



State of
New Hampshire

HOUSE RECORD

Second Year of the 163rd General Court Calendar and Journal of the 2014 Session

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Friday, January 31, 2014

No. 7

Contains: Bill Reports, Bills Laid on Table, Amendments, Meetings and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet in Joint Session on Wednesday, February 5, 2014, at 10:00 a.m. for the State of the State Address by Governor Hassan. A regular House session will follow. The House will also meet on February 12th. Members should plan for sessions every Wednesday through Crossover. Please note that with over 500 bills, it is also likely that there will be Thursday sessions as we approach deadlines.

The last day to report House bills going to a second committee is February 6th, so please make every effort to attend next week's executive sessions to ensure committee quorums.

As noted below, there are two Continuing Education programs coming up. Officials from the University System of New Hampshire will do a presentation on February 6th, and the rescheduled presentation on Tar Sands will take place on Tuesday, February 11th.

Legislative offices will be closed on Monday, February 17th, in observance of Presidents' Day. Also, please keep in mind that there will be no legislative activity the week of February 24-28.

Terie Norelli, Speaker

NOTICE

HOUSE CONTINUING EDUCATION

DATE: Thursday, February 6th
TOPIC: University System of New Hampshire
TIME: 9:00 to 10:30 a.m.
LOCATION: Representatives Hall

Terie Norelli, Speaker

NOTICE

HOUSE CONTINUING EDUCATION

DATE: Tuesday, February 11th
TOPIC: Tar Sands - a synopsis of the issues for New Hampshire
TIME: 2:00 p.m.
LOCATION: LOB 301-303

Terie Norelli, Speaker

NOTICE

There will be a meeting of chairs and vice chairs on **Tuesday, February 4th at 8:30 a.m.** in Rooms 305-307 of the Legislative Office Building.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on **Wednesday, February 5th at 9:00 a.m.** in Representatives Hall.
Rep. Stephen Shurtleff, Majority Leader

NOTICE

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

NOTICE

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

CLOSES NOON THURSDAY:

February 6
February 13

AVAILABLE FRIDAY:

February 7
February 14

Karen O. Wadsworth, Clerk of the House

2014 HOUSE DEADLINES

Thursday, February 6, 2014
Thursday, February 13, 2014
Thursday, March 6, 2014
Thursday, March 20, 2014
Thursday, March 27, 2014
Thursday, April 17, 2014
Thursday, April 24, 2014
Thursday, May 8, 2014
Thursday, May 15, 2014
Thursday, May 22, 2014
Friday, May 30, 2014 at 4:00 pm
Thursday, June 5, 2014

Report House Bills going to 2nd a committee
Act on House Bills going to 2nd a committee
Report single committee House Bills
Report all remaining House Bills
Act on remaining House Bills-**CROSSOVER**
Report Senate Bills going to a 2nd committee
Act on Senate Bills going to a 2nd committee
Report all remaining Senate Bills
Act on all remaining Senate Bills
Form Committees of Conference
Sign-off Committee of Conference reports
Act on Committee of Conference reports

BILLS REMOVED FROM CONSENT (1/8/14)

COMMERCE AND CONSUMER AFFAIRS

HB 227, relative to property and casualty insurance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit R. Williams for Commerce and Consumer Affairs. This bill modifies several sections of insurance law. Record retention for property and casualty insurers is modified to take into account the ability to pay bills with debit cards, and insurers can be allowed to pay claims using debit cards as well. Prohibitions against rebates are modified. Auditable policies, such as workman's compensation, have new rules to ensure that audits are completed promptly and premium refunds made quickly. Auto insurers cannot refuse to insure a driver with less than 2 years driving experience.

This bill was presented at the request of the insurance department. Issues brought up by the insurance industry caused the bill to be retained; the bill as amended has the support of both the industry and the department. **Vote 20-0.**

HB 456-FN, relative to liquor manufacturers. **REFER FOR INTERIM STUDY.**

Rep. John B. Hunt for Commerce and Consumer Affairs. The bill, as introduced, would have allowed liquor manufacturers to distribute samples to licensees for tasting on licensed premises, to sell liquor directly to on-premises and off-premises licensees, and to sell at farmers' markets. As with HB 331, there are many problems with this bill. However there are some things that could be addressed, so the committee wanted to keep working on it. The committee does hope that by the time the House takes up this bill an amendment could be drafted so we may ask the House to overturn the current motion. **Vote 20-0.**

HB 566, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas. **INEXPEDIENT TO LEGISLATE.**

Rep. Joe W. Scarlotto for Commerce and Consumer Affairs. In the past decade, New Hampshire has experienced several high profile oil company failures, costing consumers hundreds of thousands of dollars. Customers who elected to prebuy an entire season's worth of heating fuel sustained significant losses when these companies went under and left no fuel and no assets to make their customers whole. New Hampshire's current law allows fuel companies to select one of three ways to secure or lock in their prepaid customers' price. Two of these, the surety bond and letter of credit, are costly to the company and result in an increase in price of the fuel for the prebuy customer. Hence they are rarely or never used. The third, the futures contract, locks in the price of the fuel for the customer but does not require the immediate purchase and storage of said fuel. This is the method most used and it works well most of the time. Problems occur when companies come upon hard times and divert prepaid money to meet other expenses, leaving their prebuy customers literally out in the cold. This bill, similar to several considered in previous years, sought to provide consumers some protection by replacing the futures contract with an escrow account. These accounts would hold no less than 75 percent of the total amount of prepaid customer money; set aside until the time the actual fuel was purchased for said customers. While this made good sense to many on the committee, the difficulty was in monitoring of these accounts.

The bill called for the banks to be the escrow agents with the office of the attorney general as the beneficiary. Banks were not interested in taking on this liability, and questioned under what conditions the state becomes the beneficiary. Oil companies testified that this would increase their costs and make it harder for smaller companies, who rely on prepaid contracts during the non-heating months to stay in the business. Finally, there was no convincing testimony that the use of escrow accounts could be monitored adequately to ensure consumer money was going into the accounts and would not be withdrawn prematurely. The committee considered Maine's law that requires all companies offering prebuy contracts to register with the state, pay a small fee, and submit an annual report of their prebuy contracts to the department of professional and financial regulation. The New Hampshire fuel companies that do business in Maine were not averse to this solution. It was rejected, however, when the committee learned that the registration fee would not be enough to hire more staff at the consumer protection bureau to oversee the registration and reporting obligations. The inability to find a way protect consumers from these catastrophic business failures continues to be a source of great concern and frustration to many on the committee. **Vote 19-1.**

ELECTION LAW

HB 366-FN, relative to showing a ballot. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary L. Till for Election Law. This bill seeks to clarify that distributing an image of a marked ballot by any means including via social media is a violation of RSA 659:35. RSA 659:35 was put in place to protect voters from being intimidated or coerced into proving they voted a particular way by showing their completed ballot or an image of their completed ballot. The committee decided that the most economical way to prevent this practice is to educate voters. Thus, this bill requires the secretary of state to provide a poster to town and ward clerks highlighting the requirement to keep one's ballot secret including photographs of the completed ballot and requiring town and ward clerks to prominently post the poster at each polling location. **Vote 17-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 116-FN, relative to the licensure of liquefied propane installation and service technicians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B. Schmidt for Executive Departments and Administration. This bill was retained by the committee when it was working on the referenced subject matter in conjunction with another bill which became law earlier this year, in order to have a vehicle to address any related issues which might subsequently arise. That eventuality has occurred, and SB 116-FN has been amended to deal with it. Specifically, a loophole in SB189, (Ch. 275, 2013) led to an improper activity by an unlicensed technician on a municipal system in one town, resulting in damage. Section one of the bill now eliminates that loophole. At the request of the mechanical licensing board on a separate matter, section two of the bill clarifies somewhat ambiguous language in the RSAs to preserve longstanding rights of property owners regarding incidental plumbing repair or installation on their property. **Vote 17-2.**

PUBLIC WORKS AND HIGHWAYS

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

Rep. David B. Campbell for Public Works and Highways. The committee unanimously recommended this bill as inexpedient to legislate because it felt that removing the Exit 12 toll plaza should more properly be considered

as part of the complete array of issues facing the F. E. Everett Turnpike. These include: 1) the lost toll revenue (currently \$1.9 million and growing) from the newly opened airport ramp at Exit 13 and its relation to the location of the mainline toll booth in Bedford when it is converted to overhead tolling; 2) the possible elimination of the toll plazas at Exits 10, 11 and 12 and the resulting costs and net revenue losses; 3) the future ownership of Continental Boulevard in Merrimack; 4) the need to widen the 2-lane choke points to 3-lanes throughout the Merrimack and Bedford stretch; and 5) possible commuter discounts for frequent toll users, which would apply to the entire turnpike system. The committee takes up the state's Ten Year Transportation Improvement Plan in the 2014 session and will address these issues in the overall context of future F. E. Everett Turnpike improvements, and the resulting ramifications to the entire turnpike system. **Vote 15-0.**

WEDNESDAY, FEBRUARY 5

CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1473, recodifying the laws relative to sheriffs, constables, and police officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety. The committee feels that this is a county issue, and the committee heard no testimony from the counties on this bill. The committee also feels the bill needs a lot of further study to prevent any unintended consequences. **Vote 19-0.**

HB 1575-FN-A, requiring state police to wear a camera when interacting with the public. **REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. Kyle J. Tasker for Criminal Justice and Public Safety. Due to the important and pioneering spirit of this bill, further study is recommended. A lot of work by multiple parties will be required to craft a comprehensive body cam policy that is acceptable to the state police and the citizenry and this will not be done in a timely manner. Through Interim Study, the committee feels this bill will be ready for prime time next session. **Vote 19-0.**

EDUCATION

HB 1243, relative to the confidentiality of criminal background checks of school employees and volunteers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rachel B. Burke for Education. This bill, as written and amended, insures that prospective employees and/or volunteers who are subjected to criminal investigation checks shall not have the resulting information divulged to the public. The information will be given to the proper authorities and destroyed within 30 days of reception. This bill corrects a violation of the federal law of the United States. **Vote 20-0.**

HB 1415-FN, establishing a robotics education fund in the department of education. **OUGHT TO PASS.**

Rep. June M. Frazer for Education. This bill would establish a fund to assist school districts in the development of robotics teams, encourage participation in robotics competitions and make robotics available to more public high school students. The fund which would be non-lapsing, would be established in the state treasurer's office and would be administered by the department of education. The fund will come from gifts, grants, donations, or other funding and will not require funding by the state. The committee heard much testimony attesting to the great excitement robotics education is creating among students and its value as an incentive to students to pursue stem studies. **Vote 20-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1157, relative to establishment of fees by certain regulatory boards. **OUGHT TO PASS.**

Rep. Howard M. Moffett for Executive Departments and Administration. This bipartisan bill is intended to ensure that the biennial budgets of the mechanical licensing board and certain other construction industry boards attached to the department of safety, whose revenues are vulnerable to recession, will include enough funds to hire the necessary complement of inspectors as business picks up. The Boards would be required to set fees at a level sufficient to produce estimated revenues equal to 125% of their direct operating expenses for the biennium in which they apply, bringing the fee structure in line with that of other licensing boards under the "125% rule." **Vote 19-0.**

HB 1160-FN, relative to the sale of Lucky 7 tickets. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel J. Sullivan for Executive Departments and Administration. Currently the statute is silent on the use of dispenser devices in bingo halls or the hours that Lucky 7 tickets may be sold in them. HB 1160 as amended simply clarifies that Lucky 7 tickets may be sold by dispenser devices at places conducting charitable bingo games between the hours of 11 AM and 11 PM. These are the same hours that bingo is allowed to be played. **Vote 19-0.**

HB 1482-FN, relative to licensure of individuals as private investigators, bail enforcement agents, and security guards, and requiring a skills training course for applicants for such licensure. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy M. Weber for Executive Departments and Administration. This bill requires licenses and sets standards for individual private investigators, bail enforcement agents, and security guards. Private investigative agencies, security agencies and bail enforcement agencies are already licensed through the division of state police's licenses and permits unit. Bail recovery agencies are additionally registered with the secretary of state. The bill would require licensure for these professions at the individual level, rather than at the agency or service level. The committee was not persuaded of the need for the change to individual licensing. In addition, the single proposed 40 hour skills course for these very diverse professions is not an effective training method, nor could a single course or multiple courses be set up in time to meet the deadlines in the bill. **Vote 19-0.**

HB 1562-FN, relative to the legal holiday status of the state biennial election day. **INEXPEDIENT TO LEGISLATE.**

Rep. Romeo Danais for Executive Departments and Administration. This bill states that "an employer shall permit employees to take leave on the state biennial election day in November of even-numbered years for the purpose of voting". The committee determined that current law already fulfills this need. **Vote 18-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1280, permitting physician assistants to authorize walking disability plates and placards. **OUGHT TO PASS.**

Rep. E. Elaine Andrews-Ahearn for Health, Human Services and Elderly Affairs. This bill adds a physician assistant to those who authorize walking disability plates and placards which provides for a quicker way for medical offices to provide such assistance to a disabled person. **Vote 16-0.**

JUDICIARY

CACR 12, relating to nomination and appointment of officers. Providing that judges and the attorney general shall be elected. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank H. Heffron for Judiciary. This proposed constitutional amendment would make a major change in the selection process for all judges and the Attorney General. Under it, these officials would be elected. The majority of the committee did not hear any persuasive arguments for making such a significant change. For decades the governors of both parties have had a judicial selection system which has worked well. Also, the committee is aware that in states where judges are elected, candidates for judgeships can be subjected to pressures that are inconsistent with unbiased resolution of legal matters. **Vote 16-2.**

CACR 13, relating to police courts and justices of the peace. Providing that language concerning police courts and justices of the peace is consistent with statute. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter M. Sullivan for Judiciary. While the committee is sympathetic to the concerns raised by the sponsor of this bill, we believe that this amendment is not the proper way to address these concerns. The committee believes that changes to our state constitution should only be made when there is a compelling reason to do so. Adding language to the constitution in matters best addressed by statute runs the risk of using a document intended as a broad statement as a means of implementing the minutiae of public policy. We unanimously believe that this proposed amendment is an inappropriate solution to a legitimate concern. **Vote 18-0.**

HB 1231, relative to jury instructions in sexual assault cases. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul S. Berch for Judiciary. This bill seeks to change jury instructions in criminal sexual assault trials in two ways. First, it would change the term victim to complainant. However, complainant would be incorrect as the State of New Hampshire is the complainant in these prosecutions. Additionally, the committee learned that it is the practice of the trial judges to use the term "alleged victim" in jury instructions. The second change would mandate that if the court gives an instruction that the alleged victim's testimony need not be corroborated, it must give a similar instruction in all cases as to the defendant's testimony. The committee felt that not only were the two situations not parallel, but that certain problems would arise if the defendant did not testify and wished the court to make no comment about that. **Vote 18-0.**

HB 1272, excluding certain leases by fraternal or social organizations from the definition of tenancy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe Osgood for Judiciary. This bill as amended excludes certain fraternal or social organizations from the definition of tenancy. This permits facilities that rent to students to structure leases to conform with semester scheduled. **Vote 14-0.**

HB 1275, permitting a landlord to tow a tenant's vehicle under certain circumstances. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy O. Horrigan for Judiciary. The majority recognizes that this bill, which defines circumstances under which a landlord can tow a tenant's car, is unnecessary. Tenant-landlord agreements and leases can

already set detailed restrictions and requirements for parking. This bill would allow landlords to tow cars without advance warning, forcing tenants to pay large sums to recover their vehicles. Some low-income tenants could even lose their cars in the process. Many apartments are located in converted single-family homes where there may be no place to which the tenants can relocate their cars when it snows. This bill would do more harm than good. **Vote 13-1.**

