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HOUSE RECORD

Second Year of the 163rd General Court

Calendar and Journal of the 2014 Session

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

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet on Wednesday, February 12, 2014, at 10:00 a.m. As the deadline to act on bills going to a second committee is next week, please plan for a full day on the 12th. We will continue to meet every Wednesday through Crossover. Please keep in mind that there will also be Thursday sessions scheduled as necessary to meet subsequent deadlines.

As noted below, there will be a Continuing Education presentation on Tar Sands next Tuesday, February 11th.

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

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 11th** 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 12th** at **9:00 a.m**. in Representatives Hall.

Rep. Stephen Shurtleff, Majority Leader

NOTICE

There will be a Republican Caucus on **Wednesday, February 12th** 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 13
February 20

AVAILABLE *FRIDAY:*
February 14
February 21

Karen O. Wadsworth, Clerk of the House

2014 HOUSE DEADLINES

Thursday, February 13, 2014	**Act** on House Bills going to 2nd a committee
Thursday, March 6, 2014	**Report** single committee House Bills
Thursday, March 20, 2014	**Report** all remaining House Bills
Thursday, March 27, 2014	**Act** on remaining House Bills-**CROSSOVER**
Thursday, April 17, 2014	**Report** Senate Bills going to a 2nd committee
Thursday, April 24, 2014	**Act** on Senate Bills going to a 2nd committee
Thursday, May 8, 2014	**Report** all remaining Senate Bills
Thursday, May 15, 2014	**Act** on all remaining Senate Bills
Thursday, May 22, 2014	**Form** Committees of Conference
Friday, May 30, 2014 at 4:00 pm	**Sign-off** Committee of Conference reports
Thursday, June 5, 2014	**Act** on Committee of Conference reports

WEDNESDAY, FEBRUARY 12
CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 1372-FN-A, making an appropriation for the ongoing training and education of pediatric sexual assault nurse examiners. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Eileen C. Flockhart for Children and Family Law. New Hampshire is in dire circumstances with regard to examination and protection of children who have been sexually abused. We are now down to one physician in the entire state certified to do these critical evaluations.
This bill would create a Pediatric Sexual Assault Nurse Examiner education and ongoing training program to address this crisis. The modest request provides for the purchase of software and network access for the ongoing training and education of Pediatric Sexual Assault Nurse Examiners. This program will begin to address this critical need. The amendment clarifies that funds requested go specifically to the grants management unit at the department of justice. **Vote 14-0.**

HB 1478, relative to state licensing and oversight of child care agencies. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Ruth P. Gulick for Children and Family Law. This bill amends the procedure for inspection and reporting the results of the inspection of child care providers. This bill gives providers five business days to address the department of health and human services (DHHS), child care licensing unit (CCLU) findings before they are posted on line. For example, previously, the CCLU could cite "toxic material within reach of children," and the provider was limited to a mere objection. Now, they may explain that the "toxic material" was hand cleaner or object to it in another way, consistent with the facts. The amendment also codifies the CCLU's own rule that permits child care providers to file a request for alternative dispute resolution within 14 days and requires that CCLU present its findings within 30 days. **Vote 15-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

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 1211, relative to the use of force by persons with special responsibilities. **INEXPEDIENT TO LEGISLATE.**
Rep. Barbara E Shaw for Education. Teachers, administrators and certain school personnel are already required by law to have special training on the issues of appropriate and legal forms of restraining a student from injuring himself, herself or others. The committee deems this bill unnecessary at this time. **Vote 18-0.**

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 hours that bingo is allowed to be played. **Vote 19-0.**

HB 1161-FN, relative to the definition of slot machines and the duties of game operators and game operator employers. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Daniel J Sullivan for Executive Departments and Administration. HB1161 as amended allows certain electronic table games for charitable gaming, and requires that operators using these games must collect auditable records that are available for review by the Racing and Charitable Gaming Commission. The bill also sets specific standards which any such game must meet before it can be put into use. **Vote 20-0.**

HB 1182, relative to membership of the state transparency website oversight committee. **OUGHT TO PASS.**
Rep. Dianne E Schuett for Executive Departments and Administration. This bill simply changes the membership of the existing statutory committee from three members of the house and three members of the senate to four members of the house and two members of the senate. **Vote 18-0.**

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.**

HB 1563-FN, granting group II retirement system status to certain positions in the department of corrections. **REFER TO COMMITTEE FOR INTERIM STUDY.**
Rep. Dianne E. Schuett for Executive Departments and Administration. The committee members believed that this bill encompassed too many differing positions at the department of corrections that needed to be considered more carefully. Therefore, the vote to study them thoroughly when the committee has more time was unanimous. **Vote 19-0.**

LEGISLATIVE ADMINISTRATION

HB 1122-FN, establishing the crime of filing false lien statements against public officials and employees. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Joel F Winters for Legislative Administration. This bill as amended, would make it a crime to file a fraudulent lien. These fraudulent liens can take considerable time and money to clear up, and could prevent someone from buying or selling a home. The register of deeds would still accept the document but would have discretion about filing it if the lien was clearly fraudulent. **Vote 9-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 1106, relative to disqualification of moderators. **INEXPEDIENT TO LEGISLATE.**
Rep. Kris E. Roberts for Municipal and County Government. The committee overwhelmingly concurs with the potential conflict of interest or impression of such a conflict that a person would be legally allowed to handle a ballot he or she may have been on. What was not addressed was what about close elections that could result in a future recount. The committee was told that communities assign the assistant moderator to handle ballots if the moderator is on the ballot. This works, it has ensured the trust of the voters. **Vote 16-0.**

