not be reimbursed for travel expenses incurred in connection with the work of the board.

326-K:8 Privileged Communications. In addition to RSA 328-F:28:

I. No person shall disclose any information or results related to a genetic evaluation, assessment, laboratory test, diagnostic study, or written documentation of genetic counseling, to any person other than the client without prior written consent.

II. Information and results may be made available to the board for use in an investigation or disciplinary proceeding under RSA 328-F concerning a licensed genetic counselor only if the results are coded to maintain confidentiality of the client.

III. A violation of this section shall be subject to a civil action by an aggrieved individual and, if successful, the aggrieved individual shall be awarded special or general damages of not less than \$10,000 for each violation, and costs and reasonable legal fees.

326-K:9 Rulemaking.

I. In addition to rules adopted pursuant to RSA 328-F:11, the board shall adopt rules pursuant to RSA 541-A relative to:

- (a) Eligibility requirements for provisional licenses.
- (b) Application procedures for provisional licenses.
- (c) The requirements for direction and supervision of those practicing under provisional licenses.
- (d) The limitations on practice imposed on those practicing under provisional licenses.

326-K:10 Eligibility for Renewal of Licenses. Licensees are eligible for renewal of their licenses if they:

I. Have completed 50 hours of continuing education which meet the requirements established by the board through rulemaking pursuant to RSA 541-A and at least 50 percent of which are directly related to the practice of genetic counseling.

II. Have not violated this chapter or RSA 328-F nor demonstrated poor professional character.

2 Allied Health Professionals; Definition; Governing Board. Amend RSA 328-F:2, II to read as follows:

II. "Governing boards" means individual licensing boards of athletic trainers, occupational therapy assistants, occupational therapists, recreational therapists, physical therapists, physical therapist assistants, respiratory care practitioners, [and] speech-language pathologists, **and genetic counselors**.

3 New Paragraph; Allied Health Professionals; Genetic Counseling. Amend RSA 328-F:2 by inserting after paragraph IX the following new paragraph:

X. "Genetic counseling" means genetic counseling as defined in RSA 326-K:1.

4 Governing Board; Establishment. Amend RSA 328-F:3, I to read as follows:

I. There shall be established governing boards of athletic trainers, occupational therapists, recreational therapists, respiratory care practitioners, physical therapists, ~~[and]~~ speech-language pathologists, **and genetic counselors**.

5 New Paragraph; Genetic Counselors; Governing Board; Appointment. Amend RSA 328-F:4 by inserting after paragraph IX the following new paragraph:

X. The genetic counselors governing board shall consist of 3 licensed genetic counselors, who have actively engaged in the practice of genetic counseling in this state for at least 2 years, one practicing physician with experience in working with genetic counselors, and one public member. Initial appointment of professional members by the governor and council shall be qualified persons practicing genetic counseling in this state. All subsequent appointments or reappointments shall require licensure.

6 Renewals; Reference to Genetic Counselors Added. Amend RSA 328-F:19, I to read as follows:

I. Initial licenses and renewals shall be valid for 2 years, except that timely and complete application for license renewal by eligible applicants shall continue the validity of the licenses being renewed until the governing board has acted on the renewal application. Licenses issued pursuant to RSA 328-A, RSA 326-G, and RSA 326-J shall expire in even-numbered years and licenses issued pursuant to RSA 326-C, RSA 326-E, ~~[and]~~ RSA 326-F, **and RSA 326-K** shall expire in odd-numbered years.

7 Genetic Testing; Disclosure; Medical Practice or Hospital. Amend RSA 141-H:2, III to read as follows:

III. Except as provided in paragraph II, or authorized by RSA 141-J, no person shall disclose to any other person that an individual has undergone genetic testing, and no person shall disclose the results of such testing to any other person, without the prior written and informed consent of the individual, the parent, guardian, or custodian if the individual is a minor under the age of 18, or the legal guardian or conservator if the individual is an incompetent person. ~~[Discussion and disclosure of genetic testing for a patient, requested of a physician by a patient, by appropriate professionals within a physician's medical practice or hospital shall not be a violation of this chapter.]~~

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

AMENDED ANALYSIS

This bill establishes the genetic counselors governing board in the office of licensed allied health professionals for the regulation of the practice of genetic counseling in this state. The bill also requires that professionals exempted from licensure but engaged in genetic counseling comply with the disclosure requirements applicable to genetic counselors.