HB 1380-FN, establishing a citizen appeal panel. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter M. Sullivan for Judiciary. The panel proposed by this bill would attempt to duplicate the role of the existing judicial appellate process. Passage of this legislation would create a confusing environment where the courts and a quasi-judicial panel could issue rulings at odds with each other. Such a climate of chaos and uncertainty would not serve the best interests of our state and its residents. Our system of judicial appeals has served New Hampshire well for over two centuries and should continue to do so. **Vote 17-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 1168, relative to employer documentation of worker eligibility to work in the United States. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew A. White for Labor, Industrial and Rehabilitative Services. The bill requires employers to obtain and retain documentation of an employee's eligibility to work in the United States. Currently, there is no state law requiring employers to obtain or retain the information which is generally gathered by completing the Federal I-9 form. The bill does not enhance federal requirements, it simply requires New Hampshire employers to keep and maintain these records. Passage will allow the department of labor the tools to help ensure that those working in New Hampshire are eligible to work. The committee amendment removed the requirement to have this documentation on the first day of work, as well as the requirement that contractors be responsible for subcontractors' maintenance of these records. **Vote 15-0.**

HB 1169, relative to enforcement of labor laws by the department of labor. **OUGHT TO PASS.**

Rep. William J. Infantine for Labor, Industrial and Rehabilitative Services. This is a cleanup bill requested by the department of labor. The bill changes the word "chapter" to "title" that became necessary when a law was changed in 2011 with different phrasing. **Vote 15-0.**

HB 1174, establishing a commission to study the payment of subminimum wages to persons with disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas A. Ley for Labor, Industrial and Rehabilitative Services. As amended, this bill establishes a study committee rather than a commission to study payment of sub-minimum wages to persons with disabilities. The committee believes a study committee can act more quickly while still gathering necessary information as to advisability of paying such wages and the potential for unintended consequences if the current law is changed. **Vote 16-0.**

HB 1309, making a technical change in the workers' compensation law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew A. White for Labor, Industrial and Rehabilitative Services. This bill changes the name of a statutory member of the Workers' Compensation Appeals Advisory Board from the New Hampshire Trial Lawyers Association to the New Hampshire Association for Justice. The change reflects the organizational name change and will ensure proper appointments and representation on this very important board. The amendment changes the effective date to upon passage. **Vote 15-0.**

HB 1334, relative to contributions to charities by employees. **OUGHT TO PASS.**

Rep. Gary L. Daniels for Labor, Industrial and Rehabilitative. When this statute was last amended, it inadvertently created a prohibition that employees working for a charitable organization (i.e. Red Cross) could not voluntarily withhold wages for that organization because it would benefit the employer. This bill removes that prohibition. **Vote 14-0.**

HB 1561-FN-L, relative to the classification of temporary emergency workers under unemployment compensation laws. **INEXPEDIENT TO LEGISLATE.**

Rep. Charles F. Weed for Labor, Industrial and Rehabilitative Services. The bill sought to exempt volunteer fire fighters from being included in an employer's calculations for the purpose of unemployment insurance. The New Hampshire department of employment security raised concerns that such an exemption could put New Hampshire employers out of compliance with Federal requirements that this class of employees be included. The opinion letter received from the federal program affirmed that excluding volunteer fire fighters on a state level could lead to loss of Federal unemployment tax credits and potentially cost New Hampshire employers an estimated 178 million dollars per year. For these reasons the committee felt we had no choice but to recommend inexpedient to legislate. **Vote 14-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 1109, relative to providing notice to abutters of a petitioned warrant article to discontinue a class VI road. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Clyde J. Carson for Municipal and County Government. This bill clarifies responsibilities with regards to petition articles to discontinue class six roads. Selectmen will notify abutters via certified mail and petitioners will pay for the cost of the notification. **Vote 14-1.**

HB 1124, relative to the adoption of zoning ordinances in towns that use official ballot voting. **OUGHT TO PASS.**

Rep. David A. Bickford for Municipal and County Government. This change to RSA 40:13 allows for an increase in the time allocated for zoning hearings in SB2 towns by at least six days. This has no impact on the items discussed at an SB2 deliberation session. **Vote 14-0.**

HB 1235-FN, establishing a procedure to recall selectmen and school board members. **INEXPEDIENT TO LEGISLATE.**

Rep. Kris E. Roberts for Municipal and County Government. This bill goes against the democratic process. If enacted into law it has the potential to take control away from the voting majority and place it in the hands of a non-voting minority. HB 1235 would allow not 30% of the total registered voters but 30% of the number of voters who voted in the election that placed the selectman or school board member in office to subject him or her to recall. For example Keene has 13,000 registered voters; about 10% or 1,300 vote. In an election under HB 1235, it would require less than 400 or about 3% of the total registered voters to sign the recall petition. This would make it possible for 400 people who were not even registered to vote at the time of the election to overturn the wishes of the community. New Hampshire has a proud history of following the democratic process. If you don't like who is on the ballot we have the option of putting ourselves on the ballot, or convincing others to run, failing that we have the opportunity to vote the person out of office. We don't need a new law that would allow a small group of people to recall someone based on the political views, or because they are rude, or uncooperative. We do not need a law that could make it possible to intimidate under threat of recall. Additionally HB 1235 would require the secretary of state's office to pay the costs of all such recalls, a backdoor way of having the general court fund local recall elections. **Vote 18-1.**

HB 1371, relative to grading and improving subdivision streets. **OUGHT TO PASS.**

Rep. James Verschuere for Municipal and County Government. In cities and towns in which the planning board or governing body has been granted the power to regulate the grading and improvement of streets within a subdivision, this bill adds "governing body" to the pertinent RSA 236:13, V. It has long been the practice in many towns for the selectmen to regulate grading and improvement of streets within a subdivision subsequent to planning board approval of a subdivision. In the current language of the statute only the planning board is mentioned as having such authority. The authority of the selectmen to do so was contravened when challenged in court. This bill codifies that authority, bringing statutory language in line with longstanding practices. **Vote 15-0.**

PUBLIC WORKS AND HIGHWAYS

HB 1123-FN, repealing the prohibition on village districts receiving road funds. **INEXPEDIENT TO LEGISLATE.**

Rep. John R. Cloutier for Public Works and Highways. This bill would permit village districts to receive federal and state highway aid. While the committee sympathizes with the sponsors' goal of helping certain village districts fix their roads, it is concerned that the bill as written would reduce the amount of municipal bridge and block grant aid that municipalities, containing such village districts, would receive. Furthermore, the committee believes that the state highway fund's dire fiscal situation precludes any increased bridge and block grant aid to municipalities, including village districts. **Vote 14-0.**

HB 1202, establishing a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges. **REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. John A. Graham for Public Works and Highways. As introduced, this bill would have created a new statutory committee to study alternatives to the road toll. The committee does not support a permanent study committee. However, while the committee felt that five months was not sufficient time for a worthwhile study, it does believe that the issue overall has merit. Interim Study will allow the committee to begin studying the issue, and to better define the parameters of any future study committee or commission on this issue. **Vote 16-0.**

HB 1203, repealing provisions relative to the sale of the former Laconia state school property. **OUGHT TO PASS.**

Rep. John A. Graham for Public Works and Highways. This bill repeals a section of the chapter laws of 2011 dealing with the sale of the former Laconia state school and training center property. The 2011 law required that the department of administrative services sell the property not later than May 1, 2013, which did not occur. It also exempted the sale from the provisions of our RSA's that provide legislative oversight of the sale

of state property. While the Laconia property still remains for sale, the repeal of this 2011 exemption will allow legislative oversight of the sale to ensure that we are receiving the best possible price for the property and that this site is treated the same as all other surplus state property. **Vote 16-0.**

HB 1222, prohibiting commercial use of the law enforcement and fallen firefighters memorials. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Virginia Irwin for Public Works and Highways. The committee unanimously supports respecting the sanctity of the law enforcement and fallen firefighters' memorials by prohibiting their use for commercial purposes. This bill does allow law enforcement and firefighters' organizations to use these memorials for their own fundraising efforts which support their non-profit causes. The amendment makes it a violation to misuse these memorials, subject to a \$500 fine. **Vote 17-0.**

HB 1335-FN, relative to construction contracts entered into by the university of New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways. With the concurrence of the prime sponsor, the committee amendment replaces the entire bill. The original bill would have required that the trustees of the university system approve all construction contracts over one million dollars by a majority vote of the entire board. After hearing the testimony the committee felt that a study committee of all of the construction and purchasing procedures used by the university system would be an appropriate first step. **Vote 14-0.**

HB 1346, relative to allocations of funds from the highway fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Kevin K. Waterhouse for Public Works and Highways. This bill amends the allocation of highway fund revenue away from primarily the department of safety to the department of transportation. While the committee respects the attempt to increase funding to repair our infrastructure, the fact remains that enacting this bill would cause a major conflict with the current 2013-2014 biennial budget. This bill would create an approximate \$60 million annual deficit in the department of safety budget (which is net of the costs of revenue and fee collection), and likewise a \$60 million shortfall in the general fund. Article 6-a of the state constitution provides that highway funds may be used for the supervision of highways. The committee heard testimony that nearly half of the highway fund revenue comes from vehicle registrations administered by the department of safety, and also that enforcement performed by the department of safety, such as for heavy truck inspections, is necessary to ensure that the state continues to receive federal highway funds. The appropriate time to determine the allocation of highway funds among departments is the biennial budget process. For these reasons, the committee unanimously finds the bill inexpedient to legislate. **Vote 14-0.**

HB 1406-FN, relative to red list bridges. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B. Campbell for Public Works and Highways. This bill as amended, codifies, clarifies and makes more transparent the current department of transportation engineering practice of classifying structurally deficient state or municipally owned bridges as "red listed." There are reporting requirements for state bridges to state officials and for municipal bridges to the local governing bodies. The bill also clarifies that the two ways a structurally deficient bridge is removed from a red list is by a DOT certification that the bridge has been satisfactorily repaired or replaced, or when the local governing body in the case of municipal bridges, and DOT for state-owned bridges permanently closes a bridge.

The amendment also removes the requirement and associated cost of physically identifying a state-owned red list bridge, thereby eliminating any fiscal impact. **Vote 12-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1130-FN-L, relative to the Northeastern Interstate Forest Fire Protection Compact. **OUGHT TO PASS.**

Rep. Suzanne H. Gottling for Resources, Recreation and Development. This bill extends liability protection to firefighters who respond to forest fires outside the Northeastern Interstate Forest Fire Protection Compact. It also allows for the state to reimburse municipalities for actual costs incurred when fighting fires on federal lands when there is a known party whose negligence caused the fire. Finally, it allows retired workers to exceed their hourly limits in a declared emergency including a woodland fire. There was no opposition to the bill. **Vote 15-0.**

HB 1229-FN, relative to the oil discharge and gasoline ether cleanup fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Leigh A. Webb for Resources, Recreation and Development. This bill accomplishes two things. First, it extends the expiration date of two funds, the oil discharge and disposal cleanup fund (ODD) and the gasoline remediation and elimination of ethers fund (GREE), from July 1, 2015, to July 1, 2025. As the history of both funds adequately demonstrates, the need for these entities will continue as long as gasoline and diesel fuel are used and stored for use in New Hampshire. Secondly, the bill as amended, will allow the oil fund disbursement board, at its discretion, to authorize expenditures between \$1.5m, the existing cap, up to \$2m, if additional remediation is required to contain contamination and make a site economically viable once again. The up to

\$500,000 additional funding can only be used for remediation, with the exact amount to be determined by the oil fund disbursement board. There are approximately eight projects which could exceed the current cap, and therefore be left unusable, lowering property tax revenues, and, potentially, threaten water quality in the area of the remediation. Without making the additional funds available through this bill, the fate of these, and possibly future sites, could be in serious jeopardy. **Vote 14-1.**

HB 1441-FN-L, repealing the normal yield tax on timber. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne J. Smith for Resources, Recreation and Development. This bill would repeal RSA 79 which provides for a normal yield tax on timbercut. The department of revenue administration estimates that this bill would reduce local revenue by over 2.5 million dollars in 2015 and by more than 2.6 million dollars in future years. The bill would also repeal "notice of intent to cut" requirements. The bipartisan majority of the committee believe that the timber tax provides valuable revenue to municipalities and unincorporated areas. **Vote 14-1.**

HB 1487-FN, relative to the uniform fine schedule for the division of forests and lands. **OUGHT TO PASS.**

Rep. Jane E. Beaulieu for Resource, Recreation and Development. This bill makes necessary changes to the uniform fine schedule for the division of forests and lands. It allows for a person to plea by mail for a first offense violation instead of appearing in person in court, thus saving the time and expense of the alleged violator, the officer and the court. This legislation is a measure to update the fine schedule to reflect changes in forestry laws and practice. It replaces the current fee and/or fine schedule relative to forest violations. Some fees and fines remain the same while others are either increased or decreased. Overall, there is little net change. **Vote 15-0.**

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1279, relative to compliance with 2012 National Defense Authorization Act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda Massimilla for State Federal Relations and Veterans Affairs. This bill as amended had unanimous support of the committee. The bill requires that New Hampshire officials and the National Guard, while under the command of the governor, refrain from detaining and holding any American citizen or other person lawfully in the United States under the provisions of the National Defense Authorization Act. The committee felt strongly this provision defends New Hampshire citizens against detention in violation of their State and U.S. Constitutional rights. In March 2013 the House voted to support HB 399, which was a very similar bill with an overwhelming vote of 337-15. **Vote 13-0.**

HB 1390, relative to Gold Star and Blue Star Mothers Service Flags and the Silver Star Service Flag. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew A. White for State Federal Relations and Veterans Affairs. The committee reluctantly voted unanimously for the ITL motion. The very well intentioned bill would have adopted federally recognized service flags and identify occasions on which they would be flown. The committee embraced the concept of honoring our veterans and their families; however veterans groups were divided on the issue. The committee did not want to be in the position of creating winners and losers. The committee strongly encourages New Hampshire citizens to recognize New Hampshire's veterans and proudly display the Gold, Blue, and Silver Star Service flags as appropriate to properly recognize the service and sacrifice of our veterans and their families. **Vote 12-0.**

TRANSPORTATION

HB 1103-FN-A, authorizing optional enhanced drivers' licenses and optional enhanced nondrivers' picture identification cards. **REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. Brian K. Chirichiello for Transportation. The Transportation Committee discussed both pros and cons on allowing enhanced driver licenses which contain magnetic strips and radio frequency ID (RFID) on a voluntary basis. While it was presented as a way to cross over to Canada easily, others were concerned this technology could be a step closer to the Federal "Real ID" program. This program was turned down by state law enacted in 2007. Both motions to ITL and Ought To Pass failed. **Vote 15-0.**

WAYS AND MEANS

CACR 11, relating to the definitions of "tax" and "fee." Providing that a tax is imposed to raise state revenue and a fee is imposed to recover costs to the state for providing a service to the payer. **INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T. Lovejoy for Ways and Means. This proposed constitutional amendment would require the direct tracing of all income and expenditures of the State. The finances of the State are too complex to fit into this simple formula. **Vote 17-0.**

HB 256-FN, (New Title) relative to establishing a voluntary hike safe card for fish and game search and rescue operations, relative to deputy fish and game conservation officers, extending a commission on sustainability of the fish and game department, and establishing a committee to study funding of the fish and game search and rescue fund. **OUGHT TO PASS.**

Rep. Gilman C. Shattuck for Ways and Means. Funding for search and rescue operations is presently partly covered by hunting and fishing licenses fees; the balance of funding for these operations must be covered by other fish and game resources. The large majority of search and rescue operations are for lost and injured hikers and other visitors, not hunters and fishermen. Receipts from hike safe cards from hikers and other visitors will help cover search and rescue operations costs. The commission and committee established by the bill will study funding of the fish and game department search and game rescue operations as well as the sustainability of the fish and game department for the longer term. This bill is supported by the fish and game department. **Vote 20-0.**

HB 1553-FN-A, requiring a refund of business profits taxes and business enterprise taxes which exceed an annual revenue cap adopted by the legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Ames for Way and Means. This bill seeks to cap business profits tax and business enterprise tax revenues at levels set by the legislature, presumably as part of the main budget bill. The bill would then require refunds to tax payers if annual revenues come in at levels higher than the caps. The proposed system is unworkable. It fails to recognize the dynamic features of these taxes, where tax adjustments are frequently made well after the tax year has ended.