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.**

PUBLIC WORKS AND HIGHWAYS

HB 1205-FN, relative to reconstruction or rehabilitation of the Vilas Bridge between Walpole, New Hampshire and Bellows Falls, Vermont. **REFER TO COMMITTEE FOR INTERIM STUDY.**
Rep. John R Cloutier for Public Works and Highways. This bill would add the reconstruction or rehabilitation of the Vilas Bridge between Walpole and Bellows Falls, Vermont to the state's 10-year transportation improvement plan. It would also change the current funding formula for such reconstruction or rehabilitation from 93 percent share from New Hampshire and seven percent from Vermont to 50/50 percent between the states. Vermont officials have indicated a willingness to pay a greater share of the repair costs. The committee voted Interim Study in order to give the New Hampshire department of transportation time to negotiate with its' Vermont counterpart over solutions to fixing the Vilas Bridge. If a proposal is ready for legislative consideration, it could be included in the 2014 10-year transportation improvement plan. **Vote 15-0.**

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.**

HB 1576-FN, relative to required payroll reporting for public works construction projects. **INEXPEDIENT TO LEGISLATE.**
Rep. John R Cloutier for Public Works and Highways. This bill would require contractors for state-funded public works projects which exceed $500,000 to file weekly payroll reports with the agency that has oversight of the contract. The committee received testimony from the university system, community college system, and the department of administrative services on the state's behalf that the bill would increase their construction costs. Also, concerns were raised that, as written, the reporting requirements would jeopardize the confidentiality of private contractors and subcontractors to their competitors. **Vote 16-0.**

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.**

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.**

HB 1150-FN, relative to motor vehicle dealer and inspection station licenses. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Brian D Rhodes for Transportation. This bill is designed to improve the administrative process by extending the license period for auto dealers and inspection stations from one year to two years. Additionally, it staggers the workload by having inspection stations renew in odd years and auto dealers renew in even years. It makes the administrative process more efficient for both the DMV and owners of the dealerships and inspection stations. **Vote 14-0.**

HB 1598-FN-A, authorizing friends of animals number plates. **INEXPEDIENT TO LEGISLATE.**
Rep. Steven D Smith for Tramsportation. The committee agrees that animal welfare organizations are a worthy cause, and encourages everyone to contribute to them. However, in keeping with the policies of the House, through control by both major parties, we cannot in good conscience authorize the expense of additional custom license plates. **Vote 14-0.**

WEDNESDAY, FEBRUARY 12
REGULAR CALENDAR PART I

CHILDREN AND FAMILY LAW

HB 1486-FN, reducing the fines for underage possession or consumption of alcoholic beverages. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Deanna S. Rollo for the **Majority** of Children and family Law. This bill reduces the fines for underage drinking of alcoholic beverages. The majority of the committee felt that reducing the fines sends the wrong signal to teens. **Vote 14-1.**
Rep. Daniel C. Itse for the **Minority** of Children and Family Law. The minority of the committee believes that current minimum fines can be overly burdensome and supports the amendment suggested by the Department of Safety. The proposed amendment would make the current minimum fines into maximum fines and create new minimum fines. It further gives judicial discretion to suspend the fines provided that the cause is included in the court order.

HB 1624-FN, modernizing the juvenile justice system to ensure rehabilitation of juveniles and preservation of juvenile rights. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Patrick T. Long for Children and Family Law. This bill reforms the juvenile justice system consistent with evidence based data and continues to focus on the best interest of the child. It requires an evaluation of the competency of a juvenile, requires that standards be established for the qualifications of examiners, changes procedures for waiver of counsel by juveniles, and raises the age of delinquency to 18 years of age. The amendment changes the number of days within which the competency evaluation shall be filed to a more appropriate timeframe and eliminates all rule-making. **Vote 14-0.**

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.**

HB 1166-FN, relative to fines imposed on corporations for criminal activity. **INEXPEDIENT TO LEGISLATE.**
Rep. Kermit R Williams for Commerce and Consumer Affairs. This bill would increase the maximum fines allowed against corporations and associations convicted of criminal acts. These rates have not been increased since the 1990s. Higher fines would make it less likely that a corporation would benefit financially from criminal acts. While the committee was sympathetic to the goals of the bill, we were not sure what consequences this change would cause, and thus voted for interim study. We would like to hear input from other parties involved, including the judicial system, criminal attorneys, and the business community. **Vote 18-0.**

HB 1232-FN, relative to insurance filing fees. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Edward A. Butler for the **Majority** of Commerce and Consumer Affairs. This bill does not create a new fee. The language as presented was to allow for a more efficient way for the Department and the insurance industry to pay, process and audit the current fee charged to filers under our retaliatory law RSA 400-A:35 for form and rate filings. The Department's intention in bringing this Bill forth was to support ISO (the largest of these companies), NCCI and AAIS as group filers by not requiring them to submit the names and domestic

state information for all the companies who may be using the forms they submit for review in New Hampshire -- so that we can properly assess the currently required fee under RSA 400-A: 35. The Department believes that the onerous cost for the Advisory Organizations to provide the currently required documentation and the follow-up retaliatory fee per company filing under RSA 400-A: 35 greatly outweighs the fee being offered under this House Bill. **Vote 9-7.**

Rep. Pamela Z Tucker for the **Minority** of Commerce and Community Affairs. This bill creates a new fee to be paid by advisory organizations for filings they make with the insurance department. Thirty one states do not charge a fee for filings, and the fee proposed in this bill would be the second highest in the country. This bill, which will raise a nominal amount of money (fiscal note estimate is $ 77,500 total per year), sends the wrong message to insurance companies looking to come into the state. This fee is unnecessary, burdensome, and does not indicate to companies that New Hampshire is "open for business."