Amendment to SB 148-FN

(2013-1730h)

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

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

1 Minimum Electric Renewable Portfolio Standards. Amend RSA 362-F:3 to read as follows:

362-F:3 Minimum Electric Renewable Portfolio Standards. For each year specified in the table below, each provider of electricity shall obtain and retire certificates sufficient in number and class type to meet or exceed the following percentages of total megawatt-hours of electricity supplied by the provider to its end-use customers that year, except to the extent that the provider makes payments to the renewable energy fund under RSA 362-F:10, II:

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2025</u>
									<i>and thereafter</i>
Class I	0.0%	0.5%	1%	2%	3%	~~[4%]~~ 3.8%	5%	6%	15% (*)
Class II	0.0%	0.0%	0.04%	0.08%	0.15%	0.2%	0.3%	0.3%	0.3%
Class III	3.5%	4.5%	5.5%	6.5%	~~[6.5]~~ 1.4%	~~[6.5%]~~ 1.5%	~~[7.0%]~~ 3.0%	8.0%	8.0%
Class IV	0.5%	1%	1%	1%	1%	1.3%	1.4%	1.5%	1.5%

*Class I increases an additional 0.9 percent per year from 2015 through 2025. A set percentage of the class I totals shall be satisfied annually by the acquisition of renewable energy certificates from qualifying renewable energy technologies producing useful thermal energy as defined in RSA 362-F:2, XV-a. The set percentage shall be ~~[0.2 percent in 2013;]~~ 0.4 percent in 2014, **0.6 percent in 2015, 1.3 percent in 2016**, and increased annually by ~~[0.2]~~ **0.1** percent per year from ~~[2015 through 2025]~~ **2017 through 2023, after which it shall remain unchanged**. Classes II-IV remain at the same percentages from 2015 through 2025 except as provided in RSA 362-F:4, V-VI.

2 Electric Renewable Energy Classes; Class 1 (New). Amend RSA 362-F:4, I(1) to read as follows:

(1) Biomass renewable energy technologies producing useful thermal energy that began operation after January 1, 2013 provided that:

(1) If the unit is a biomass unit rated between 3 and 30 Mmbtu/hr design gross heat input, ~~[and has]~~ ***it shall have*** an average particulate emission rate of less than or equal to 0.10 lbs/Mmbtu as measured and verified by conducting and reporting the results of a one-time initial stack test in accordance with methods approved by the department;

(2) If the unit is a biomass unit rated equal to or greater than 30 Mmbtu/hr design gross heat input, ~~[and has]~~ ***it shall have*** an average particulate emission rate of less than or equal to 0.02 lbs/Mmbtu as measured and verified under RSA 362-F:12;

(3) If the unit is a biomass unit rated less than 100 Mmbtu/hr design gross heat input, ~~[and it implements]~~ best management practices as determined by the department ***shall be implemented***; and

(4) If the unit is a biomass unit rated equal to or greater than 100 Mmbtu/hr design gross heat input, ~~[and it has]~~ ***it shall have*** a quarterly average NOx emission rate of less than or equal to 0.075 Mmbtu/hr as measured and verified under RSA 362-F:12[-]; ***and***

(5) If the unit is an upgrade or replacement to an existing source of thermal energy that used biomass as its primary fuel source in its normal operation prior to January 1, 2013, then the unit shall be a combined heat and power unit that provides district heating, and at least 80 percent of the resulting tax basis of the unit's plant and equipment, but not its property and intangible assets, shall be derived from capital investments directly related to the upgrade or replacement and made on or after January 1, 2013.