DRA states that implementation would require significant new administrative costs. DRA also identified numerous uncertainties in the bill as drafted which would need to be resolved before further action on the bill. **Vote 17-0.**

HB 1596-FN-A, allowing for an adjustment to business enterprise taxes for business funds acquired by loan from a financial institution. **REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. David W. Hess for Ways and Means. As drafted, this bill is flawed; however, its goal warrants further study. That goal is to eliminate a form of possible double taxation which occurs under the business enterprise tax when a business entity borrows money which is used to meet payroll. In those instances, the BET is imposed on both the interest paid on the loan and the compensation paid with the loan proceeds. The sponsors believe that in these circumstances, the BET should be levied on only one element of the BET. Addressing this issue raises a whole host of other issues but the committee believes there may be ways to legislatively address the latter. **Vote 17-0.**

HB 1613, relative to payment of the Medicaid enhancement tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick F. Abrami for Ways and Means. Currently hospitals remit their Medicaid enhancement tax payment once a year no later than October 15. The committee recognized that this has created a cash flow problem for the hospitals. Under this bill, starting with the taxable period beginning July 1, 2015, and every taxable period thereafter, each hospital shall pay 25 percent of its Medicaid enhancement tax due and payable for the taxable period no later than the fifteenth day of October, January, March and June. The state treasurer testified this will not impact the state's cash flow. **Vote 20-0.**

WEDNESDAY, FEBRUARY 5 REGULAR CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB 1144, requiring personal information of a person acquitted of or not charged with a crime to be removed from websites. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jill S. Hammond for Commerce and Consumer Affairs. The original intent of this bill was to have website operators remove personal information relating to persons who have been acquitted of a crime or where charges against that person have been dismissed. Due to issues of freedom of the press and speech, this would be impossible to accomplish. The personal incident that was the impetus for the bill was the case of a young woman being charged with a crime that was duly reported in an ordinary news story and picked up by several news outlets. The hot-button issue involved -- animal cruelty -- sparked widespread blog and online media attacks on the woman from non-news sources. The subsequent dismissal of charges against her went largely unreported. The subcommittee realized that there is no recourse against the (private) blog and online media, other than possible civil legal action. The legitimate press, while acknowledging the dilemma, maintained that they had reported what they knew, it was part of the public record, and they had not misrepresented the facts. The sentiment of the committee is that we should be able to hear "the rest of the story" and hope that the legitimate press will accommodate, which they express interest in doing. To further the dissemination of appropriate police and court information, the committee amended the bill to create a study committee

to specifically look at the nature of information about arrests, charges, and adjudication of cases that can be made public in a timely and easily accessible way. This will enable the press to report fully on cases and “set the record straight,” especially if an injured individual seeks such from the press. **Vote 10-7.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1172-FN, relative to mandatory ignition interlock device installation. **INEXPEDIENT TO LEGISLATE.** Rep. Mark Warden for Criminal Justice and Public Safety. This bill would mandate interlock ignition devices to be installed in many more vehicles than currently required. The majority doesn’t like removing judicial discretion in these cases. Further, the fiscal note appears to understate expected costs by an order of magnitude. New costs of over \$500,000 per year for this program are not prudent with the state’s budgetary constraints. **Vote 16-2.**

HB 1237, prohibiting residency restrictions for registered sex offenders and offenders against children. **OUGHT TO PASS.**

Rep. Timothy N. Robertson for Criminal Justice and Public Safety. This bill recognizes that these local ordinances were found unconstitutional in Dover district court and in Merrimack County superior court because they deprive registrants of their fundamental property rights and drive them underground. The research explains why banning offenders from most areas of a town forces them into homelessness, destabilizes them, and concentrates them in the outskirts of town, far from buses, services, jobs, and mediators. Victim advocates, police, social workers and researchers widely oppose these codes because they paradoxically endanger the public. They arise from the panic when parents discover a registrant is living near them. It is incumbent on legislators to educate citizens to the real safety issue as stated here. **Vote 18-1.**

EDUCATION

HB 1255, making students whose name appears on the voter checklist eligible for in-state tuition rates at schools in the university system of New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. Anne C. Grassie for the **Majority** of Education. There is no correlation between the right to vote and paying in-state tuition, or out of state tuition. Our state institutions of higher learning have many criteria for qualifying for in-state tuition, while the criteria for voting are distinctly different. **Vote 14-6.**

Rep. Ralph G. Boehm for the **Minority** of Education. There should not be two different residency requirements. If it is legal to be a resident for voting, then it should be legal to be a resident for other reasons. Just because there is a monetary reason to not be a legal resident for one is not valid.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1127-FN, relative to fees for certain charitable gaming licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol M. McGuire for Executive Departments and Administration. As written, this bill would change the \$500/year license fee for a primary charitable gaming operator (set in rules) to \$50,000/5 years, and set the fee in statute. Testimony at the public hearing revealed that the bill amended a different statute than intended by the sponsors, and the fee they were concerned with is already set in statute at “no more than \$50,000.” The racing and charitable gaming commission believes \$500/year is enough for the primary operator license, and the committee agrees. **Vote 18-1.**

JUDICIARY

CACR 16, relating to the nomination and appointment of officers. Providing that judicial officers shall be confirmed by the legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph M. Hagan for Judiciary. This proposed constitutional amendment would allow either the Governor or the Executive Council to appoint judicial officers and require confirmation by majority vote of the legislature in joint session. The majority feels that this change is not necessary and would needlessly complicate a process that is working well. **Vote 16-2.**

HB 1108-FN, requiring voir dire examination of prospective jurors in all criminal cases. **OUGHT TO PASS.**

Rep. Paul L. Hackel for Judiciary. “Voir dire” is a legal process which permits lawyers to question the prospective jurors before selection. It is presently permitted in civil cases in New Hampshire and this bill permits it to be used also in criminal cases. After the trial judge initial examination, counsel for each party shall have the right to examine, by oral and direct questions, any of the prospective jurors in order to enable counsel to intelligently exercise both peremptory challenges and challenges for cause.

The questioning might enable the counsels to discover bias or prejudice with regard to the circumstances of the particular case before the trial begins rather than in the middle of the trial, which would result in a mistrial. **Vote 14-3.**

HB 1165-FN-A, relative to the citizen's petition for redress of grievances by the legislature; establishing a special fund, and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Woodbury for the **Majority** of Judiciary. This bill establishes a \$1,00,000 redress of grievance fund as well as a mechanism to allow a representative or senator to file a petition for redress of grievances. The committee noted that the powers and procedures of the relevant redress committees were undefined. Further, the committee noted that the bulk of citizen petitions were for relief for which money would not compensate. **Vote 16-2.**

Rep. Michael J Sylvia for the **Minority** of Judiciary. This bill seeks to provide a mechanism by which this body may fulfill its duty as provided by Article 31, and Article 32 of the NH Constitution. "The people have a right... to request of the legislative body, by way of petition or remonstrance, redress of the wrongs done them, and of the grievances they suffer." It also provides funding for cases where monetary damages are appropriate.

HB 1201-FN, relative to the accountability of public officials. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick H. Watrous for Judiciary. This bill would expand the definition of official oppression. Currently it is a misdemeanor offense when any public official—acting with the intent to benefit him or herself or to harm another—commits an unauthorized act purported to be an act of his or her office; or refrains or refuses to perform a duty imposed on him or her by law or clearly inherent in the nature of the office. This bill eliminates the requirement of acting with the intent to benefit him or her or to harm another. It also creates the new offense of failing to respond to and rebut with citations of law to an affidavit within 30 days of submission of the affidavit by "any inhabitant." The committee thought this bill unnecessary and feared that it could generate a substantial increase in the number of criminal complaints against public officials. **Vote 17-0.**

HB 1267, relative to removing public officials for cause. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick H. Watrous for Judiciary. This bill adds "failure to perform assigned duties" to the list of reasons that a state official who is not a classified employee can be removed from office. It also inserts "the majority of any standing committee of the house of representative or senate" into the removal process, now restricted to the executive branch: the Attorney General, the Governor, any member of the Executive Council or the appointing authority of the official. No one appeared in support of this bill. The committee regarded "failure to perform assigned duties" as overly broad and vague, and inserting the legislature into the removal process unnecessary and unwise, possibly leading to political interference. **Vote 18-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 1234, relative to municipal contracts for police chief. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. James Verschuere for the **Majority** of Municipal and County Government. This bill would allow selectmen to designate a police chief by contract for a fixed term. Proponents argue that a superior court decree has made it clear that selectmen have the authority to do this but that current law does not make that option clear to selectmen. However, the language of current law clearly provides for appointment of "...special police officers who shall continue in office during the pleasure of the selectmen, or until their successors are chosen or appointed." Furthermore, committee members were able to cite examples of this occurring in their home communities. The committee heard testimony from a proponent who indicated that offering a contract with a fixed contract termination date was of minimal concern. One police chief testified in opposition, his objection being that the introduction of fixed term contracts as a general practice opened the door to undue influence of selectman over the work of the police chief. The majority of the committee agreed that the bill as proposed was unnecessary and introduced several pitfalls to the process of making a smooth transition of police chiefs. The new language introduced also muddled the process by mandating that an interim appointee remain in the position until the end of the contract even after a successor had been designated. With respect to proponents' concern that poorly functioning police chiefs are not easily removed, committee members agreed that there are multiple options currently available to selectman to induce the departure of a police chief. **Vote 15-4.**

Rep. David A. Bickford for the **Minority** of Municipal and County Government. The intent of the bill is to codify in the statutes the July 12, 2013 decision from the Cheshire Superior Court by Justice John C. Kissinger in *Kassotis v. Town of Fitzwilliam* making it clear that towns can have contracts with their police chief for a set period of time and not renewing the employment contract does not constitute a "dismissal under RSA 105:2-a." It would have been nice to have the decision appear in the RSA's since they are the most available laws to the public as opposed to case law.

HB 1266, relative to the appointment of the town clerk. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Suzanne M. Vail for the **Majority** of Municipal and County Government. The majority of the committee believes that HB 1266 is unnecessary. In towns, the selectmen, the clerk and the moderator are elected. The town clerk's office can be appointed when one cannot be elected, or one must leave the position. We heard no

compelling testimony that this bill addresses a statewide problem, rather the result of a very few municipalities that may have a local issue. Changing policy that potentially affects every municipality will have unintended consequences. While it sounds reasonable to propose legislation that is enabling, is also contrary to our democratic and time honored, historic way of conducting business in our towns. Clerks are an integral part of the integrity of elections. Clerks are supposed to remain "fair and impartial" in the discharge of all their duties. Clerks are elected in the town by the people and work for the people. When there is an interim, a clerk can be appointed. When the clerk's job and raise are based on the evaluation from the selectmen, town administrator or town manager, the clerk becomes an employee and the separation and balance of power becomes uneven. The assumption that people who are elected are not as qualified as people who are appointed is not substantiated by facts. Town clerk's performance is measured at every election and the voters speak clearly. Town clerks have lost elections when they did an inadequate job. Dismantling a process that works is not necessary. **Vote 11-8.** Rep. David A. Bickford for the **Minority** of Municipal and County Government. This enabling legislation would allow town voters to decide whether their clerk should be elected or appointed. This would give towns the same option that cities have enjoyed for decades. City clerks are appointed by the city manager or the mayor and aldermen. That enables the city to find the most qualified candidate, even if that person lives outside the city. This process works well; when a bill last year sought to require election of city clerks, it was uniformly opposed by city officials, especially city clerks, and our committee voted 20-0 to kill it.

Town clerks, however are required to be elected. Because every elected official must be a town resident, this severely limits the field of candidates. The Hanover town clerk testified that for several years, her town had a clerk who held the office in name only because he was the only resident willing to put his name on the ballot. He was not interested in, or qualified for, the position, so an appointed deputy had to perform the job on a day-to-day basis. The committee heard about other towns where no one was willing to run, or where the only person who ran was unqualified. We all know how hard it is to get people to run for local office. A town can limp along without a selectman or a library trustee for a few months or a year, but it must have a clerk every day. Claims that allowing for an appointed clerk will endanger the independence of the position are unpersuasive. Selectmen are prohibited by law from interfering with any local official's duties, whether elected or appointed. Police chiefs, tax collectors, building inspectors, and many other officials must remain independent of the selectmen, yet there is no requirement that they be elected. And again, the practice of appointing city clerks as been successful and uncontroversial.

Although the clerk's association opposes this bill, committee members heard from several town clerks who support it, along with the municipal association and many town officials. At the very least, this is an issue on which reasonable people can disagree. On issues like that, it has been the tradition of this legislature to let the question be decided at the local level. This bill does exactly that. It does not require that clerks be appointed; it merely gives local voters that option.

HB 1375, permitting a municipal law enforcement agency to collect unwanted or illegal firearms. **INEXPEDIENT TO LEGISLATE.**

Rep. James P. Belanger for Municipal and County Government. Although turning in illegal and unwanted firearms to the local police dept sounds reasonable and it appears to offer immunity and anonymity, this would not apply to federal law. The disposition of firearms that could later be tied to a crime would impede prosecution as evidence would not be available. The bill, even with a lot of fixes in a proposed amendment, is not without serious flaws. **Vote 16-3.**

HB 1573-FN, discontinuing regional planning commissions and requiring the election of municipal planning board members. **INEXPEDIENT TO LEGISLATE.**

Rep. Kris E. Roberts for Municipal and County Government . HB 1573 has come before this committee in numerous forms over the past several sessions. This time we heard testimony that regional planning commissions are tools of the United Nations and its Agenda 21, and that the RPCs, by conforming to the department of housing and urban development standards, are violating our local property rights.

Membership in a regional planning commission is entirely voluntary. No community is forced to join or required to remain a member.

Very few communities in New Hampshire have the financial and personnel resources to adequately address their long-range planning needs. Furthermore, many planning needs, such as brownfields, flood control, transportation, housing, etc., exist far beyond the local borders, requiring cooperation between communities. Additionally, RPCs provide in-depth and valuable information communities need when applying for state or federal funding, ensuring that New Hampshire tax dollars are returned to the state to meet our local needs. Regional planning commissions serve an important function in the state; abolishing them would be foolhardy. **Vote 15-0.**

PUBLIC WORKS AND HIGHWAYS

HB 1302, relative to certain driveway permits. **INEXPEDIENT TO LEGISLATE.**

Rep. Virginia Irwin for Public Works and Highways. The committee is concerned about taking away the authority of the department of transportation to approve points of ingress or egress onto state roads. It further

supports the department of transportation's permitting process. The committee unanimously opposes giving local planning boards authority to create a curb cut on state roads for every lot approved by planning boards, subject only to sight distance and drainage. **Vote 16-0.**

HB 1581-FN-A, relative to the bonding of project costs for certain department of transportation bridge capital projects. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways. This bill as amended gives the commissioner of the department of transportation the ability to ask the Governor and Council for bonding authority to repair or replace a state-owned red list bridge or a non-red list state bridge closed by an order of DOT, which would only occur in an emergency situation. The committee unanimously believes that given the current state of bridge funding and the anticipated increase in red list bridges, this bill gives the commissioner some flexibility to repair or replace an unanticipated problem with a critical state bridge. It could be used in the event the legislature was out of session or if no other funding options were available. DOT testified that it would be a last funding resort because debt service is paid first and, therefore issuing bonds would further reduce its budget and impact other state roads and bridges. The commissioner of transportation, through the state turn-pike system, currently has this authority. The total bonded indebtedness shall not exceed 50 million dollars. The second part of the bill was inserted by the sponsors at the suggestion of the state treasurer. It establishes the same affordable debt limit for the highway fund that currently exists for the general fund, namely 10%. There is no debt ceiling for the highway fund under current law. The highway fund debt is currently at 6.8%. **Vote 15-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 1455-L, relative to the authority of municipalities to enter into agreements for payments in lieu of taxes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Charles L. Townsend for the **Majority** of Science, Technology and Energy. This bill would eliminate the ability for municipalities and renewable energy generators to voluntarily enter into payments in lieu of tax agreements that can be to the mutual benefit of both parties. It is the committee's strongly supported recommendation that payments in lieu of tax agreements should continue to be allowed. **Vote: 12-3**

Rep. Laurence M. Rappaport for the **Minority** of Science, Technology and Energy. The minority believes that it is wrong to favor one class of taxpayer over another, and therefore recommends passage.