HB 1589-FN, requiring background checks for all firearm sales. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Edward A Butler for the **Majority** of Commerce and Consumer Affairs. This bill, as amended, extends background checks – currently performed for all sales through licensed dealers as well as inter-state sales – to commercial sales within our state. This will capture private sales at gun shows, flea markets and any other commercial sale of a gun or guns within our borders. It does not require a check for sale or transfer of a gun or guns between two individuals who know each other and believe each member to the sale or transfer is not in a prohibited class. Those in the 'prohibited class', meaning those not legally allowed to buy a gun, are (1) felons; (2) those who have been involuntarily committed to a mental institution or are judged incompetent to manage their own affairs; or (3) have been judged to be subject of a protective order that restrains them from harassing, stalking, or threatening an intimate partner or child of that partner; or having been convicted of domestic violence. These are the 3 primary categories for which a person is restricted from purchasing a gun. In February 2013, the Department of Justice issued a study compiling background check statistics from 1999 to 2010. According to the report, over 118 million applications for firearm transfers or permits were subject to background checks March 1994, through December 2010. During this time period, about 2.1 million applications, or 1.8%, were denied. A felony conviction or indictment was the most common reason to deny an application during FBI (63%) and state (50.7%) background checks. Domestic abusers attempting to purchase guns accounted for the second most common reason of denials during FBI (15.5%) and state (13.2%) background checks. [Department of Justice, Background Checks for Firearm Transfers, 2010 - Statistical Tables, February 2013] Those opposing this bill believe that no violent act has been prevented by background checks or could be prevented by its passage. Simply stated keeping guns out of the hands of felons and domestic abusers – the simple goal of this bill -- keeps us all safer and is an important public safety goal. The committee heard passionate testimony on both sides of this issue. One example from those opposing this bill is a study committee amendment which promotes a report that shows that police officers do not support background checks. On the other side, the International Chiefs of Police, a 21,000 member organization supports background checks stating "Keeping firearms out of the hands of prohibited purchasers is a key factor in reducing gun violence in our communities and protecting our officers". Congress has passed laws regarding the sale of firearms, including to whom they can and can't be sold. Congress has also passed laws that deal with the interstate sale of firearms. The 2nd amendment is intended to protect us all from government overreach. Yet these laws have been held to be constitutional, under the 2nd amendment, by the US Supreme Court. This bill extends the protections of background checks to in-state commercial sales.

NH is indeed one of the safest states in the country. That is, of course, due to a multiplicity of factors. One of those factors is the care and respect gun owners throughout the state have towards the responsibility they accept with gun ownership. The sponsors of this bill and those who support it do not see this effort at closing the loophole on commercial sales as anything other than improving public safety. Several polls confirm that at the least 84% of Granite Staters – including 60% of gun owners – support background checks to improve public safety. This bill does that and it does it without infringing on the rights of responsible gun owners who proudly own and carry guns. **Vote 10-8.**

Rep. Laura M Jones for the **Minority** of Commerce and Consumer Affairs. New Hampshire is already safer than the majority of New England states. This bill is trying to solve a problem that does not exist here. The language of the proposed committee amendment (which replaces the original bill) is overly broad in the definitions section and vague in the prohibition sections, turning our law abiding citizens into criminals if they fail to obey the ambiguous wording. This language also conflicts with New Hampshire statutes and federal law. In their attempt to meet the requirements in this bill, licensed dealers would be forced to violate federal law and risk losing their licenses. In addition, the bill language shifts the burden of proof to the individual as opposed to the state--a radical shift in our standards of jurisprudence. The penalty portion of the bill takes activities which are currently legal (disposing of one's private property) and assigns serious penalties to those activities. These are penalties that could affect a person's ability to get a job (misdemeanor B), and that could put a person in jail if there is a second offense (misdemeanor A). Testimony from the majority of the parties

stated that this bill will not reduce the level of murder nor violent crime. Even out-of-state residents that were brought in to testify acknowledged that these measures would not have prevented the violence that took place in Newtown, CT. Additionally, licensed dealers testified that there are problems with the language of this bill, problems that could affect their license to sell firearms. There was significant public opposition to the passage of this legislation during the public hearing, the subcommittee work sessions, and the executive session. In addition, an overwhelming majority of emails and phone calls received by committee members favored an ITL recommendation. During the executive session, the minority of the committee proposed an amendment creating a study committee to investigate current state laws and to investigate why New Hampshire leads the northeast in terms of reduced violence. The duties of the study committee included: reviewing the published reports by "policeone" which show that police officers do not support these types of changes to our laws, reviewing the published FBI violent crime data, and reviewing the criminal justice system in order to seek ways to improve the effectiveness of our laws. Lastly, the study committee was to look specifically at the states of CT and MA to better understand which restrictions work, and which restrictions do not work, in those states. This type of legislation typically goes to the Criminal Justice and Public Safety Committee for policy analysis. During the executive session it was noted that only four members of the Commerce and Consumer Affairs Committee had even read the appropriate firearms related statutes (RSA 159). The Commerce and Consumer Affairs Committee is ill-equipped for making the policy determination. Even though this bill will eventually go to the Criminal Justice and Public Safety Committee as a second committee, that committee will only weigh in on the penalty portion of this bill, NOT on the policy portion as they normally would.Finally, this bill creates the framework for requiring every sale to go through a Federally Licensed Firearms dealer, and testimony showed that there is a significant error rate (an 8% error rate) when dealing with NICS (National Instant Check System). The committee also heard testimony that licensed dealers are routinely visited by BATFE agents, who are making copies of all 4473 transaction records and have been for the last 20 years. Requiring that every firearm transaction go through a licensed dealer is the key step to creating a national gun registry.

HB 1595-FN, establishing a condominium dispute resolution board. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kermit R. Williams for the **Majority** of Commerce and Community Affairs. This bill was a product of the Committee to Study the Laws relating to Condominium and Homeowners' Associations, which spent many hours over the past year looking the laws related to condominium associations, listening to testimony from New Hampshire citizens from all sides of the issue: condo owners and residents, condominium association board members, property managers who operate condominium facilities, and lawyers who work in the condominium business. One thing we learned in this committee was that the laws of New Hampshire are woefully inadequate in this area. The current law – RSA 356-B or the Condominium Act – really only relates to the development and sale of condominium properties. Once the developer sells the units and turns the operation over to a board, there is very little oversight and very little protection for residents in the law. The rules that control the association are the declaration and bylaws, both of which are originally written by the developer, and usually created for his benefit. There is no standard set for bylaws, so the fairness for residents and the amount of "democracy" in place in the association varies dramatically. Some boards don't follow their own bylaws, and the residents have little recourse other than suing. Others have called condominium associations small local governments; they levy fees, charge fines, maintain common facilities, and make rules for residents. But if they were really governments, the public outcry would be deafening. In New Hampshire, we have very strict rules for local governments, so they are fair to all residents. Open meetings and sunshine laws provide transparency and ensure that everyone knows what's going on, and has a chance to be heard. There is no standard for bylaws, so none of those protections have to exist.We can (and should) provide more protection for condominium residents in the law. But this bill deals with existing developments, which already have bylaws and some of which have serious problems. There are some wonderful, well-managed developments, where residents are content. The others are the focus of this bill. The Attorney General gets hundreds of complaints each year, but tells the complainer that there is little they can do. Currently, a resident must take issues to court, running up thousands in legal fees. Under current law, the resident is responsible for the association and board legal fees, even if they win their case. This is a tremendous deterrent to legal action, and most residents suffer in silence. This bill will provide a lower-cost method for dispute resolution, with a board of volunteers from all areas of condominium life reviewing the issues and attempting arbitration, or making a decision that will have the force of law through the court system. With 1 in 7 residents of New Hampshire living in condominiums, we have a responsibility to ensure fair treatment of all, way we require that of other local governments. **Vote 9-7.**