3 Renewable Energy Fund; Rates RSA 362-F:10, III is repealed and reenacted to read as follows:

III.(a) Beginning in 2013, the commission shall adjust these rates by January 31 of each year using the Consumer Price Index as published by the Bureau of Labor Statistics of the United States Department of Labor for classes III and IV and 1/2 of such Index for classes I and II.

(b) In lieu of the adjustments under subparagraph (a) for class III in 2015, 2016 and 2017, the class rate in each of those years shall be \$45.

(c) By January 31, 2018 the commission shall compute the 2018 class III rate to equal the rate that would have resulted in 2018 by the application of subparagraph (a) to the 2013 rate and each subsequent year's rate to 2018.

(d) In 2019 and thereafter, the class III rate shall be determined by application of subparagraph (a) to the prior year's rate.

4 Renewable Portfolio Standards Study Committee.

I.(a) There is established a renewable portfolio standards study committee to study:

(1) Whether to alter the class III alternative compliance payment rates for 2018 and any subsequent years;

(2) Whether to alter the Class I, II, and IV alternative compliance payment rate in 2015 and any subsequent years;

(3) The impact that alternative compliance payments in New Hampshire and other New England states have upon the production of renewable energy;

(4) Methods to protect electric customers from increasing energy prices;

(5) The shortfall potential, if any, and reasons for the shortfall potential in the purchase percentage requirements of RSA 362-F:3; and

(6) Whether to create a cap and rebate program for the renewable energy fund to protect electric customers from higher electric rates; and

(7) The impact of renewable portfolio standards in other New England states on New Hampshire.

(b) The members of the committee shall be as follows:

(1) Two members of the senate who are members of the energy and natural resources committee, appointed by the president of the senate.

(2) Three members of the house of representatives who are members of the science, technology and energy committee, appointed by the speaker of the house of representatives.

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

III. The committee shall study:

(a) Whether to alter the class III alternative compliance payment rate for 2018 and any subsequent years, and, if so shall propose any such changes or formula for change;

(b) Whether to alter the Class I, II, and IV alternative compliance payment rates in 2015 and any subsequent years, and, if so shall propose any such changes or formula for change;

(c) The impact that alternative compliance payments in New Hampshire and other New England states have upon the production of renewable energy;

(d) Methods to protect electric customers from increasing energy prices and impacts of the renewable portfolio standard on the competitive market for electricity;

(e) The shortfall potential, if any, and reasons for the shortfall potential in the purchase percentage requirements of RSA 362-F:3, and may propose a mechanism to provide a credit or other after the fact adjust-

ment device against potential alternative compliance payments when the purchase percentage requirement has not been met due to eligible facilities selling into another jurisdiction's renewable portfolio standards market;

(f) Whether to create a cap and rebate program for the renewable energy fund to protect electric customers from higher electric rates;

(g) The impact of renewable portfolio standards in other New England states on New Hampshire;

(h) The impact of any proposed changes to the renewable portfolio standard on pre-existing retail and wholesale supply contracts; and

(i) The need to better coordinate and standardize renewable portfolio standards among the New England states within the ISO-NE.

IV. The committee shall solicit input from any individual or organization with relevant information or expertise.

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

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

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

Floor Amendment to SB 189-FN

(2013-1965h)

Proposed by Reps. C. McGuire, Sanborn and Kurk

Amend RSA 153:36, I as inserted by section 8 of the bill by replacing it with the following:

I. The license requirements of this subdivision shall not apply to anyone who performs fuel gas fitting within an existing single family, stand alone structure owned and occupied by the person who performs the fuel gas fitting work, and such structure is used as the individual's primary residence. Notwithstanding any provision to the contrary, any person who is exempt under this paragraph shall perform fuel gas fitting work in accordance with applicable technical standards, and comply with any applicable code, application, and inspection requirements that may apply to the fuel gas fitting work performed.