HB 1590-L, relative to payments in lieu of taxes for renewable generation facilities in unincorporated places. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth Grossman for Science, Technology and Energy. This bill is intended to provide a means of relieving an unfair and unnecessary tax burden on the citizens of Millsfield, an unincorporated place in Coos County, without damage to other payments in lieu of tax arrangements for renewable energy facilities. **Vote 14-1.**

TRANSPORTATION

HB 1135-FN, relative to penalties for driving without a license. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael B. O'Brien for Transportation. The amendment replaces the bill and the bill as amended will distinguish between a licensed driver who simply forgot to renew their license, and one who deliberately drives a vehicle without a license. The first offense of driving without a license will be a violation provided the violation occurred under 12 months of the date of expiration. Second offense or operation of over 12 months will be a misdemeanor. This bill will also apply to any person who drives a motor vehicle in this state and their license is not of the appropriate classification of the vehicle being driven. This will be a violation on the first offense and a misdemeanor on the second offense.

With the tragedy that occurred last summer in Hampton, where an unlicensed driver was involved in a fatal crash, this bill will assist authorities in preventing unlicensed drivers from our roads. **Vote 11-5.**

WAYS AND MEANS

CACR 10, relating to revenue classes. Providing that all moneys received by the state shall belong to a defined revenue class. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT**

Rep. Patricia T. Lovejoy for the **Majority** of Ways and Means. The state constitution should be looked upon as a framework. This amendment restricts the operation of state finances by requiring that all revenue sources be restricted to specific purposes. Our state operations are financed by many sources of revenue including taxes, fees, surcharges, tuitions, licenses etc. This amendment would require the matching of all sources of revenues to expenditures creating an accounting nightmare and restricting our ability to respond to economic challenges **Vote 15-1.**

Rep. Thomas C. Schamberg for the **Minority** of Ways and Means. The minority believes the state legislature should not be able to balance the state budget by funding "sweeps" and diversions of designated fund monies

into the general fund contrary to legislative intent. The minority believes that the people of New Hampshire have expressly been told through the establishment of these designated fund accounts that the express purpose of revenues raised by surcharges and fees will remain in the designated fund. To sweep or divert without informing the public that legislative intent is to be changed, is not transparent.

HB 1475, relative to expanding the research and development tax credit against the business profits tax to be a reinvestment tax credit. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY**

Rep. Patricia T. Lovejoy for the **Majority** of Ways and Means. This bill would change the \$2 million dollar manufacturing research and development (R&D) credit to be a reinvestment credit that would be available to any business, including any non-manufacturing business. This bill also expands qualifying expenses to include capital investments made to increase or expand production or services, merger and acquisition costs and costs of buyback or repurchase of outstanding shares. This is contrary to the original purpose of the R&D credit and this would greatly dilute the value of the resultant tax credit, making it immaterial for most any business. The BIA and DRED both testified in opposition to the bill. **Vote 9-8.**

Rep. Patrick F. Abrami for the **Minority** of Ways and Means. The minority of the committee feels the bill requires much work. The concept of broadening the tax credit in a more limited way does have some appeal. The minority feels with interim study there is a possibility of making this into a workable bill

HB 1476-FN, exempting proprietorships from taxation under the business enterprise tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank W. Davis for Ways and Means. This bill exempts from taxation under the business enterprise tax (BET) persons who perform business activity as a proprietorship and would take effect July 1, 2014, the start of fiscal year (FY) 2015. The committee rejected this legislation for two reasons. First, NH would face the possible loss of about \$17.1 million in revenue based on the historical background of the tax. Proprietorships have usually paid about 7.5% of the total BET, and 7.5% of estimated BET revenue in FY 2015 (\$227,700,000) would be more than \$17 million. Second, legal precedent also indicates that a constitutional challenge could be made as this legislation exempts a classification of taxpayers. Supreme Court decisions in 1975 and 1990 are very clear in stating, "Distinctions in tax treatment must rest upon reasonable classifications of property, not upon classifications of taxpayers owning a common class of property." **Vote 18-2.**

HB 1477-FN-A, exempting proprietorships from taxation under the business profits tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank W. Davis for Ways and Means. This bill exempts from taxation under the business profits tax (BPT) persons who perform business activity as a proprietorship and would take effect July 1, 2014, the start of the fiscal year (FY) 2015. The committee rejected this legislation for two reasons. First, NH would face the possible loss of over \$17 million in revenue based on the historical background of the tax. Proprietorships have usually paid about 5% of the total BPT, and 5% of the estimated BPT revenue in FY 2015 (\$341,500,000) would be more than \$17 million. Second, legal precedent also indicates that a constitutional challenge could be made as this legislation exempts a classification of taxpayers. Supreme Court decisions in 1975 and 1990 are very clear in stating, "Distinctions in tax treatment must rest upon reasonable classifications of property, not upon classifications of taxpayers owning a common class of property." **Vote 17-3.**

HB 1509-FN-A, relative to including nonprofit charitable enterprises in the business enterprise tax and lowering the rate of the tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. Thomas C. Schamberg for the **Majority** of Ways and Means. The majority of the committee was persuaded that a change in tax policy to include nonprofit charitable enterprises in the business enterprise tax (BET) would adversely affect the growth and stability of our state. New Hampshire has a long history of tax exemption for nonprofits to sustain their ability to mobilize resources and volunteers to meet community needs. The type of organizations that would be adversely affected under any amendment proposed include elder services, visiting nurses associations, goodwill groups and youth organizations. These organizations provide services that our state would have to provide directly if they were to fail. The tax proposed would put many nonprofit budgets under great stress and lead to smaller financial commitments to their communities. This bill also lowers the BET, and because the department of revenue administration cannot determine how much the state could get from taxing charities, we cannot tell whether the state would gain or lose fiscally. **Vote 12-8.**

Rep. David W. Hess for the **Minority** of Ways and Means. The minority believes this subject deserves further study. Not many expected this bill to be enacted this year, but its introduction has generated considerable interest and support. 501(c)(3) organizations are the only not-for-profit entities exempt from the business enterprise tax; all the other 28 categories of non-profits recognized in the Internal Revenue Code currently pay this tax. 501(c)(3) entities account for approximately 15% of our gross state product, and that share is growing – in no small part because many of these large tax-exempt organizations are buying out independent entities which formerly paid the BET, but which no longer do so because they have been swept under the tax-

exempt umbrella of the acquiring entity. As a result, the base of the BET has shrunk, and many highly-paid professionals who previously paid this tax no longer do. Not all 501(c)(3) entities are created equal. More than one-third of the 30 largest non-governmental employers in the state are nonprofits. Alternative amendments to this bill were offered which demonstrate that legislation can be drafted which would constitutionally apply the BET to a discreet, specific group of large 501(c)(3) entities which look, act and behave like for-profit businesses, while continuing the exemption for churches and other religious organizations, all small and local private foundations, "Ma and Pa" charities, and non-profits which receive most of their revenue from contributions, gifts, donations and grants rather than from fees charged for services or products provided. Moreover, these organizations are not exempt from all taxes now; they currently pay many state and federal levies, including FICA, the Medicare tax, and unemployment compensation assessments among others. In addition, this bill is intended to be revenue neutral; it would reduce the BET rate to 0.68% to reflect the expanded base to which the tax would apply. Finally, the minimal financial burden of this nominal tax is demonstrated by the fact that the 23 non-profit hospitals in New Hampshire paid just their 23 CEOs more in total compensation in 2009 than they would have paid the state if the BET has been assessed on the total hospital system salaries they paid to all of their employees.

HB 1556-FN, defining poker as a game of skill. **INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T. Lovejoy for Way and Means. This bill defines poker as a game of skill. The committee believes that although poker can involve a great deal of skill, it is still a game of chance. If poker were to be classified as a game of chance, it would no longer be regulated by the racing and charitable gaming commission and would no longer be included in charitable gaming; anyone would be able to run poker games. If this bill were passed, most likely charitable gaming would cease to exist. **Vote 17-3.**

HB 1597-FN-A, reducing the rate of tax on meals under the meals and rooms tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. Gilman C. Shattuck for the **Majority** of Ways and Means. This bill would cause a major reduction in general funds revenue, \$23,891,236 in FY 2015 and similar losses in subsequent years. The sponsor of the bill offered no suggestion to make this bill revenue neutral. Because meals tax makes up such a large portion of the overall rooms and meals tax, offsetting the decrease in meals tax revenue by an increase in the rooms tax would require a large increase in the rooms tax. Further, it is doubtful if such a small decrease in the meals tax would bring any significant increase in the meals portion of business. Extensive changes would be required of innkeepers who would now have to segregate and report meals and rooms revenue separately. Taxes on bundled packages would have to be broken out. It would be confusing to consumers who are used to one set of rates on meals and rooms transactions. Since 40% of the tax is remitted to the towns, the revenue loss to the towns would approach \$10,000,000 in FY 2015 and similar amounts in subsequent years. **Vote 9-8.** Rep. Russell T. Ober for the **Minority** of Ways and Means. This bill reduces the meals portion of the meals and room tax from 9% to 8%. This is a bill of interest to every citizen of New Hampshire. If you purchase a meal at a restaurant or fast food outlet you will pay less. If the revenues continue increasing for the rest of FY 14 (so far about 5%) and revenues for FY 15 (as several experts predict) also increase, the total revenues upon which the tax is based will be large enough to keep the total tax paid approximately the same. Therefore, revenues the same, less expensive meals equals a win – win for New Hampshire residents.

BILLS LAID ON TABLE

HB 110, requiring persons who record cruelty to livestock to report such cruelty and submit such recordings to a law enforcement agency. (Pending question: adoption of the Majority committee amendment)

HB 585, relative to insurance parity for optometrists. (Pending question: adoption of the Majority committee report of Ought to Pass with Amendment)

SB 180, (2nd New Title) establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund. (Pending question: Ought to Pass)

SB 190, relative to admission fees for certain persons at state parks and historical sites. (Pending question: adoption of the committee report of Ought to Pass)

COMMITTEE MEETINGS

FRIDAY, JANUARY 31

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), New Hampshire Department of Revenue Administration, 109 Pleasant St., Concord

9:00 a.m. Public Forum followed by a Regular Board Meeting.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Subcommittee work session on **HB 1630-FN-A**, relative to gaming in New Hampshire, **HB 1339**, relative to "table stakes games."

MONDAY, FEBRUARY 3

COUNCIL FOR CHILDREN AND ADOLESCENTS WITH CHRONIC HEALTH CONDITIONS (RSA 126-J), Upham -Walker House, Park St., Concord

6:00 p.m. Regular meeting.

COMMITTEE TO STUDY THE CONSTRUCTION OF A PERMANENT MEMORIAL TO GOVERNOR JOHN GILBERT WINANT ON STATE PROPERTY OTHER THAN STATE HOUSE GROUNDS (HB 262, Chapter 120:1, Laws of 2013), Room 204, LOB

10:00 a.m. Subcommittee recommendations and full committee to vote on artists' proposals.

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

4:00 p.m. Regular meeting.

TASK FORCE ON WORK AND FAMILY (RSA 276-B:2, I), Room 207, LOB

1:15 p.m. Regular meeting.

TUESDAY, FEBRUARY 4

CHILDREN AND FAMILY LAW, Room 206, LOB

9:00 a.m. Subcommittee work session on **HB 1260-FN-L**, relative to communication of the cost of services provided under the children in need of services (CHINS) program to parents.

10:00 a.m. Executive session on **HB 1372-FN-A**, making an appropriation for the ongoing training and education of pediatric sexual assault nurse examiners, **HB 1478**, relative to state licensing and oversight of child care agencies, **HB 1486-FN**, reducing the fines for underage possession or consumption of alcoholic beverages, **HB 1624-FN**, modernizing the juvenile justice system to ensure rehabilitation of juveniles and preservation of juvenile rights.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Executive session on **HB 1330-FN**, prohibiting the disclosure by search warrant of privileged individual medical records.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. **HB 1532**, relative to notification of radon level prior to sale or lease of property.

10:45 a.m. **HB 1215**, relative to the rights of franchisees.

1:15 p.m. **HB 1363-L**, relative to insurance pools.

2:30 p.m. Executive session on **HB 1115**, excluding condominium assessments from homestead rights, **HB 1177**, relative to the anti-rebating law, **HB 1606**, relative to assignment of legal costs in suits between condominium associations and condominium members and a continued executive session on **HB 1589-FN**, requiring background checks for all firearm sales.

COMMISSION ON HOUSING POLICY AND REGULATION, (RSA 19-N), Room 304, LOB

12:30 p.m. Regular meeting.

COMMISSION TO STUDY AND UPDATE RULES AND PROCEDURES OF THE LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:11), Room 104, LOB

3:00 p.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Executive session on **HB 1301**, relative to transportation of alcoholic beverages by a minor, **HB 1306-FN**, prohibiting a law enforcement officer from soliciting another person to participate in criminal activity, **HB 1435**, requiring law enforcement officials to disclose specific information relating to a police checkpoint, **HB 1436**, relative to unlawful possession of alcoholic beverages, **HB 1437**, relative to license revocation for drugs or alcohol involvement, **HB 1548-FN**, eliminating separate penalties for crack cocaine, **HB 1565-FN**, establishing the crime of filing false lien or encumbrance against public servant, **HB 1580-FN**, repealing mandatory minimum sentences, **HB 1607-FN**, relative to limited driving privileges after revocation for certain financial obligations, **HB 1621-FN**, redefining simple assault.
Continued executive session on **HB 1457-FN**, requiring risk assessment information to be posted on the sexual offender registry.

1:30 p.m. **HB 1503-FN**, including "fetus" in the definition of "another" for the purpose of certain criminal offenses.

EDUCATION, Room 207, LOB

10:00 a.m. **HB 1262**, relative to student assessment data privacy.

10:30 a.m. **HB 1496**, relative to the objectivity and validity of student assessment materials.

11:00 a.m. **HB 1321**, relative to reporting of Armed Services Vocational Aptitude Battery scores.

- 11:30 a.m. **HB 1534**, establishing a commission to study fiscal disparities between public school districts.
 1:15 p.m. Executive session on **HB 1147**, permitting school districts to advertise, **HB 1180-FN-L**, relative to days of school, **HB 1187**, relative to an appeal of a change of school assignment decision by a superintendent, **HB 1191**, establishing a commission to study manufacturing education in New Hampshire, **HB 1199-L**, excepting certain students from authorized regional enrollment area agreements, **HB 1211**, relative to the use of force by persons with special responsibilities, **HB 1507**, relative to university system of New Hampshire in-state tuition rates for students domiciled in New Hampshire, **HB 1588-FN**, requiring suicide prevention education in schools, Continued executive session on **HB 1433**, authorizing the community college system to waive tuition and fees for employees and employees' dependents.