Rep. John B. Hunt for the **Minority** of Commerce and Consumer Affairs. By current law (RSA 356-B) owners in NH condominiums elect their Board of Directors. The will of the majority of owners prevails in the election process. The Condominium Dispute Resolution Board will be a governmental intrusion into the workings of a democratic entity that is already subject to governance via the New Hampshire Condominium Act (RSA 356-B) and the Association governing documents. HB 1595 will subject these elected volunteers who serve as

Directors of their condominium association to be subject to disgruntled owners by having to respond to complaints filed by a very small percentage of owners not happy with a decision of their elected Board. While the proposed law creating the Condominium Dispute Resolution Board does permit the Association to represent itself pro se, the reality is that at any hearing, the Association's attorney will be required by the Association's Board of Directors to attend Condominium Dispute Resolution Board hearing to represent the Board at the hearing, as decisions made could have a detrimental and adverse impact on the administrative and operation of the association. At any Condominium Dispute Resolution Board, an association board member will need to be present to potentially testify as to the Board's action. This requirement will have a chilling effect on finding owners willing to serve on their Association's Board of Directors once Board Members are made aware of their potential obligation to attend these potential hearings during business hours. This potential day time commitment would require members of an Association's volunteer board of Directors having to take time off from work to attend these hearings. Not to mention the potential stress to board members associated with defending one's actions to a state board. Condominium budgets, and accordingly monthly fees, will go up as Association's will have to budget for and pay for the additional cost incurred by Associations in responding to and defending against the complaint filed by an owner. While an owner filing a complaint incurs a cost of $250.00, an Association will incur a higher expense (research time, lawyers' fees, costs, mileage reimbursement to members having to attend these hearings, etc.) that will far and away exceed $250.00.HB 1595 impinges on the democratic process of a condominium association by letting any disgruntled owner, for any reason, file a complaint to a state board about an action taken by a democratically elected Board of Directors. Recourse for owners believing their association is best run by alternative strategies is through the democratic process. Such owners may run for election to the association board and then, if elected, bear the responsibility and authority for making and implementing decisions. The Community Associations Institute, the national trade organization representing over 85,000 condominium associations nationally, latest Zogby national poll of condominium owners found the following: 70 percent of residents in common-interest communities say they are satisfied with their community association experience, while 8 percent express dissatisfaction and 22 percent are neutral on the question. 88 percent of believe their association board members strive to serve the best interests of the community, while 12 percent say the opposite or aren't sure. HB 1595 is creating a state board, with the associated costs to run this complaint resolution board, to address a very small fraction of owners who may have a complaint against their elected Board of Directors. It is possible a determination or finding by the Condominium Dispute Resolution Board could be in contradiction of an association's governing documents which are recorded at the Registry of Deed, thereby creating a legal issue requiring resolution through litigation. While such a ruling may not be intended, the action effectively amends the Association Governing Documents unilaterally without input from the remaining owners. A Condominium Dispute Resolution Board might impose upon the membership of a condominium association a minority view that was not voted or desired by the majority of owners at the association. HB 1595 will establish another Regulatory Board which increases the size of state government at the expense of all taxpayers. The legislative's "Joint Board of Licensure and Certification states this bill, as introduced, may increase state expenditures by $65,850 in FY 2015, $68,151 in FY 2016, $71,414 in FY 2017 and $75,829 in FY 2018 and may increase state revenue by an indeterminable amount in FY 2015 and each year thereafter. State expenditures will go up to fund the regulatory board to be established by HB 1595 as this Regulatory Board will need to function which means the requirements of staff, office space, office expenses, legal counsel expenses associated with opinions and review of Board actions by the office of the Attorney General, and mileage reimbursement to members of the condominium dispute resolution board (as required by law). Yes, some of the increased state expenses associated with this regulatory board will be offset by some small income generated by application fees. However, while the expenses are inevitable with any government commission or board, no one can predict with any certainty the anticipated revenue for any given fiscal year because no one can ascertain the level of consumer discontent with their respective condominium association board of directors, or to the extent this discontent would translate into complaints being filed with the Condominium Dispute Resolution Board. As such, it is fair to say that the HB 1595 will increase state expenses.