Amend RSA 153:36 as inserted by section 8 of the bill by inserting after paragraph VII the following new paragraph:

VIII. The license requirements of this subdivision shall not apply to the following persons while performing plumbing work under the circumstances specifically described; provided, however, that plumbing installed or maintained by such persons under such circumstances shall conform to the state plumbing code:

(a) To regular employees of public utilities, as defined in RSA 362:2, when working as such.

(b) To a person, firm, corporation, or limited liability company who regularly employs a person whose duties include installation and maintenance of plumbing on the property of that person, firm, corporation, or limited liability company, when such employee is actually so engaged.

(c) To a property owner or the property owner's agent who installs, repairs, or replaces plumbing in the property owner's own single-family detached or townhouse residence, including new construction, or any property owner or property owner's agent who makes minor installations, repairs, or replacements to the owner's property.

Amendment to SB 191-FN-A

(2013-1900h)

Proposed by the Committee on Science, Technology and Energy - C

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

1 State Energy Strategy; Purpose. Development of a state energy strategy is necessary to ensure that the state's energy policies and programs support the state's economic, environmental, and public health goals.

2 State Energy Strategy; Findings.

I. The general court finds that a comprehensive energy strategy will:

(a) Provide forward-looking guidance on electric, gas, and thermal energy strategies.

(b) Optimize the ready availability of energy supply, energy affordability, the retention in-state of energy expenditures, the retention of jobs, and the use of renewable energy sources and energy efficiency policies, including demand-side policies.

(c) Minimize negative impacts to the economy, the environment, and the natural beauty of our state.

II. The general court further finds that the use of funding sources under the jurisdiction of the public utilities commission, notwithstanding requirements under other provisions of law, to fund the development of a state energy strategy is in the public interest.

3 New Chapter; State Energy Strategy. Amend RSA by inserting after chapter 4-D the following new chapter:

CHAPTER 4-E
STATE ENERGY STRATEGY

4-E:1 State Energy Strategy.

I. The office of energy planning, in consultation with the state energy advisory council established in RSA 4-E:2, with assistance from an independent consultant and with input from the public and interested parties, shall prepare a 10-year energy strategy for the state. The office shall review the strategy and consider any necessary updates in consultation with the senate energy and natural resources committee and the house science, technology and energy committee, after opportunity for public comment, at least every 3 years starting in 2017. The state energy strategy shall include, but not be limited to, sections on the following:

(a) The projected demand for consumption of electricity, natural gas, and other fuels for heating and other related uses.

(b) Existing and proposed electricity and natural gas generation and transmission facilities, the effects of future retirements and new resources, and consideration of possible alternatives.

(c) Renewable energy and fuel diversity.

(d) Small-scale and distributed energy resources, energy storage technologies, and their potential in the state.

(e) The role of energy efficiency, demand response, and other demand-side resources in meeting the state's energy needs.

(f) The processes for siting energy facilities in the state and the criteria used by the site evaluation committee in giving adequate consideration to the protection of the state's ecosystems and visual, historic, and aesthetic resources in siting processes.

(g) The relationship between land use and transportation policies and programs on electricity and thermal energy needs in the state.

(h) New Hampshire's role in the regional electric markets, how the regional market affects the state's energy policy goals, and how the state can most effectively participate at the regional level.

II. The strategy shall include a review of all state policies related to energy, including the issues in paragraph I, and recommendations for policy changes and priorities necessary to ensure the reliability, safety, fuel diversity, and affordability of New Hampshire's energy sources, while protecting natural, historic, and aesthetic resources and encouraging local and renewable energy resources. The strategy shall also include consideration of the extent to which demand-side measures including efficiency, conservation, demand response, and load management can cost-effectively meet the state's energy needs, and proposals to increase the use of such demand resources to reduce energy costs and increase economic benefits to the state.

III. The strategy development process shall include review and consideration of relevant studies and plans, including but not limited to those developed by the independent system operator of New England (ISO-NE), the public utilities commission, the energy efficiency and sustainable energy board, legislative study committees and commissions, and other state and regional organizations as appropriate. The strategy shall also include consideration of new technologies and their potential impact on the state's energy future.