ELECTION LAW, Room 308, LOB

- 11:00 a.m. Executive session on **HB 1357**, relative to access to ballots, **HB 1387**, relative to the election of county commissioners in Carroll county, **HB 1400**, establishing the New Hampshire "First-in-the-Nation" presidential primary centennial anniversary commission, **HB 1545**, relative to voting booths.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 10:00 a.m. Executive session on **HB 1138**, relative to homestead food producers selling food products at farm stands, farmers markets, or at the homestead residence where they are produced, **HB 1221-FN**, declaring New Hampshire fruit and vegetables exempt from the FDA Food Safety and Modernization Act, **HB 1263**, relative to exempting maple syrup products produced and sold in state from federal regulation, **HB 1270-FN**, exempting meat and meat products from New Hampshire livestock from the FDA Food Safety and Modernization Act, **HB 1273-FN**, exempting New Hampshire dairy products from the FDA Food Safety and Modernization Act, **HB 1582-FN**, declaring New Hampshire poultry and poultry products exempt from the FDA Food Safety and Modernization Act, **HB 1583-FN**, exempting New Hampshire apian products from the FDA Food Safety and Modernization Act, **HB 1608-FN**, relative to hydraulic fracturing, **HB 1151**, establishing a committee to study the solid waste operator training program and financial assurance for corrective action at solid waste landfills, **HB 1287-FN**, requiring a refundable deposit on beverage containers, **HB 1304**, relative to the storage of fluorescent lamps at transfer stations, **HB 1305**, relative to the definition of asbestos abatement.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 10:00 a.m. **HB 1269**, relative to expungement of agency records.
 10:30 a.m. **HB 1327**, establishing a commission to review the security of data collected by the state of New Hampshire.
 11:00 a.m. **HB 1552**, establishing a commission to study cyber security for critical state infrastructure.
 1:30 p.m. Executive session on **HB 1126**, establishing a committee to study alternative public employee retirement plans, **HB 1148-FN**, relative to the reduction in the calculation of state retirement system annuities at age 65, **HB 1161-FN**, relative to the definition of slot machines and the duties of game operators and game operator employers, **HB 1182**, relative to membership of the state transparency website oversight committee, **HB 1186**, relative to rulemaking authority of certain occupational boards concerning examinations, **HB 1210**, correcting certain references to divisions of the department of revenue administration, **HB 1244**, relative to the disclosure of the names of lottery winners, **HB 1331**, relative to the membership and reporting date of the interbranch criminal and juvenile justice council, **HB 1398-FN**, allowing the retirement system to make payments in lieu of payments to estates in certain instances, **HB 1431**, relative to the membership of the developmental services quality council, **HB 1453**, relative to procedures of the board of podiatry, **HB 1494-FN**, relative to administration of the New Hampshire retirement system and authority of the board of trustees, **HB 1563-FN**, granting group II retirement system status to certain positions in the department of corrections, **HB 1577-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains, **HB 1594-FN**, requiring licensure of community association property managers.

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

- 10:00 a.m. Work session on **HB 525-FN**, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age.
 11:00 a.m. Work session on **HB 461-FN**, relative to long-term care services.

FISH AND GAME AND MARINE RESOURCES, Room 307, LOB

- 10:15 a.m. Executive session on **HB 1579-FN**, prohibiting the use of certain leghold or foothold traps for the taking of animals.
 11:00 a.m. **HB 1104-FN**, relative to railroad motorcars.

1:00 p.m. **HB 1290-FN**, allowing nonresident full-time students to purchase resident licenses for hunting and fishing.

2:00 p.m. **HB 1495**, repealing the prohibition on the use of silencing devices for taking wildlife.

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

10:00 a.m. Executive session on **HB 1395**, requiring the department of health and human services to perform an audit of billing practices under the Medicaid managed care program, **HB 1490-FN**, relative to fees paid to providers who transport patients under the Medicaid managed care program, **HB 1491-FN**, relative to certain transportation companies under the Medicaid managed care program.

1:00 p.m. Executive session on **HB 1107**, relative to the retention of advance directives by hospitals, **HB 1296**, adding a member to the therapeutic use of cannabis advisory council, **HB 1555-FN**, relative to the neglect of elderly, disabled, or impaired adults and relative to financial exploitation, **HB 1616-FN**, making changes to the therapeutic cannabis laws.

JUDICIARY, Room 208, LOB

10:00 a.m. Executive session on **HB 1274**, relative to the quarterly or semi-annual payment of rent, **HB 1474**, relative to persons held in civil contempt, **HB 1214**, relative to grounds for termination of tenancy, **HB 1336**, relative to the landlord's agent requirement, **HB 1409**, expanding the law against discrimination to prohibit housing discrimination against recipients of rental assistance and victims of domestic violence, sexual assault, or stalking.

1:00 p.m. **HB 1226**, establishing a committee to study end-of-life decisions.

1:30 p.m. **HB 1325-FN**, relative to death with dignity for certain persons suffering from a terminal condition.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 1259**, relative to the functions of the municipal associations.

10:30 a.m. **HB 1479-L**, relative to membership in municipal organizations.

11:00 a.m. **HB 1560-FN-L**, prohibiting the use of funds received from a political subdivision of the state to lobby.

1:00 p.m. Executive session on **HB 1106**, relative to disqualification of moderators, **HB 1120**, relative to procedures for the county budget and expenditures for Belknap county, **HB 1190**, relative to approval of budget transfers in Hillsborough county, **HB 1245**, relative to municipal lease agreements for certain equipment, **HB 1373**, relative to the transfer of county budget appropriations in the Belknap county budget, and relative to payment of county legal expenses, **HB 1386**, relative to the minutes of county proceedings.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. **HB 1164**, designating Interstate 293 as the John Durkin Highway.

10:15 a.m. Executive session on **HB 1142-FN-A**, relative to the road toll for alternative fuels, **HB 1205-FN**, relative to reconstruction or rehabilitation of the Vilas Bridge between Walpole, New Hampshire and Bellows Falls, Vermont, **HB 1389**, naming a bridge in Derry the Lance Corporal Michael E. Geary bridge, **HB 1576-FN**, relative to required payroll reporting for public works construction projects.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:15 a.m. **HB 1286**, relative to youth safety regarding mooring and rafting of boats at or near youth camps.

10:45 a.m. **HB 1248**, relative to the acceptance of risk in outdoor recreational activities.

11:30 a.m. **HB 1258**, relative to fill and dredge permitting applications.

1:30 p.m. Subcommittee work session on **HB 1383**, relative to municipal monitoring of large groundwater withdrawals.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. **HB 1265**, relative to coordinating and funding broadband infrastructure information by the enhanced 911 system.

11:00 a.m. **HB 1167**, relative to exemptions from boiler inspection requirements.

11:30 a.m. **HB 1456**, relative to the issuance of certificate for energy facilities by the site evaluation committee.

2:30 p.m. **HB 1540**, relative to least cost integrated resource plans filed by an electric utility.

TRANSPORTATION, Room 203, LOB

10:00 a.m. Executive session on **HB 1117**, relative to restricting usage of cellular phones while driving, **HB 1118**, prohibiting certain drivers from using hand-held devices for communication, **HB 1149-FN**, relative to motor vehicle registrations, **HB 1360**, prohibiting impeded driving and use of certain electronic devices while driving, **HB 1366**, relative to exemptions from seasonal

weight restrictions on roads, **HB 1557-FN**, relative to the cost of maintaining certain railroad crossings, **HB 1585-FN**, relative to notice of driver's license suspensions, **HB 1598-FN-A**, authorizing friends of animals number plates, and continued executive session on **HB 1150-FN**, relative to motor vehicle dealer and inspection station licenses, **HB 1317**, relative to driver education, **HB 1629**, adding duties and extending the reporting date of the committee to study options for mitigating damages associated with highway noise and relative to the department of transportation policy and procedural guidelines for the assessment and abatement of traffic noise for type I highway projects.

1:30 p.m. **HB 1291**, relative to sales by motor vehicle dealers.

1:45 p.m. **HB 1313**, relative to highway surveillance.

2:00 p.m. **HB 1324-FN**, relative to access to event data recorders.

2:15 p.m. **HB 1329**, prohibiting the use of facial recognition technology in connection with driver's license photographs.

2:30 p.m. **HB 1184**, increasing the speed limit on a portion of Route 101 to 70 miles per hour.

2:45 p.m. **HB 1185**, increasing the speed limit on a portion of I-89 to 70 miles per hour.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Full committee work session **HB 1630-FN-A**, relative to gaming in New Hampshire, **HB 1339**, relative to "table stakes games."

11:00 a.m. Full committee work session **HB 1531**, relative to tax expenditure reports for the business profits tax by the department of revenue administration and establishing a joint committee on tax expenditure review.

1:00 p.m. Full committee work session **HB 492-FN-L**, relative to the legalization and regulation of marijuana.

3:00 p.m. Executive session on **HB 492-FN-L**, relative to the legalization and regulation of marijuana, **HB 1531**, relative to tax expenditure reports for the business profits tax by the department of revenue administration and establishing a joint committee on tax expenditure review, **HB 1630-FN-A**, relative to gaming in New Hampshire, and continued executive session on **HB 1339**, relative to "table stakes games."

WEDNESDAY, FEBRUARY 5

EDUCATION OF CHILDREN WITH DISABILITIES ADVISORY COMMITTEE (RSA 186-C:3-b), NH Department of Education, Londergan Hall Room 15, 101 Pleasant St., Concord

4:30 p.m. Regular meeting. *Please note snow date February 12th*

LEGISLATIVE ADMINISTRATION, Room 104, LOB

12:00 p.m. or at the lunch break from session-Executive session on **CACR 18**, relating to citizen appeals. Providing that the general court shall have the authority to establish citizen redress of grievance panels, **HB 1122-FN**, establishing the crime of filing false lien statements against public officials and employees, **HB 1481-FN**, relative to information submitted to a committee of the general court, **HB 1535**, extending the committee to study the resolution of barriers to the use of telehealth technology in New Hampshire, **HB 1559-FN**, establishing a New Hampshire state house bicentennial commission and fund, **HB 1551**, relative to the employment of elected officials.

THURSDAY, FEBRUARY 6

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:30 a.m. **HB 1604**, establishing a commission to study financial fraud laws and the rights of victims of financial fraud.

11:30 a.m. **HB 1353**, relative to recovery under uninsured motorist coverage.

2:15 p.m. Executive session on **HB 1111**, clarifying the term "valid claim" for property insurance, **HB 1112**, making technical corrections to the standard valuation law, **HB 1294**, requiring that all providers be allowed to participate in the health exchange, **HB 1328-FN**, relative to licensure of insurance exchange navigators.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 206, LOB

10:30 a.m. **HB 1362-FN**, prohibiting enforcement of any federal law which bans certain firearms or limits firearm magazine size and establishing a criminal penalty for such enforcement.

11:30 a.m. **HB 1264**, relative to carrying of firearms by nonresidents.

1:30 p.m. **HB 1438**, relative to the burden of proof for exceptions or exemptions in actions brought under the firearms laws of this state.

2:30 p.m. **HB 1154-FN**, relative to the use of a laser pointing device for self-defense or defense of others.

EDUCATION, Room 207, LOB

- 9:00 a.m. Subcommittee work session on **HB 1212**, relative to social media privacy in higher education, **HB 1200**, relative to student social media policies by educational institutions.
- 10:45 a.m. **HB 1239-FN-L**, relative to the implementation of new educational standards.
- 11:30 a.m. **HB 1508-FN**, terminating state participation in the common core educational standards.
- 1:15 p.m. **HB 1586-FN**, relative to student and teacher information protection and privacy.
- 2:00 p.m. **HB 1587-FN-L**, relative to the collection and disclosure of pupil data.
- 2:30 p.m. **HB 1238**, relative to access to assessment materials.

ELECTION LAW, Room 308, LOB

- 11:00 a.m. Executive session on **HB 1364-FN**, relative to political expenditure and contribution reporting requirements and relative to political expenditure limitations for state representative and county office candidates, **HB 1459**, relative to domicile for voting purposes during a temporary absence, **HB 1547**, authorizing voters to remove their names from the checklist.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 1:00 p.m. Subcommittee work session on **HB 1464-FN**, exempting New Hampshire agricultural products produced, sold, and consumed in New Hampshire from the FDA Food Safety and Modernization Act.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 10:30 a.m. **HB 1219**, relative to the work schedules of pharmacists.
- 11:00 a.m. **HB 1480**, relative to objections to proposed agency administrative rules by standing committees of the general court.
- 1:00 p.m. **HB 1155-FN**, relative to state retiree health coverage premium contributions.
- 2:00 p.m. **HB 1454**, relative to increases in fees using rulemaking authority.

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

- 9:15 a.m. Subcommittee work session on **HB 1396**, relative to the smoking policy at the New Hampshire veterans' home.
- 10:30 a.m. Executive session on **HB 1396**, relative to the smoking policy at the New Hampshire veterans' home.
- 11:00 a.m. **HB 1501-FN**, requiring licensing of outpatient abortion facilities.
- 1:30 p.m. Subcommittee work session on **HB 1615**, relative to emergency prescriptions.
- 2:30 p.m. Executive session on **HB 1572-FN**, establishing a commission to create a New Hampshire state plan for Alzheimer's disease and requiring certain training and education programs regarding Alzheimer's disease and other related dementia, **HR 26**, honoring and recognizing the Cadet Nurse Corps.

JUDICIARY, Room 208, LOB

- 10:00 a.m. **HB 1442**, relative to mental health courts.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:30 a.m. **HB 1261-FN-L**, increasing the fee charged for delivery of notice of civil forfeiture of an unlicensed dog.
- 10:45 a.m. **HB 1121**, repealing the duty of assessors to compile a list of dogs in the town.
- 11:15 a.m. **HB 1492-FN-L**, relative to the issuance of fines for unlicensed dogs.
- 1:15 p.m. **HB 1110**, relative to the penalty for sales chasing by certified assessors.
- 1:45 p.m. **HB 1139**, repealing authority for granting of property tax abatements for watering troughs and shade trees.
- 2:15 p.m. **HB 1196**, allowing town and cities to waive a portion of the interest due on late property tax payments in special or extraordinary circumstances.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:30 a.m. Executive session on **HB 1164**, designating Interstate 293 as the John Durkin Highway.
- 10:45 a.m. **HB 2014**, relative to the state 10-year transportation improvement program.
- 11:15 a.m. Full committee work session on **HB 2014**, relative to the state 10-year transportation improvement program.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB

- 10:30 a.m. **HCR 12**, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans.
- 11:30 a.m. **HB 1136**, establishing a committee to study the laws relating to the New Hampshire veterans' home.

- 1:00 p.m. Executive session on **HCR 10**, applying to the Congress of the United States to call for a convention under Article V of the United States Constitution, **HCR 11**, commemorating the ratification of the seventeenth amendment to the United States Constitution.
Continued executive session on **HR 24**, urging Congress to investigate the Benghazi incident.

WAYS AND MEANS, Rooms 202-204, LOB

- 9:00 a.m. **HB 1633-FN-A-L**, relative to expanded gaming in New Hampshire.
2:00 p.m. **HB 1626-FN-A-L**, establishing up to 6 gambling establishments in the state and a gaming oversight authority and continually appropriating a special fund.
2:30 p.m. **HB 1627-FN-A-L**, relative to video lottery and table gaming.
3:00 p.m. **HB 1628-FN-A-L**, relative to games of chance and establishing a gaming regulatory commission and video lottery gaming.

FRIDAY, FEBRUARY 7

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

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

INFORMATION TECHNOLOGY OVERSIGHT COMMITTEE (RSA 21-R:9,II), Room 209, LOB

- 1:00 p.m. Organizational meeting.

MONDAY, FEBRUARY 10

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), NH Higher Education Assistance Foundation, 4 Barrel Ct., Concord

- 9:00 a.m. Investment Committee meeting.
9:30 a.m. General meeting.

COMMISSION TO STUDY BUSINESS TAXES (RSA 77-F:1), Room 103, State House

- 10:00 a.m. Regular meeting.

COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND SPECIES (RSA 487:30), Room 305, LOB

- 9:00 a.m. Regular meeting.

ELECTRIC UTILITY RESTRUCTURING OVERSIGHT COMMITTEE (RSA 374-F:5), Rooms 301-303, LOB

- 3:00 p.m. Regular meeting.

NEW HAMPSHIRE STATE ENERGY ADVISORY COUNCIL (RSA 4-E:2), Rooms 302-304, LOB

- 1:30 p.m. Regular meeting.