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.**

EDUCATION

HB 1105-FN-L, relative to aid to school districts for costs of special education. **OUGHT TO PASS.** Rep. James L. Grenier for Education. Federal and state statutes mandate districts to provide special education services, yet prorated payments to school districts have dropped from 91% in 2009 to 69% in 2012. Projected

payments for 2014 will be approximately 72% of entitlement. Of course, the shortfall in funding for special education services constitutes an unfunded mandate. The department of education estimates the additional yearly expenditures to fully fund special education services will be between 8 and 9 million dollars for each of the next four years. It is time for the New Hampshire Legislature to accept its responsibility for financially supporting mandated special education costs for our most vulnerable children. **Vote 18-0.**

HB 1114-FN, relative to limits on state expenditures for school building aid. **OUGHT TO PASS.**
Rep. Rick M. Ladd for Education. RSA 198:15-a, as currently written, provides that annual school building aid shall not exceed $50,000,000. Through the moratorium years, the operating budget has reflected only those funds necessary to pay debt. In FY14, the legislature funded $45,181,264 and for FY 15, $42,800,000 has been appropriated. This bill changes RSA 198:15-a in several locations. First, it is mentioned that school building aid for new and renovation projects shall be used to aid local school districts in meeting the costs of school buildings and infrastructure necessary for a 21st century learning environment. Second, starting in 2015 (FY16), language of the bill states that "grants for construction and renovation projects approved by the state board of education shall not be less than $50M." The funding change, if funded at the minimum of $50M per year will bring necessary dollars to school construction. At this level, FY16 and FY17 combined would receive $24.5M for new and renovation projects and $75.8 for tail obligation. Conditions in many of these schools are unsafe, unsecure, and lack appropriate or adequate instructional space. **Vote 19-0.**

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.

HB 1433, authorizing the community college system to waive tuition and fees for employees and employees' dependents. **WITHOUT RECOMMENDATION. Vote 9-9**
Statement in support of Interim Study: This bill would enable the New Hampshire Community College System to negotiate with the community college bargaining unit over a benefit that would extend a full waiver of tuition and fees, at present available to full-time faculty, to faculty adjuncts, and their dependants. Mindful that employees in a bargaining unit have the right to negotiate benefits, but that, at the same time, an extension of the benefit to so many could be too costly for community college budgets. Committee members voting for Interim Study hope that a study committee can resolve this issue in a way that is fair to all. Rep. June M. Frazer
Statement in support of Inexpedient to Legislate: Testimony from the President of Nashua Community College and a letter from the Chancellor of the Community College System of New Hampshire indicates this bill is unnecessary. The Chancellor stated in his letter "we do not seek this legislation". The Chancellor further stated that CCSNH provides strong support for employees professional development within budgetary capacity, which is available to part-time staff and adjunct faculty employees as well as full-time employees. Rep. Patrick J Bick

HB 1505-FN, requiring college identification cards to indicate whether the student is an in-state or out-of-state student. **INEXPEDIENT TO LEGISLATE.**
Rep. Barbara E Shaw for Education. This bill would require a modification and reprogramming of data systems of USNH at a cost to the university system. No town clerks testified as to a need for this change. The committee and the college community both agree this bill is unnecessary. **Vote 17-2.**

FISH AND GAME AND MARINE RESOURCES

HB 1579-FN, prohibiting the use of certain leghold or foothold traps for the taking of animals. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Rose Marie Rogers for Fish and Game. The original bill addresses the killing of a dog by an illegal trap. We found the existing penalties insufficient. The bill as amended increases the fine and penalties while keeping the infringement a violation. This amendment also establishes a study committee to address other trapping issues which emerged during the discussion and hearings. **Vote 12-0.**

HB 1588-FN, requiring suicide prevention education in schools. **INEXPEDIENT TO LEGISLATE.**
Rep. Rick M Ladd for Education. In accordance with RSA 186:11, Duties of the State Board of Education, the Board is required to provide information about youth suicide prevention to all public and private schools to facilitate the delivery of appropriate courses and programs. Further, this statute also references suicide prevention instruction in schools. Lastly, within recently approved minimum education standards, Ed306:40, the Health and Wellness Program, includes Suicide Prevention Instruction. **Vote 10-8.**

ELECTION LAW

HB 1357, relative to access to ballots. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary B. Richardson for the **Majority** of Election Law. This bill would have repealed statutory provisions exempting ballots from provisions of RSA 91-A (Right-to-Know). Contrary to the assertion of the proponents, ballots have never been available for public review except during the recounts. A subcommittee also heard and rejected an amendment that would have allowed any person to inspect ballots cast in every election. Were the amendment to become law, it would be a logistical nightmare for election officials and run the risk of ballot tampering. **Vote 14-3.**

Rep. Mary L. Till for the **Minority** of Election Law. The vast majority of votes in New Hampshire are counted out of public view by machines using proprietary software. Less than 1.5% of the higher level races (State Senate and higher) in the last decade were recounted. Until 2003 ballots were included under the right-to-know statute with no apparent problems. Provisions in the sponsor supported amendment would ensure the ballots remain anonymous. Access is delayed until after the election is certified. Thus, the purpose of the inspection is to identify software or hardware issues that may not have impacted the current election but could be decisive in a close future election. The minority believes it is better to address such issues before they surface in a high profile race.

ENVIRONMENT AND AGRICULTURE,

HB 1287-FN, requiring a refundable deposit on beverage containers. **INEXPEDIENT TO LEGISLATE.**

Rep. Scott A Burns for Environment and Agriculture. Many 'bottle bills' have been introduced over the years, the last one a lengthy study that ended in a recommendation of Inexpedient to Legislate. Rather than a bottle bill, the committee will instead review and research a comprehensive recycling bill which would include all extended producer responsibility programs for possible future legislation. **Vote 18-0.**

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**

HB 1148-FN, relative to the reduction in the calculation of state retirement system annuities at age 65. **MAJORITY: REFER TO COMMITTEE FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jeffrey P. Goley for the **Majority** of Executive Departments and Administration.

In 1988, the legislature decoupled group I pension benefits from social security, but left a statutory pension reduction of approximately 10 percent that took effect upon reaching the age of 65, then the full retirement age for social security. The normal retirement age for social security has now been increased to age 67. This bill would change the statutory reference from age 65 to "the members full retirement age for social security." Committee members felt more time was needed to study if the intent in 1988 was to mirror the normal retirement age for social security. **Vote 14-6.**

Rep. Carol M McGuire for the **Minority** of Executive Departments and Administration.

The minority of the committee is convinced that this change to the pension system does not need to be studied further. The different pension annuities before and after age 65 have been a part of the retirement system since inception, and the current version has been in place since 1988. Changes have been considered by the legislature repeatedly and rejected due to the cost. The minority does not believe that our seriously underfunded pension system should be considering new enhancements to some pensions at this time.