4-E:2 New Hampshire State Energy Advisory Council.

I. There is established the New Hampshire state energy advisory council.

(a) Members of the council shall be the following, or his or her designee:

(1) The director of the office of energy and planning, who shall serve as the chairperson.

(2) The chairperson of the public utilities commission.

(3) The commissioner of the department of environmental services.

(b) Legislative members of the council shall be:

(1) One member of the senate, appointed by the president of the senate.

(2) One member of the senate, appointed by the senate minority leader.

(3) One member of the science, technology and energy committee, appointed by the speaker of the house of representatives.

(4) One member of the science, technology and energy committee, appointed by the house minority leader.

(5) One member of the house of representatives, appointed jointly by the speaker of the house and the house minority leader.

II. Legislative members may receive mileage for attendance at meetings and hearings of the council.

4-E:3 Public Participation. The state energy advisory council shall provide duly noticed opportunities for public and stakeholder participation in the development of the strategy. In addition, at least 4 duly noticed public hearings shall be held in different regions of the state to seek public input during the development of the energy strategy. Public comment shall be sought by the office of energy and planning, the senate energy and natural resources committee, and the house science, technology and energy committee prior to updating the strategy.

4-E:4 Costs. The office of energy and planning is authorized to expend up to \$200,000 from the energy efficiency portion of the system benefits charge, the renewable energy fund established under RSA 362-F:10, the energy efficiency fund established under RSA 125-O:23, or other funding sources under the jurisdiction of the public utilities commission for the development of the strategy, and may utilize any other sources available to the office necessary to fulfill the requirements of this chapter. The office of energy and planning is encouraged to seek other funding to support the development and updating of the strategy.

4-E:5 Reports. A draft state energy strategy shall be completed no later than May 1, 2014, and shall be provided to the public for comment. A final state energy strategy shall be completed no later than September 1, 2014. The final strategy shall be provided to the governor, the senate president, the speaker of the house of representatives, the chairperson of the senate energy and natural resources committee, the chairperson of the house science, technology and energy committee, and the state library.

5 Repeal. RSA 4-E:2 through RSA 4-E:5, relative to New Hampshire state energy council, is repealed.

6 Effective Date.

I. Section 5 of this act shall take effect December 31, 2014.

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

Amendment to SB 198

(2013-1882h)

Proposed by the Committee on Criminal Justice and Public Safety - R

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

1 New Subdivision; County Departments of Corrections; County Transport and Custody Officers; Powers and Duties. Amend RSA 30-B by inserting after section 24 the following new subdivision:

County Transport and Custody Officers

30-B:25 County Transport and Custody Officers. The county commissioners may appoint county transport and custody officers, consisting of selected members of the county department of corrections line personnel identified by the superintendent, for the purpose of patrolling county department of corrections buildings, roads, and grounds, and providing for general security at the county correctional facility. If transport and custody officers are appointed, the county commissioners shall adopt a written policy establishing rules relating to the control and responsibility of the transport and custody officers. The policy shall include a requirement for training designed for the specific functions of the transport and custody officers as prescribed in this subdivision, including education on the power of arrest, firearms training and certification, and defensive driving.

30-B:26 Powers and Duties. All transport and custody officers shall be ex officio constables and shall possess limited powers of arrest which shall only extend to the confines of the grounds of the county correctional facility and to the period during which such officers are on official active duty. The 2 instances where the authority of the transport and custody officers shall extend beyond the county correctional facility grounds, and during which time the transport and custody officers may utilize blue lights on vehicles pursuant to RSA 266:78-b, are:

I. Where a county transport and custody officer is in hot pursuit of a person who has committed a crime or violation by interfering with the maintenance of custody and control; or

II. Where a county transport and custody officer is transporting or assisting in the transport of a committed inmate, including, but not limited to, medical transports and transports involving a committed inmate who is receiving services in a health care setting.

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

AMENDED ANALYSIS

This bill authorizes the county commissioners to approve county transport and custody officers consisting of county department of corrections personnel.