TUESDAY, FEBRUARY 11

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. **HB 1176**, relative to grounds for termination of parental rights.
10:45 a.m. **HB 1316-FN**, requiring the use of metal detection devices in court-ordered, supervised visitation.
11:15 a.m. **HB 1236**, establishing a committee to study supervised visitation centers.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 10:00 a.m. **HB 1614**, relative to pharmacy benefit cards.
10:30 a.m. **HB 1242-FN**, relative to deductibles, coinsurance, and out-of-pocket maximums under health insurance policies.
11:00 a.m. **HB 1281-FN**, relative to copayments for certain specialists.
1:30 p.m. Executive session on **HB 1158-FN-L**, relative to insurance incentives to lower costs of health care, **HB 1193**, relative to flood coverage notification, **HB 1194**, relative to student coverage, **HB 1332**, relative to monetary judgments in class action civil suits under the Consumer Protection Act, **HB 1353**, relative to recovery under uninsured motorist coverage, **HB 1363-L**, relative to insurance pools, **HJR12**, requesting that Anthem extend its coverage to include one hospital in every county in New Hampshire.

EDUCATION, Room 207, LOB

- 10:00 a.m. **HB 1432**, delaying implementation of certain statewide assessments and studying the effects of delaying implementation of certain curriculum changes in the public schools.
10:45 a.m. **HB 1488-FN**, adopting the interstate compact on educational support for military children.
1:15 p.m. Executive session on **HB 1132-FN**, relative to school building inventory reports, **HB 1140**, establishing a commission to study merit-based free tuition for certain residents attending schools in the university system of New Hampshire, **HB 1208**, relative to the number of first-

year college students from New Hampshire high schools required to take remedial classes, **HB 1377**, authorizing conferral of degrees by private entities, **HB 1388**, relative to student religious liberties, **HB 1397**, establishing a committee to study whether the department of education is operating within its statutory authority, **HB 1463**, relative to the definitions of “priority school” and “focus school.”, **HB 1469**, requiring each school district to establish a special education parent advisory council, **HB 1534**, establishing a commission to study fiscal disparities between public school districts.

JUDICIARY, Room 208, LOB

- 10:00 a.m. Continued public hearing on **HB 1143**, relative to the New Hampshire Law Against Discrimination.
- 1:00 p.m. Full committee work session on **HB 1156-FN-L**, making certain changes to the right-to-know law, **HB 1450**, extending the right-to-know law to certain corporations entering into contracts with municipalities for the purpose of operating a business improvement district, **HB 1591-FN**, establishing the right-to-know grievance commission, **HB 1153-FN**, allowing public bodies or agencies to require a deposit for right-to-know requests, **HB 1470**, relative to quorums for meetings under the right-to-know law, **HB 1379**, excluding firearms records from public records subject to disclosure under the right-to-know law.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Rooms 305-307, LOB

- 10:15 a.m. **HB 1403-FN**, establishing a state minimum hourly wage.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:00 a.m. Executive session on **HB 1249**, relative to refunds of the road toll paid by a governmental entity using a credit card, **HB 1250**, relative to security at state-owned park-and-ride facilities.
- 11:00 a.m. Full committee work session **HB 2014**, relative to the state 10-year transportation improvement program.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 12:30 p.m. Executive session on **HB 1197**, permitting the construction of a dam at the natural outlet of Jenness Pond in the town of Northwood, **HB 1303**, relative to the Cass Road dam in Epsom, **HB 1340**, exempting septic systems from certain requirements where there are grouted wells, **HB 1554**, relative to notice of water release from dams.

THURSDAY, FEBRUARY 13

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 10:15 a.m. **HB 1568-FN**, relative to service animals.
- 11:00 a.m. **HB 1546**, relative to insurance coverage for tractors.
- 1:15 p.m. **HB 1233**, allowing a claimant to take possession of his or her lost or stolen property under certain circumstances.

COMMISSION TO OVERSEE THE CONSTRUCTION OF THE ISLE OF SHOALS 400TH ANNIVERSARY MEMORIAL (HB 25, Chapter 195:45, Laws of 2013), Room 201, LOB

- 3:00 p.m. Regular meeting.

EDUCATION, Room 207, LOB

- 9:00 a.m. Subcommittee work session on **HB 1212**, relative to social media privacy in higher education, **HB 1200**, relative to student social media policies by educational institutions.

FRIDAY, FEBRUARY 14

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

- 10:00 a.m. Regular meeting.

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

- 10:00 a.m. Regular business.

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

- 11:00 a.m. Regular meeting.

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I), Room 101, LOB

- 9:30 a.m. Regular meeting.

WEDNESDAY, FEBRUARY 19

SHORELAND ADVISORY COMMITTEE (RSA 483-B:21), Department of Environmental Services, Hazen Dr., Concord

1:00 p.m. Regular meeting.

FRIDAY, FEBRUARY 21

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

9:00 a.m. Regular meeting.

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a), Room 304, LOB

9:00 a.m. Regular meeting.

THERAPEUTIC USE OF CANNABIS ADVISORY COUNCIL (RSA 126-X:9), Rooms 205-207, LOB

1:00 p.m. Regular meeting.

MONDAY, FEBRUARY 24

COMMISSION TO STUDY BUSINESS TAXES (RSA 77-F:1), Room 103, State House

10:00 a.m. Regular meeting.

FRIDAY, FEBRUARY 28

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

9:00 a.m. Regular meeting.

MONDAY, MARCH 3

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

9:00 a.m. Regular meeting.

TUESDAY, MARCH 4

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

2:00 p.m. Regular business.

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

2:30 p.m. Regular business.

WEDNESDAY, MARCH 5

EDUCATION OF CHILDREN WITH DISABILITIES ADVISORY COMMITTEE (RSA 186-C:3-b), Department of Education, Londergan Hall Room 15, 101 Pleasant St., Concord

4:30 p.m. Regular meeting. *Snow date March 12th*

FRIDAY, MARCH 7

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

9:00 a.m. Continued regular meeting.

FRIDAY, MARCH 14

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I), Room 101, LOB

9:30 a.m. Regular meeting.

MONDAY, MARCH 17

NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), Folsom Tavern, 164 Water St., Exeter

3:00 p.m. Quarterly meeting.

OFFICIAL NOTICES

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

Rep. Susan Emerson, c/o Navy Lodge, Room 509, 8901 Wisconsin Ave., Bethesda, MD 20889

Rep. Lester W. Bradley, 315 Thornton Gore Road, Thornton, New Hampshire 03285-6807

Rep. Barbara S. Helmstetter, Exeter Center, 8 Hampton, Exeter, NH 03833-4806

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

Karen O. Wadsworth, Clerk of the House

COUNTY DELEGATION NOTICE

The **Carroll** County Delegation will meet at the County Offices in Ossipee on **Monday, February 3rd** at 9:00 a.m. to continue their discussion on the budget.

Rep. Edward Butler, Clerk

Carroll County Delegation

COUNTY DELEGATION NOTICE

The **Coos** County Delegation will meet **Monday, February 10th** to approve the 4th Quarter Financials of 2013, at the State Offices in Lancaster. The meeting will begin at 10:00 a.m. sharp.

Rep. Robert Theberge, Chairman

Coos County Delegation

COUNTY DELEGATION NOTICE

The **Coos** County Delegation will meet **Monday, March 17th** to approve the Annual Budget for 2014, in West Stewardstown (Nursing Home). The meeting will begin at 10:00 a.m. sharp.

Rep. Robert Theberge, Chairman

Coos County Delegation

COUNTY DELEGATION NOTICE

The **Rockingham** County Delegation Sheriff subcommittee will meet **Wednesday, February 5th** during the lunch break from session in the Sergeant at Arms meeting room on the third floor of the State House.

Rep. Jacqueline Cali-Pitts, Chairman

Rockingham County Delegation

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive Committee will meet **Friday, February 21st** at **9:30 a.m.** in the Hilton Auditorium, Rockingham County Nursing Home, Brentwood.

Rep. Kevin K. Waterhouse, Clerk

Rockingham County Executive Committee

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive Committee will meet **Tuesday, March 4th** at **5:30 p.m.** in the Commissioners Conference Room, Rockingham County Nursing Home, Brentwood.

Rep. Kevin K. Waterhouse, Clerk

Rockingham County Executive Committee

COUNTY DELEGATION NOTICE

The **Rockingham** County Convention will meet **Tuesday, March 4th** at **6:00 p.m.** in the Hilton Auditorium, Rockingham County Nursing Home, Brentwood. Sandwiches and light refreshments will be provided.

Rep. Kevin K. Waterhouse, Clerk

Rockingham County Executive Committee

REVISED FISCAL NOTES

The following Bills have a revised fiscal note: HB 226, HB 255, HB 256, HB 404, HB 424, HB 439, HB 461, HB 480, HB 469, HB 492, HB 525, HB 645, HB 649, HB 653, HB 666, HB 671, HB 682, HB 624, HB 1127, HB 1148, HB 1161, HB 1163, HB 1216, HB 1368, HB 1411, HB 1557, HB 1595, HB 1609, HB 1626, HB 1627, HB 1628, HB 1630, HB 1631, SB 180 and SB 196.

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 Business Caucus will meet on **Tuesday, February 4th** at noon in the State House Cafeteria.
Reps. Laurie Sanborn, Patrick Abrami and
Adam Schroadter

The Bi-State Primary Care Association is hosting its NH Legislative and Business Hot Breakfast on Wednesday, **February 5, 2014**, from 7:30 a.m. to 9:00 a.m. at the Holiday Inn, 172 N. Main Street, Concord. (Snow date: February 6, 2014.) The topic will be "A Smart Investment – NH Community Health Centers."
Speaker Terie Norelli

The New Hampshire Association of Fire Chiefs is sponsoring a legislative reception breakfast for all legislators and staff on **Wednesday, February 5th** from 7:30 a.m. to 10:00 a.m. in the State House Cafeteria.
Reps. Stephen J. Shurtleff and Gene G. Chandler

The Retail Merchants Association of New Hampshire invites all legislators and staff to its 48th Annual Legislative Reception and presentation of the annual "Law Enforcement Partner of the Year", "Retailer of the Year" and "Legislator of the Year", awards on **Wednesday, February 5th** at 4:00 p.m. or following the session, whichever is later, at the Concord Holiday Inn. Please join RMANH members, your colleagues and others for light fare and conversation.

Reps. Stephen J. Shurtleff and Gene G. Chandler

The NH Insurance Department will hold a public informational hearing regarding our regulatory standards and procedures for determining network adequacy for health insurance plans, and the balance between promoting access to care and controlling costs. The hearing will be held on **Monday, February 10th** at 10:00 a.m. at the New Hampshire Department of Environmental Services Auditorium, 6 Hazen Dr., in Concord. Interested members of the public are welcome to attend. The Department will present information about its regulatory standards and procedures for determining network adequacy, including the review the Department conducted with respect to plans sold on the New Hampshire Health Insurance Marketplace. There will also be an opportunity to testify. This hearing will be important to those interested in why we have a narrow network of healthcare providers in our ACA-offered insurance policies.

Rep. Edward Butler

Northeast Delta Dental cordially invites all members of the New Hampshire House and the staff to its Fifteenth Annual Legislative Reception to be held **Tuesday, February 11th** from 4:00 p.m. to 6:30 p.m. at its corporate office at One Delta Drive in Concord.

Reps. Stephen J. Shurtleff and Gene G. Chandler

The New Hampshire Order of Women Legislators (OWLS) will meet during the lunch break from session on Wednesday, **February 12th** in the 3rd floor Conference Room. The OWLS book is available free of charge in the State House Visitor Center.

Rep. Laura Pantelakos

Casino Free NH and the Granite State Coalition Against Expanded Gambling invite all representatives to join us for lunch at the Holiday Inn on **Wednesday, February 19th** during the session lunch break. There will be a brief program and the opportunity to have questions answered.

Reps. David Hess and Marjorie Smith

The American Cancer Society Cancer Action Network-NH will be hosting a Legislative Breakfast on Wednesday, February 19th from 8:00 a.m. to 10:00 a.m. at the Upham Walker House at 18 Park Street in Concord. A light continental breakfast will be served. American Cancer Society Action Network volunteers and staff from New Hampshire will be on hand to discuss pending legislation as well as what services the Society provides to NH residents.

Rep. Jim MacKay

Legislative Breakfast – The annual Water's Worth It! legislative breakfast is set for **Wednesday, March 5th** at the Holiday Inn on Main Street in Concord. Check in for the event begins at 7:00 am with a breakfast buffet. During the breakfast water quality professionals will present information on drinking water and wastewater treatment challenges in New Hampshire. Maintaining high quality water resources in New Hampshire is critical to our health and economy. All legislators and staff are invited to enjoy a hearty breakfast and learn more about New Hampshire's water infrastructure. There is no cost for this event.

Rep. Tom Buco

The House Republican Alliance will meet Tuesday mornings at 8:30 a.m. in LOB 206.

Reps. Pamela Tucker, Al Baldasaro, and Carol McGuire

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 **2014**. 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. Note that large groups are divided into smaller groups for tours.

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>
Jan. 30	9:30	Mt. Zion Christian School – Manchester	7/4
Jan. 31	11:00	Home school Group – Plaistow area	
Feb. 3	9:15	Peter Woodbury School – Bedford	43/4
Feb. 6	9:30	St. Benedict Academy – Manchester	24/4n
Feb. 7	9:15/10:30 SH/SC	Peter Woodbury School – Bedford	65/4
Feb. 10	9:15	Broken Ground School – Concord	44/4
Feb. 10	10:30	Moultonborough Central School	39/4
Feb. 11	9:15	Broken Ground School – Concord	44/4
Feb. 11	10:30	Mount St. Mary Academy – Manchester	19/4
Feb. 11	3:30	St. Paul's School – exchange students	12/HS
Feb. 12	9:15	Broken Ground School – Concord	44/4
Feb. 12	11:30	Leadership Greater Concord	30
Feb. 13	10:30	Walter F. Haigh School – Salem	44/4
Feb. 13	11:30	Portsmouth Christian Academy – Dover	12
Feb. 14	9:30/11:00 SH/SC	Pembroke Hill School	70/4
Feb. 18	9:00	Cardigan Mountain School – Finnish Hockey team	20/HS
Feb. 18	10:30	St. John's Regional School – Concord	29/4
Feb. 19	9:00	UNH Dept of Social Work	30/col
Feb. 19	10:30	American Cancer Society	20
Feb. 20	10:30	Tuftonboro Central School	10/4
Feb. 21	9:30	Milton & Sanbornville Home School Group	25
Feb. 24	10:30	South Tamworth Community School	22/6-12

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to CACR 10 (2014-0147h)

Proposed by the Minority of the committee on Ways and Means - r

Amend the resolution by replacing paragraph I with the following:

I. That the second part of the constitution be amended by inserting after article 5-b the following new article:

[Art.] 5-c. [Moneys Received by State, Dedicated Funds.] Moneys collected by the state from a specified source or sources shall be deposited in a dedicated fund and used exclusively for the purpose of such fund. Each dedicated fund shall have a mechanism for balancing fund income with the program requirements, such that the fund neither fails to meet its purpose nor accumulates moneys beyond what is necessary for long term stability consistent with the fund's purpose. Furthermore, the fund shall have a mechanism for discontinuing collection of revenue and disbursing excess moneys if the underlying purpose of the fund ends.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending the second part of the constitution by inserting after article 5-b a new article to read as follows:

[Art.] 5-c. [Moneys Received by State, Dedicated Funds.] Moneys collected by the state from a specified source or sources shall be deposited in a dedicated fund and used exclusively for the purpose of such fund. Each dedicated fund shall have a mechanism for balancing fund income with the program requirements, such that the fund neither fails to meet its purpose nor accumulates moneys beyond what is necessary for long term stability consistent with the fund's purpose. Furthermore, the fund shall have a mechanism for discontinuing collection of revenue and disbursing excess moneys if the underlying purpose of the fund ends."