HB 1494-FN, relative to administration of the New Hampshire retirement system and authority of the board of trustees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P. Goley for Executive Departments and Administration. This bill was a request of the New Hampshire retirement system to address a number of changes proposed in RSA 100-A. Section 1 adds a sentence to the definition of "employer" to clarify that political units that combine payroll operation and share a federal tax ID continue to be considered separate employers for the purpose of RSA 100-A. It also adds to the definition of "employee" to clarify that non-classified state employee members are subject to the same membership requirements as classified and unclassified employees. Section 2, as amended, will include "extracurricular and instructional activities" as earnable compensation for other non-teacher, full time school employees. Currently it is limited to just teachers. Section 3 adds a definition of "active member" and "inactive

member" and defines "normal retirement age" for Group I and Group II . Section 4 makes changes in statute on how the determination of cost in calculating a member's purchase of prior service credit is done. Section 5 clarifies that service credit is not earned after termination of employment. Section 6 changes the date of the approval of the comprehensive annual financial report from December 1 to December 31. Sections 7 and 8 enable the retirement system to penalize an employer for non-compliance with data reporting requirements, but allows for abatements when the non-compliance is not willful, intentional or grossly negligent. Section 9 repeals two sections of RSA 100-A that dealt with one time transfers of funds. **Vote 18-1.**

HB1594-FN, requiring licensure of community association property managers. MAJORITY: **REFER TO COMMITTEE FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Carol M McGuire for the **Majority** of Executive Departments and Adminstration. The bipartisan majority of the committee believes that this bill needs further work before passage. While the condominium study committee that generated this bill made the case for licensure, a number of critical issues remain unaddressed. HB1594, as written, requires licensing of individuals as property managers – but many of the problems we heard of were concerned with property management companies: should they be licensed, in addition to, or instead of, individuals? Is bonding required for property managers: and is it all of them, or only those who handle funds above a certain level? How big a bond would be required, and are there any acceptable alternatives? "Grandfathering" of currently certified property managers currently certified by various professional organizations is not addressed. All in all, the majority of ED&A believes that additional work to resolve at least some of these concerns is necessary before passing HB1594. **Vote 11-7.**
Rep. Peter B Schmidt for the **Minority** of Executive Departments and Administration. This bill came to the committee as the considered, bi-partisan work product of a multi-year study committee, which recognized that some condominium owners were, and are, being harmed by inequities in their associations' functioning, and recommended licensure of property managers in order to achieve greater competence and accountability on the part of property managers. There was no testimony before ED & A in opposition to licensure per se, only the assertion by two witnesses that HB 1549-FN was a flawed instrument to achieve it. An amendment was prepared to improve the bill as filed. That amendment should have been adopted by the committee and the bill recommended for enactment.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1396, relative to the smoking policy at the New Hampshire veterans' home. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER TO COMMITTEE FOR INTERIM STUDY.**
Rep. Thomas M Sherman for the **Majority** of Health, Human Services and Elderly Affairs. The New Hampshire Veterans Home introduced a smoke free campus policy last year that grandfathered the current 8 residents, who smoke, moved the smoking facilities to an outdoor shelter and restricted admission to non-smokers. Applicants who smoked were offered cessation therapy and could continue to use tobacco containing electronic cigarettes on campus. The impetus was a concern for safety highlighted by a case in Virginia where a resident with dementia died as a result of his burns and the Veteran Home being cited for issues related to continue on campus smoking. Administrators and residents together crafted and adopted current rules. While the committee was unanimous in their recognition of the service of all veterans as well as the benefit that reexamination of the policy might afford to future applicants, who continue to smoke, having received assurance from the Veterans Home Administration and Residents' Council that the policy will be revisited. The majority of the committee did not believe that legislation would be the appropriate intervention in the local governance process at this time. **Vote 9-6.**
Rep. Richard E Meaney for the **Minority** of Health, Human Services and Elderly Affairs. The bill proposes just two things: The State Veterans' Home accommodates Veterans who smoke and the Home shall not discriminate against smokers who seek admission to the home. The minority of the committee believes this bill should go to Interim Study to ensure that the State Veterans Home understands that it is the will of the legislature that Veterans deserve equal treatment, regardless of habits; that Veterans who smoke can best be served by the State Veterans Home with efforts to cease smoking; and that Veterans, like other adults, have the right to smoke in designated areas.

HB 1555-FN, relative to the neglect of elderly, disabled, or impaired adults and relative to financial exploitation. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Laurie Harding for the **Majority** of Health, Human Services and Elderly Affairs. This bill establishes financial exploitation of elderly, disabled or impaired adults as a crime and imposes a mandatory sentence of imprisonment for certain offenses. Exploitation is the fastest growing form of abuse. This bill is supported by the Senior Law Project, the medical fraud unit and adult protective services in health and human services as well as many community advocates. **Vote 10-3.**
Rep. Richard E. Meaney for the **Minority** of Health, Human Services and Elderly Affairs. This bill has great intentions, but fails to address six vital issues: 1. It does not assure that criminal intent is required to prosecute a fiduciary. 2. The bill does not clarify that it doesn't apply to an agent acting under a health care

durable power of attorney. 3. It does not spell out fiduciary positions such as guardian, or trustee. 4. Without reference to RSA 464-A, the bill is inconsistent with other definitions of "incapacitated adult". 5. The bill doesn't specify who has the burden to prove an adult is impaired. 6. The mandatory sentences specified in the bill provides no leeway for judges.
is an early bill and will be going onto the Criminal Justice Committee.