2014-0147h

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that certain moneys received by the state shall be deposited in a dedicated fund and used exclusively for the purpose of such fund.

Amendment to HB 227 (2013-2298h)

Proposed by the Committee on Commerce and Consumer Affairs -c

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

3 Insurance Companies and Agents; Premium Refunds. Amend RSA 402:81, I(c) to read as follows:

(c) For auditable policies:

(1) Audits shall be ~~conducted~~ **completed** promptly, no more than 120 days after the expiration or cancellation of the policy, provided that there is no bona fide dispute; and

(2) If there is no bona fide dispute, the refund of gross unearned premium shall become due on the date of the completed audit **or 120 days after the expiration or cancellation of the policy, whichever occurs first.**

(3) Any insurer that violates this subparagraph shall be subject to the penalty provisions of RSA 402:50.

~~[(3)]~~ (4) In cases where the amount of refund is in bona fide dispute, the refund shall not become due until the dispute is resolved and the audit is completed. The insurer shall notify the insured in writing that there is a bona fide dispute and this notice shall toll the 120-day time period until the dispute is resolved. Upon resolution of the dispute, the insurer shall proceed to complete the audit within the time remaining in the 120-day time period.

~~[(4)]~~ (5) A bona fide dispute includes the insured's failure to cooperate with the audit, provided the insurer has notified the insured of:

(A) The acts or omissions that constitute the insured's failure to cooperate; and

(B) The consequences of the insured's failure to cooperate, including delay in the completion of the audit and payment of any refund due.

4 Public Adjusters; Approval of Forms. Amend RSA 402-D:14, II to read as follows:

II. Contracts not containing all of the information required by RSA 402-D:13, **I** shall be automatically **deemed** disapproved~~[-and shall not be enforceable by the parties].~~ **Any disapproved contract that is used by a public adjuster in violation of this paragraph shall be voidable by the consumer who signed the contract.**

5 Third Party Administrators; Premium Collection and Payment of Claims. Amend RSA 402-H:7, IV to read as follows:

IV. All claims paid by the administrator from funds collected on behalf of or for an insurer shall be paid only on drafts or checks of and as authorized by the insurer, ***provided however that property and casualty claims may also be paid other than by draft or check, pursuant to rules adopted in accordance with RSA 281-A and RSA 417.***

6 Fire Insurance Contract. RSA 407:15 is repealed and reenacted to read as follows:

407:15 Notice to Insured. The insurer shall provide written notice to the insured of any denial of coverage. The notice shall inform the insured that any action based upon the denial shall be barred by law if not commenced within 12 months from the date of the written denial.

7 Regulation of Forms and Rates; Forms. Amend RSA 412:5, II to read as follows:

II. No liability policy issued or delivered in this state ***that insures against personal risk*** shall contain any exclusion which would preclude coverage for intra-family or inter-spousal claims.

8 Regulation of Forms and Rates; Motor Vehicle Coverage. Amend RSA 412:8, II to read as follows:

II. No liability policy issued or delivered in this state ***that insures against personal risk*** shall contain any exclusion which would preclude coverage for intra-family or inter-spousal claims.

9 Regulation of Forms and Rates; Workers' Compensation. Amend RSA 412:35, III to read as follows:

III. Audits shall be completed promptly, no more than 120 days after the expiration or cancellation of the policy, provided that there is no bona fide dispute. ***Any insurer that violates the provisions of this paragraph shall be subject to the penalty provisions of RSA 412:40.***

10 Refusal to Issue, Cancellation and Refusal to Renew Automobile Insurance. Amend RSA 417-A:3 to read as follows:

417-A:3 Cancellation; Refusal to Write; Refusal to Renew; Insufficient Grounds. No insurer shall cancel, refuse to write or refuse to renew a policy of automobile insurance on any person ~~[with at least 2 years' driving experience]~~ solely because of the age, residence, race, color, creed, national origin, ancestry, marital status or lawful occupation, including the military service, of anyone who is or seeks to become insured or solely because another insurer has refused to write a policy, or has cancelled or has refused to renew an existing policy in which that person was the named insured.

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

Amendment to HB 366-FN

(2013-2223h)

Proposed by the Committee on Election Law - c

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

1 Showing or Specially Marking Ballot. Amend RSA 659:35 to read as follows:

659:35 Showing or Specially Marking Ballot.

I. No voter shall allow his ***or her*** ballot to be seen by any person with the intention of letting it be known how he ***or she*** is about to vote ***or how he or she has voted*** except as provided in RSA 659:20. ***This prohibition shall include taking a digital image or photograph of his or her marked ballot and distributing or sharing the image via social media or by any other means.***

II. No voter shall place a distinguishing mark upon his ***or her*** ballot nor write in any name as the candidate of his ***or her*** choice with the intention of thereby placing a distinguishing mark upon ~~[his]~~ ***the*** ballot.

III. No voter shall use or attempt to use any ballot not given him ***or her*** by the ballot clerk to accomplish any of the acts or purposes prohibited by paragraph I or II or both.

IV Any person willfully violating any of the provisions of this section shall be guilty of a misdemeanor.

V. Before each state election, the secretary of state shall prepare and distribute to the town and ward clerks a sufficient number of posters measuring 8-1/2 inches by 11 inches highlighting the provisions of paragraphs I through IV.

VI. Each town and ward clerk shall prominently post the posters referred to in paragraph V at each polling place in his or her town or ward.

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

AMENDED ANALYSIS

This bill adds the acts of a voter allowing his or her marked ballot to be seen and a voter distributing or sharing a photograph or digital image of his or her marked ballot to the prohibitions on showing or specially marking ballots. This bill also requires posters at each polling place highlighting the prohibitions on showing or specially marking ballots.

Floor Amendment to HB 456-FN

(2014-0014h)

Proposed by Reps. John Hunt and D. Schlachman

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

AN ACT relative to liquor manufacturers and relative to samples of alcoholic beverages.

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

1 New Paragraph; Definitions; Liquor Manufacturer. Amend RSA 175:1 by inserting after paragraph XLIV the following new paragraph:

XLIV-a. "Liquor manufacturer" means a licensee who produces liquor from raw materials by the process of fermentation and distillation.

2 New Paragraph; Definitions; Rectifier. Amend RSA 175:1 by inserting after paragraph LVIII the following new paragraph:

LVIII-a. "Rectifier" means a licensee who produces liquor by combining liquor with other products.

3 Liquor Manufacturer Licensee. Amend RSA 178:6, I to read as follows:

I. A liquor manufacturer licensee ~~[may]~~ **must** ferment[,] **and** distill **liquor from raw materials, and may** blend, age, and bottle ~~[liquor other than wine]~~ **those liquors or wine produced at the licensed premises** in this state. A liquor manufacturer licensee may sell the liquor it manufactures to the commission for resale in this state.

4 Liquor Manufacturer; Retail Sales. Amend RSA 178:6, III to read as follows:

III. Each liquor manufacturer ~~[distilling less than 5,000 cases of liquor per year]~~ shall have the right to sell at retail at its **licensed manufacturing facility no more than the equivalent of 3,000 9-liter cases** for off-premises consumption any of its liquor. Each retail sale shall be limited to one 9-liter case or less per sale. No liquor manufacturer shall sell more than 12 9-liter cases of liquor to any one customer in any calendar year.

5 Liquor Manufacturer; Sample Fee. Amend RSA 178:6, VI to read as follows:

VI. Each liquor manufacturer shall maintain records and prepare reports for the commission which shall indicate the sales made under paragraph III **and samples distributed under paragraph IX** and shall pay to the commission monthly a fee equal to 8 percent of such sales **or 8 percent of the retail value of such samples** on or before the tenth day of the month following the sale **or the sample distribution**.

6 New Paragraph; Liquor Manufacturer; Distribution of Samples. Amend RSA 178:6 by inserting after paragraph VIII the following new paragraph:

IX. Each liquor manufacturer selling no more than the equivalent of 3,000 9-liter cases of liquor per year at its licensed manufacturing facility shall have the right to distribute samples directly to on-premises and agency store licensees for tasting on the licensed premises in accordance with RSA 179:44.

7 Samples Provided for Tasting. Amend the introductory paragraph of RSA 179:31, II to read as follows:

II. Manufacturers, wholesale distributors, or wine and liquor vendors or their salespersons may distribute samples of their products to licensees for purposes of tasting. The following restrictions shall apply **annually**:

8 Samples Provided for Tasting. Amend RSA 179:31, II(e) to read as follows:

(e) All liquor or wine for this purpose shall be purchased from the commission, **except as provided in RSA 178:6, IX and RSA 178:6, VI. The cost shall be no more than the commission's original cost paid by the commission plus 8 percent.**

9 Free Drinks. Amend RSA 179:44 to read as follows:

179:44 Free Drinks.

I. No licensee shall give away free drinks to customers, patrons, members, or guests, in any manner.

II. Notwithstanding ~~[the above]~~ **paragraph I**, beverage manufacturers, **liquor manufacturers**, beverage vendors, brew pubs, wholesale distributors and their liquor or wine vendors, their liquor and wine representatives, domestic wine manufacturers, and on-premises and off-premises licensees may conduct beverage, liquor, or wine tasting, as applicable, on licensed premises. Liquor, beverage, or wine tasting shall be conducted only during such hours as are authorized by the commission for the sale of the product on the premises.

III. Liquor, beverage, or wine samples shall be consumed on the premises, and, except for wine samples provided by wine manufacturers **and liquor samples provided by liquor manufacturers in accordance with RSA 178:6, IX**, liquor or wine for this purpose shall be purchased from the commission under conditions prescribed by this title. Beverage samples for a tasting shall only be obtained as prescribed by this title.

IV. The commission may adopt rules, pursuant to RSA 541-A, establishing the criteria and procedures for liquor, beverage, and wine tasting within the state.

V. All samples furnished for tasting shall be considered sales for the requirements of RSA 178:26 **and RSA 178:6, VI.**

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

AMENDED ANALYSIS

This bill:

I. Requires that all liquor manufacturer licensees ferment and distill liquor from raw materials.

II. Allows liquor manufacturer licensees to distribute samples to off-premises and agency store licensees for tasting on licensed premises.

III. Establishes annual restrictions on alcoholic beverage samples.

Amendment to HB 1109**(2014-0204h)****Proposed by the Committee on Municipal and County Government - c**

Amend RSA 231:43, II as inserted by section 1 of the bill by replacing it with the following:

II. The selectmen shall give written notice [shall be given] by verified mail, as defined in RSA 451-C:1, VII, to all owners of property abutting such highway, at least 14 days prior to the vote of the town. In the case of a petitioned warrant article calling for discontinuance of a class VI highway, the petitioners shall bear the cost of notice.

Amendment to HB 1135-FN**(2014-0272h)****Proposed by the Committee on Transportation - r**

Amend the bill by replacing section 1 with the following:

1 License Required; Penalty. Amend RSA 263:1 to read as follows:

263:1 License Required; ***Penalty.***

I. No person, except those expressly exempted under RSA 263:25 or other provisions of this title, shall drive any motor vehicle upon any way in this state unless such person has a valid driver's license, as required under the provisions of this chapter, for the class or type of vehicle being driven. ~~[Except as otherwise herein provided, any person who drives a motor vehicle in this state without having a valid driver's license of the appropriate class or type shall be guilty of a violation, provided that any person convicted of such offense for the second time in a 12 month period shall be guilty of a misdemeanor.]~~

II. Any person who drives a motor vehicle in this state who had a valid license that was expired for 12 months or less shall be guilty of a violation and fined not more than \$50 plus penalty assessment, provided that any person convicted of such offense for the second time in a 12 month period shall be guilty of a misdemeanor.

III. Any person who drives a motor vehicle in this state whose license is not of the appropriate class for the type of vehicle being driven shall be guilty of a violation and fined not more than \$100 plus penalty assessment, provided that any person convicted of such offense for the second time in a 12 month period shall be guilty of a misdemeanor.

IV. Any person who drives a motor vehicle in this state and who has never had a license or whose license to drive has been expired for more than 12 months shall be guilty of a misdemeanor.

2014-0272h

AMENDED ANALYSIS

This bill modifies the penalties for driving a motor vehicle without a valid driver's license or a license that is not appropriate for the vehicle being driven.

Amendment to HB 1144**(2014-0264h)****Proposed by the Committee on Commerce and Consumer Affairs - r**

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

AN ACT establishing a committee to study information included in arrest records and access to information on the disposition of criminal cases.

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

1 Committee Established. There is established a committee to study information included in arrest records and access to information on the disposition of criminal cases.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study information included in arrest records and access to information on the disposition of criminal cases. The study shall include a review of the information included in arrest records and information currently available online relative to the disposition of cases.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2014.

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

2014-0264h

AMENDED ANALYSIS

This bill establishes a committee to study information included in arrest records and access to information on the disposition of criminal cases.

Amendment to HB 1160-FN

(2014-0140h)

Proposed by the Committee on Executive Departments and Administration - c

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

2 Sale of Lucky 7 Tickets. Amend RSA 287-E:7, IV to read as follows:

V. No bingo games shall be conducted prior to 11:00 a.m. on a weekday, prior to noon on a Sunday, or after 11:00 p.m. on any day. ***Lucky 7 tickets sold in conjunction with the operation of bingo games shall not be sold after 11:00 p.m. on any day.***

Amendment to HB 1168

(2014-0116h)

Proposed by the Committee on Labor, Industrial and Rehabilitative Service - c

Amend RSA 275-A:4-a as inserted by section 1 of the bill by replacing it with the following:

275-A:4-a Employment of ~~[Hlegal Aliens]~~ ***Undocumented Workers*** Prohibited. No employer may employ ~~[an alien whom the employer knows is not a citizen of the United States and not in possession of Form I-151, Alien Registration Receipt Card or any other document issued by the United States Immigration and Naturalization Service or the Attorney General of the United States which authorizes him to work]~~ ***any employee without obtaining documentation showing the employee's eligibility to work in the United States. Acceptable documentation of eligibility to work in the United States shall include documents required by federal law or supporting documentation that satisfies the requirement of federal law.***

2014-0116h

AMENDED ANALYSIS

This bill requires employers to obtain documentation of an employee's eligibility to work in the United States.

Amendment to HB 1174

(2014-0260h)

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

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

AN ACT establishing a committee to study the payment of subminimum wages to persons with disabilities.

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

2 Payment of Subminimum Wages; Persons with Disabilities; Committee Established; Membership; Compensation.

I. There is established a committee to study and identify New Hampshire laws and rules that permit the payment of subminimum wages to persons with disabilities, and to recommend changing such laws to reflect the contemporary policy and practice of providing wages to individuals with disabilities that are fair and comparable to those wages paid to individuals without disabilities.

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

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

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

III. The committee may work with and obtain information from the following individuals, state agencies, and organizations, and others as deemed appropriate:

(a) Persons with disabilities.

(b) Employers of persons with disabilities.

(c) Advocates for persons with disabilities.

(d) The department of labor.

(e) The bureau of developmental services, department of health and human services.

(f) The governor's commission on disability.

(g) The bureau of vocational rehabilitation.

- (h) Special educators who specialize in transition.
- (i) The New Hampshire Council on Developmental Disabilities.
- (j) The Disabilities Rights Center.
- (k) The Community Support Network, Inc.

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

3 Duties. The committee shall:

I. Analyze federal laws on wages, including section 14(c) of the Fair Labor Standards Act.

II. Identify specific state statutes and rules that need to be changed to end the payment of subminimum wages to workers with disabilities.

III. Analyze national and state data on the payment of subminimum wages to workers with disabilities. This analysis shall include the employers and provider agencies in New Hampshire that are currently paying subminimum wages and the circumstances under which such wages are being paid.

IV. Analyze the potential impact in New Hampshire of proposed federal legislation to phase out the payment of subminimum wages to workers with disabilities.

V. Analyze the economic advantages and disadvantages to employers of phasing out the payment of subminimum wages to workers with disabilities in New Hampshire.

VI. Analyze whether public funds are being used in New Hampshire to directly or indirectly support paying subminimum wages to workers with disabilities, and recommend a policy to end such practices.

VII. Develop a strategic plan to be used by employers and provider agencies to effectively phase out the payment of subminimum wages that includes a timeline, mechanisms to provide technical assistance and training to employers and provider agencies as they phase out subminimum wage arrangements, and access to employment services for individuals with disabilities as they are phased out of subminimum wage arrangements.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2014.

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

2014-0260h

AMENDED ANALYSIS

This bill establishes a committee to identify and recommend changes to New Hampshire laws and rules on the payment of subminimum wages to persons with disabilities.

Amendment to HB 1222

(2014-0151h)

Proposed by the Committee on Public Works and Highways - c

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Memorials; Commercial Use Prohibited. Amend RSA 4:9-a by inserting after paragraph II the following new paragraph:

III. No person shall use the law enforcement memorial at the legislative office building or the fallen firefighters memorial located at the fire academy for any commercial purpose. This prohibition shall not apply to use by firefighting or law enforcement agencies or firefighter or law enforcement organizations registered with the director of charitable trusts to support the upkeep and maintenance of the memorials or to support their charitable activities, provided that use of the law enforcement memorial is authorized by the division of plant and property management and use of the fallen firefighters memorial is authorized by the New Hampshire State Firemen's Association. Any person who violates this paragraph shall be guilty of a violation and subject to a fine of \$500.

Amendment to HB 1229-FN

(2014-0130h)

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

Amend RSA 146-D:6, III as inserted by section 6 of the bill by replacing it with the following:

III. Owners of facilities or land eligible under this chapter may apply for reimbursement of court-ordered damages to third parties for bodily injury or property damage, and for the costs of onsite and off-site cleanup of oil discharges in amounts not to exceed a total of \$1,500,000. *After the initial \$1,500,000 is reimbursed, owners may apply for reimbursement of additional onsite and off-site cleanup costs in amounts not*

to exceed a total of \$500,000. The fund shall be deemed excess insurance over any other valid and collectible insurance for the costs of cleanup and damages to third parties. There shall be no right of recovery against the fund for payments made under other insurance.

Amendment to HB 1243

(2014-0089h)

Proposed by the Committee on Education - c

Amend the bill by replacing section 2 with the following:

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

Amendment to HB 1272

(2014-0161h)

Proposed by the Committee on Judiciary - c

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

1 New Subparagraph; Actions Against Tenants; Exemption for Fraternal or Social Housing. Amend RSA 540:1-a, IV by inserting after subparagraph (f) the following new subparagraph:

(g) Residential units leased by a member of a fraternal or social organization that provides student housing for a post secondary institution in a structure owned and operated by the fraternal or social organization.

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

Amendment to HB 1279

(2014-0190h)

Proposed by the Committee on State-Federal Relations and Veterans Affairs - c

Amend the bill by replacing section 1 with the following:

1 New Chapter; Protection Against Unlawful Military Action. Amend RSA by inserting after chapter 642 the following new chapter:

CHAPTER 642-A

PROTECTION FROM MILITARY ACTION

642-A:1 Protection Against Unlawful Military Action Within New Hampshire. The general court of New Hampshire and the governor of New Hampshire hold that indefinite detention or transfer to jurisdictions outside the United States of citizens of New Hampshire in particular and citizens of the United States in general are unlawful pursuant to the constitution of the state of New Hampshire, part the first, articles 15, 17, and 19, and the Constitution for the United States of America, Amendments IV, V, and VI. Therefore, pursuant to the constitution of the state of New Hampshire, part the first, article 7, and the Constitution for the United States, Amendments IX and X, notwithstanding any provision of law to the contrary, no New Hampshire agency, political subdivision, or employee of either acting in his or her official capacity, and no member of the New Hampshire national guard under the command of the governor, may knowingly engage in any activity that aids an agency of or the armed forces of the United States in the execution of 50 U.S.C. section 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012, Public Law 112-81, section 1021, or any other similar law, order, or regulation, in the investigation, arrest, detention, extra-judicial transfer to foreign jurisdictions or entities, military tribunal, or trial, of any person within the United States. Nothing herein shall be interpreted to prevent cooperation with federal civilian authorities not acting pursuant to 50 U.S.C. section 1541, as provided by the National Defense Authorization Act for Fiscal Year 2012, Public Law 112-81, section 1021, or any other similar law, order, or regulation, nor to any training which may apply to tasks in common with those required to execute 50 U.S.C. section 1541, as provided by the National Defense Authorization Act for Fiscal Year 2012, Public Law 112-81, section 1021.

Amendment to HB 1222

(2014-0151h)

Proposed by the Committee on Public Works and Highways - c

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Memorials; Commercial Use Prohibited. Amend RSA 4:9-a by inserting after paragraph II the following new paragraph:

III. No person shall use the law enforcement memorial at the legislative office building or the fallen firefighters memorial located at the fire academy for any commercial purpose. This prohibition shall not apply to use by firefighting or law enforcement agencies or firefighter or law enforcement organizations registered with the director of charitable trusts to support the upkeep and maintenance of the memorials or to support their charitable activities, provided that use of the law enforcement memorial is authorized by the division of plant and property management and use of the fallen firefighters memorial is authorized by the New Hampshire State Firemen's Association. Any person who violates this paragraph shall be guilty of a violation and subject to a fine of \$500.

Amendment to HB 1243**(2014-0089h)****Proposed by the Committee on Education - c**

Amend the bill by replacing section 2 with the following:

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

Amendment to HB 1279**(2014-0190h)****Proposed by the Committee on State Federal Relations and Veterans Affairs - c**

Amend the bill by replacing section 1 with the following:

1 New Chapter; Protection Against Unlawful Military Action. Amend RSA by inserting after chapter 642 the following new chapter:

CHAPTER 642-A**PROTECTION FROM MILITARY ACTION**

642-A:1 Protection Against Unlawful Military Action Within New Hampshire. The general court of New Hampshire and the governor of New Hampshire hold that indefinite detention or transfer to jurisdictions outside the United States of citizens of New Hampshire in particular and citizens of the United States in general are unlawful pursuant to the constitution of the state of New Hampshire, part the first, articles 15, 17, and 19, and the Constitution for the United States of America, Amendments IV, V, and VI. Therefore, pursuant to the constitution of the state of New Hampshire, part the first, article 7, and the Constitution for the United States, Amendments IX and X, notwithstanding any provision of law to the contrary, no New Hampshire agency, political subdivision, or employee of either acting in his or her official capacity, and no member of the New Hampshire national guard under the command of the governor, may knowingly engage in any activity that aids an agency of or the armed forces of the United States in the execution of 50 U.S.C. section 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012, Public Law 112-81, section 1021, or any other similar law, order, or regulation, in the investigation, arrest, detention, extra-judicial transfer to foreign jurisdictions or entities, military tribunal, or trial, of any person within the United States. Nothing herein shall be interpreted to prevent cooperation with federal civilian authorities not acting pursuant to 50 U.S.C. section 1541, as provided by the National Defense Authorization Act for Fiscal Year 2012, Public Law 112-81, section 1021, or any other similar law, order, or regulation, nor to any training which may apply to tasks in common with those required to execute 50 U.S.C. section 1541, as provided by the National Defense Authorization Act for Fiscal Year 2012, Public Law 112-81, section 1021.

Amendment to HB 1309**(2014-0088h)****Proposed by the Committee on Labor, Industrial and Rehabilitative Services - c**

Amend the bill by replacing section 2 with the following:

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

Amendment to HB 1335-FN**(2014-0266h)****Proposed by the Committee on Public Works and Highways - c**

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

AN ACT establishing a committee to study the university system of New Hampshire's purchasing process and practices and their effect on the New Hampshire economy.

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

1 Statement of Purpose. The general court finds that it is in the interest of the state of New Hampshire to ensure that the purchasing process and practices used by the university system of New Hampshire maximize its contribution to the economic vitality of New Hampshire.

2 Committee Established. There is established a committee to study the purchasing process and practices used by the university system of New Hampshire.

3 Membership and Compensation.

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

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

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

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

4 Duties. The committee shall:

I. Analyze the purchasing process and practices used by the university system of New Hampshire.

II. Research alternate purchasing processes and practices being used in the public and private sector.

III. Determine if the current purchasing process and practices used by the university system of New Hampshire have a positive or negative effect on the New Hampshire economy.

IV. Make any recommendations relative to enhancing the purchasing process and practices used by the university system of New Hampshire that would contribute positively, or enhance its contribution, to the economic vitality of New Hampshire.

V. Solicit input from, and participation of, the following groups, and may solicit input from, and participation of, any other group that the study committee deems beneficial to its research:

- (a) Associated General Contractors of New Hampshire.
- (b) New Hampshire chapter of the American Institute of Architects.
- (c) New Hampshire Society of Professional Engineers.
- (d) A New Hampshire economic public policy think tank.
- (e) Labor interests.
- (f) University system of New Hampshire board of trustees.

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

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2014.

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

2014-0266h

AMENDED ANALYSIS

This bill establishes a committee to study the purchasing process used by the university system of New Hampshire, determine its impact on the New Hampshire economy, and make any recommendations relative to enhancing the process and its resultant contribution to the economic vitality of New Hampshire.

Amendment to HB 1406-FN

(2014-0273h)

Proposed by the Committee on Public Works and Highways - c

Amend RSA 234:25-a as inserted by section 1 of the bill by replacing it with the following:

234:25-a Red List Bridges.

I. The commissioner of transportation shall establish and maintain a list of bridges that are found, after inspection by the department, to be structurally deficient, which shall be known as red list bridges.

II. Separate red lists shall be established and maintained for state-owned bridges and for bridges owned by municipalities.

III. Both red lists under paragraph II shall specify whether a bridge is structurally deficient. The department of transportation shall number and prioritize all state-owned red list bridges relative to the need for repair or replacement.

IV. Any red list bridge that is closed as a result of a department of transportation recommendation shall remain on the red list along with the date of closure and the reason it was closed. Red list bridges shall be removed from the red list when the department certifies that the bridge has been satisfactorily repaired or replaced, or the department permanently closes any state-owned red list bridge, or when the governing body of the municipality permanently closes any municipally-owned red list bridge.

Floor Amendment to HB 1573-FN

(2014-0258h)

Proposed by the Committee on Rep. Hoell - r

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

AN ACT establishing a committee to study regional planning commissions

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

1 Committee Established. There is established a committee to study regional planning commissions.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study the structure, governance, operation, delivery of services, effectiveness, and accountability of regional planning and existing regional planning commissions and propose changes to current law in order to implement and codify needed reforms. In particular, the committee shall study the impact of requiring regional planning commission appropriation and budget-making processes on those used by New Hampshire political subdivisions; repealing RSA 36:49-a; and, amending RSA 36:49 to prohibit regional planning commissions from accepting or receiving any funds, grants, or services from the federal government or its agencies, from departments, agencies, and instrumentalities of state, or from private and civic sources.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before December 1, 2014.

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

2014-0258h

AMENDED ANALYSIS

This bill establishes a committee to study regional planning commissions.

Amendment to HB 1581-FN-A

(2014-0228h)

Proposed by the Committee on Public Works and Highways - c

Amend RSA 228:12-b as inserted by section 1 of the bill by replacing it with the following:

228:12-b Red List Bridge Capital Projects; Bonds Authorized. To provide funds for capital projects to repair or replace state-owned red list bridges, or any state-owned bridge closed in accordance with a department of transportation order, the state treasurer, as may be requested from time to time by the commissioner of the department of transportation, is authorized to borrow from time to time upon the credit of the state such amounts so that the total state obligation shall at no time exceed \$50,000,000 and for said purposes may issue bonds and notes at such time in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A and as authorized by the governor and council. The department shall request and the treasurer shall issue bonds only for such amounts from time to time as are required for the purposes of this section and provided that the principal and interest payments can be satisfied within limitation mandated by RSA 6-C:3. Debt service for such bonds shall be a charge against the highway fund.

Amendment to HB 1590-LOCAL

(2014-0077h)

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

Amend RSA 72:74, IX as inserted by section 1 of the bill by replacing it with the following:

IX. The revenue collected under paragraph VIII from any payment in lieu of taxes shall be deducted from the total county appropriations in the county budget to be funded through taxes prior to the assessment of county taxes under RSA 29:11. The department of revenue administration shall not equalize any value for a renewable energy generation facility in an unincorporated place during the period a voluntary agreement for the payment in lieu of taxes is in force, when setting the final county tax rate.

Amendment to HB 1613

(2014-0224h)

Proposed by the Committee on Ways and Means - c

Amend RSA 84-A:3, II as inserted by section 1 of the bill by replacing it with the following:

II. For the taxable period beginning July 1, 2015, and for every taxable period thereafter, each hospital shall pay 25 percent of its Medicaid enhancement tax due and payable for the taxable period no later than the fifteenth day of October, January, March, and June of the taxable period. Notwithstanding any provision of this chapter or any other law, no penalty or interest shall be imposed for failure to make payment of tax when due if such payment is made on or before the last day of the month in which such payment is due.

2014-0224h

AMENDED ANALYSIS

This bill changes payment of the Medicaid enhancement tax to 4 times per year.

**Amendment to SB 116-FN
(2013-2368h)**

Proposed by the Committee on Executive Departments and Administration - c

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

AN ACT relative to exceptions from licensure by the mechanical licensing board.

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

1 Mechanical Licensing; Exceptions; Water Systems. Amend RSA 153:36, IV to read as follows:

IV. The license requirements of this subdivision shall not apply to employees of public drinking water systems and public water system operators certified by the department of environmental services for drinking water treatment, ***provided this exception shall not extend to fuel gas fitting, nor shall it extend to the plumbing system of a building beyond the water meter or meter socket, but shall extend to the testing and repair of the drinking water system backflow prevention device.***

2 Mechanical Licensing; Exceptions; Plumbing. Amend RSA 153:36, VIII(b) to read as follows:

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

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

AMENDED ANALYSIS

This bill clarifies exceptions from licensure by the mechanical licensing board for employees and operators of public drinking water systems, and for incidental repairs and installation of plumbing.

**Floor Amendment to SB 116-FN
(2014-0011h)**

Proposed by Rep. Beaudoin

Amend the bill by replacing section 1 with the following:

1 Mechanical Licensing; Exceptions; Water Systems. Amend RSA 153:36, IV to read as follows:

III. The license requirements of this subdivision shall not apply to employees of public drinking water systems and public water system operators certified by the department of environmental services for drinking water treatment ***and the testing of backflow prevention devices in accordance with RSA 485:11; provided this exception shall not extend to fuel gas fitting, nor shall it extend to the plumbing system of a building beyond the water meter, meter socket, backflow prevention device, and appurtenances.***

**Floor Amendment to SB 116-FN
(2014-0127h)**

Proposed by Reps. C. McGuire and Beaudoin

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

1 Mechanical Licensing; Exceptions; Water Systems. Amend RSA 153:36, IV to read as follows:

IV. The license requirements of this subdivision shall not apply to employees of public drinking water systems and public water system operators certified by the department of environmental services for drinking water treatment ***plants and distribution systems, when performing plumbing tasks within their certifications, as defined in RSA 485:11 and RSA 332-E:3. This exception is specifically limited to the testing, maintenance, repair or replacement, and installation of the water meter, meter horn, and backflow prevention devices directly adjacent to and required as part of the protection of the drinking water distribution system.***

2 Mechanical Licensing; Exceptions; Plumbing. Amend RSA 153:36, VIII to read as follows:

VIII. The license requirements of this subdivision shall not apply to the following persons while performing plumbing work under the circumstances specifically described ***but shall apply to fuel gas fitting in the same circumstances unless otherwise exempted under this subdivision***; 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]~~ ***performing plumbing tasks within their training, experience, and, if applicable, certification.***

(b) To a person, firm, corporation, or limited liability company who regularly employs a person whose duties include ***the incidental repair***, 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.

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

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