HB 1616-FN, making changes to the therapeutic cannabis laws. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. E. Elaine Andrews-Ahearn for the **Majority** of Health, Human Services and Elderly Affairs. This bill, as amended, has expanded the therapeutic use of cannabis to include the diseases: lupus, epilepsy, Parkinson's disease and dementia associated with Alzheimer's disease. Additionally, the bill expands the definition of prohibitions and limitations as originally included in RSA 126-X-3, II(d) regarding the storing of cannabis in a locked container in a motor vehicle. **Vote 9-3.**
Rep. Richard E. Meaney for the **Minority** of Health, Human Services and Elderly Affairs. This bill will diminish the ability of patients to obtain adequate cannabis to treat their illness, symptoms and pain. By reducing cannabis to no more than 2 ounces per month, this bill may result in patients suffering unnecessarily. Further, this bill will provide patients who rent their homes with no viable options when it comes to using therapeutic cannabis. By making it a crime to use cannabis in a motor vehicle, renters (who would need permission from landlords to medicate in a home) will be left without a legal place to use therapeutic cannabis.

JUDICIARY

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.

MUNICIPAL AND COUNTY GOVERNMENT

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.**

PUBLIC WORKS AND HIGHWAYS

HB 1142-FN-A, relative to the road toll for alternative fuels. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Karen E. Ebel for Public Works and Highways. The committee believes that as a matter of fairness, all users of our roads and bridges should pay a road toll, regardless of the fuel used. The primary source of revenue for our roads and bridges is the road toll, a user fee paid by purchasers of gasoline and diesel fuel. When the road toll concept was adopted virtually the only fuels used by motorized vehicles were these fuels. As time passed, alternative fuels have been developed. Users of these fuels who use our roads and bridges should also pay a road toll. This bill, as amended, provides that a road toll will be charged on alternative fuels defined as compressed natural gas, liquefied natural gas and propane. As amended, the bill requires the commissioner of safety to adopt rules establishing the conversion rate for alternative fuels to their equivalent in gallons of gasoline or diesel, based on uniform nationally recognized standards for weights and measures. The alternative fuel road toll is subject to current statutory exemptions and refund provisions applicable to the road toll today, namely government entities and non-profit bus companies licensed by NHDOT.
HB 1142 also outlines how the road toll will be administered and how alternative fuel dealers will be licensed and regulated. As amended, the bill provides for an effective date of January 1, 2015. While not widely used at this time, the committee felt fairness dictates that the road toll also be charged to users of alternative fuels for their use of state roads and bridges. **Vote 15-0.**

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 turnpike 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.**

REGULAR CALENDAR PART II

CRIMINAL JUSTICE AND PUBLIC SAFETY

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 & 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 House members to educate citizens to the real safety issue as stated here. **Vote 18-1.**

JUDICIARY

CACR12, 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 selected. 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 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.**

MUNICIPAL AND COUNTY GOVERNMENT

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 suppose 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 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 foolhearty. **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.**

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 expressedly 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 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. No one 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 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 Ways 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 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. 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 = win – win for New Hampshire residents.

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.**

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, 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.

WAYS AND MEANS, Room 202, LOB
10:00 a.m. Rescheduled public hearing on ***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.
10:30 a.m. Rescheduled public hearing on ***HB 1627-FN-A-L,*** relative to video lottery and table gaming.
11:00 a.m. Rescheduled public hearing on ***HB 1628-FN-A-L,*** relative to games of chance and establishing a gaming regulatory commission and video lottery gaming.

SUNDAY, FEBRUARY 9

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K), NHTI Community College Room SC225, Concord
1:00 p.m. Regular meeting. ***Please note snow date February 16th***

MONDAY, FEBRUARY 10

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

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.

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q), Northeast Deaf and Hard of Hearing Services, 57 Regional Dr., Concord
1:30 p.m. Regular 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.

WAYS AND MEANS, Room 202, LOB
1:00 p.m. Subcommittee work session on ***HB 492-FN-L***, relative to the legalization and regulation of marijuana.

TUESDAY, FEBRUARY 11

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. ***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.

1:00 p.m. Executive session on ***HB 1125-FN,*** repealing the crime of adultery, ***HB 1198,*** relative to the procedure for filing a children in need of services (CHINS) petition, ***HB 1218,*** relative to the crime of adultery, ***HB 1289,*** relative to interference with custody, ***HB 1341,*** relative to grounds for divorce for persons with minor children, ***HB 1369,*** adopting the Uniform Marital Property Act, ***HB 1632,*** relative to child support orders for children with disabilities.

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 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,, ***HB 1363-L,*** relative to insurance pools, and a continued executive session on ***HB 1332,*** relative to monetary judgments in class action civil suits under the Consumer Protection Act.

2:30 p.m. Subcommittee work session on ***HB 1283,*** relative to a homeowners association's authority to collect back dues following revival of the association's charter.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Rescheduled public hearing on ***HB 1438,*** relative to the burden of proof for exceptions or exemptions in actions brought under the firearms laws of this state.

11:00 a.m. Rescheduled public hearing on ***HB 1154-FN,*** relative to the use of a laser pointing device for self-defense or defense of others.

1:00 p.m. Executive session on ***HB 1137-FN***, relative to annulment of certain obstruction of justice crimes and relative to the crime of escape, ***HB 1170-FN***, repealing the death penalty in New Hampshire, ***HB 1216-FN***, relative to the crime of causing or aiding suicide, ***HB 1227,*** making changes to parole and parole board procedures, ***HB 1230-FN***, relative to imposition of consecutive sentences, ***HB 1292-FN***, creating an affirmative defense for a person who causes or aids another in committing suicide, ***HB 1410,*** including household and domesticated animals under the domestic violence protection statute, ***HB 1485-FN***, relative to vulnerable users of highways, ***HB 1536-FN***, relative to penalties for driving under the influence of drugs or liquor, ***HB 1550,*** permitting the audio and video recording of a public official while in the course of his or her official duties, ***HB 1607-FN,*** relative to limited driving privileges after revocation for certain financial obligations, ***HB 1621-FN,*** redefining simple assault.

EDUCATION, Room 207, LOB

9:00 a.m. Subcommittee work session on ***HB 1449,*** relative to the requirements for filing a charter school application, ***HB 1298,*** relative to additional criteria for review of chartered public school applications, ***HB 1141,*** requiring chartered public schools to share enrollment information with school districts.

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.

11:30 a.m. Continued public hearing on ***HB 1252,*** establishing a committee to study and propose a recodification of the education laws currently in RSA title 15.

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, and a continued executive session on ***HB 1180,*** relative to days of school.

ELECTION LAW, Room 308, LOB

11:00 a.m. Executive session on ***HB 1337,*** relative to authority for removal of political advertising, ***HB 1461,*** relative to prohibited coercion of political contributions, ***HB 1462-FN,*** relative to electioneering by public employees, ***HB 1506,*** relative to student identification cards used to satisfy voter identification requirements, ***HB 1542,*** relative to nomination of a political organization, ***HB 1605-FN,*** relative to audit recounts.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. ***HB 1295,*** relative to the definition of livestock.
10:30 a.m. ***HB 1300,*** creating an exemption from licensure for low volume seed sellers.
11:00 a.m. ***HB 1367,*** relative to the sale of birds.
11:30 a.m. ***HB 1382,*** defining "farm stand."

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. ***HB 1116,*** relative to the membership of the advanced manufacturing education advisory council.
10:30 a.m. ***HB 1634-FN,*** relative to the salaries of certain unclassified positions.
1:00 p.m. ***HB 1351,*** prohibiting tanning facilities from tanning persons under 18 years of age.
2:00 p.m. ***HB 1155-FN,*** relative to state retiree health coverage premium contributions.

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

9:00 a.m. Subcommittee work session on ***HB 1622-FN,*** permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.
10:00 a.m. Subcommittee work session on ***HB 1213-FN,*** prohibiting the purchase of alcohol or tobacco products with electronic benefit transfer (EBT) cards.
11:00 a.m. Subcommittee work session on ***HB 476,*** relative to medical care price disclosure and transparency.

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.
1:00 p.m. ***HB 1349,*** relative to the definition of independent contractor.
1:30 p.m. ***HB 1599,*** relative to employment protection for victims of domestic violence.
2:15 p.m. ***HB 1355-FN,*** relative to unemployment compensation for self-employed individuals.
2:30 p.m. Full committee work session on ***HB 1228,*** establishing a commission to investigate the procedure for public employee collective bargaining.
2:45 p.m. Executive session on ***HB 1188,*** relative to paycheck equity, ***HB 1308-FN,*** adding 2 members to the advisory council on workers' compensation, ***HB 1368-FN,*** relative to inquiries into criminal records on employment applications, ***HB 1404,*** relative to payroll cards, ***HB 1405,*** prohibiting an employer from using credit history in employment decisions, ***HB 1407,*** relative to privacy in the workplace, ***HB 1498-FN,*** relative to wages lost when an employee submits to a medical examination required under workers' compensation law, ***HB 1592-FN,*** relative to requiring prevailing wages on state-funded public works projects

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Executive session on ***HB 1121,*** repealing the duty of assessors to compile a list of dogs in the town, ***HB 1131,*** relative to the appointment of an immediate family member of a selectman to fill a vacant town office, ***HB 1246,*** relative to the composition of public agency boards concerning housing standards, ***HB 1259,*** relative to the functions of the municipal associations, ***HB 1261-FN-L,*** increasing the fee charged for delivery of notice of civil forfeiture of an unlicensed dog. ***HB 1268,*** relative to the purposes of town by-laws, ***HB 1297,*** relative to workforce housing grants, ***HB 1320,*** relative to incompatibility of town offices, ***HB 1479-L,*** relative to membership in municipal organizations, ***HB 1492-FN-L,*** relative to the issuance of fines for unlicensed dogs.

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. Continued public hearing on ***HB 2014,*** relative to the state 10-year transportation improvement program. Topic: Highway fund and federally funded road and bridge maintenance and projects.

1:00 p.m. ***HB 1145,*** relative to the proposed Sewalls Falls Bridge in the city of Concord.

1:15 p.m. Public hearing on a non-germane amendment to ***HB 1145,*** relative to the proposed Sewalls Falls Bridge in the city of Concord. The amendment adds the Riverdale Road Bridge in the town of New Boston to the provisions in the original bill which applied only to the Sewalls Falls Bridge in the city of Concord.

Copies of the amendment are available in the Sargent At Arms office.

1:30 p.m. Continued public hearing on ***HB 2014,*** relative to the state 10-year transportation improvement program. Topic: Turnpike system maintenance and projects, toll plazas and EZ-Pass.

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.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Subcommittee work session on ***HB 1181,*** relative to the provision of services to electricity suppliers by an electric utility.

11:00 a.m. Executive session on ***HB 1209,*** relative to OBD II testing and the OBD II testing advisory committee, ***HB 1312,*** establishing a committee to study off-shore wind energy development, ***HB 1443,*** relative to renewable portfolio standards.

1:00 p.m. ***HB 1220,*** relative to limitations on ethanol in gasoline.

TRANSPORTATION, Room 203, LOB

10:00 a.m. Executive session on ***HB 1184,*** increasing the speed limit on a portion of Route 101 to 70 miles per hour. ***HB 1185,*** increasing the speed limit on a portion of I-89 to 70 miles per hour, ***HB 1223,*** relative to driving on limited access highways, ***HB 1342,*** establishing a committee to study truck registration fees, ***HB 1365,*** permitting certain vehicles to proceed through an intersection after stopping for a red light,, ***HB 1465-FN,*** authorizing one-day permits for transportation of trailers for disposal or destruction, ***HB 1558-FN,*** relative to prevention of motor vehicle title fraud and a continued executive session on ***HB1366,*** relative to exemptions from seasonal weight restrictions on roads.

1:15 p.m. ***HB 1183,*** relative to display of antique motor vehicle plates.

1:30 p.m. ***HB 1356,*** relative to fire department plates.

1:45 p.m. ***HB 1359-FN,*** establishing Bronze Star and Silver Star number plates.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Full committee work session on ***HB 1633-FN-A-L,*** relative to expanded gaming in New Hampshire. Topic: Regulations

WEDNESDAY, FEBRUARY 12

LEGISLATIVE ADMINISTRATION, Room 104, LOB

12:00 p.m. or at the lunch break from session.

Executive session on ***HB 1207,*** relative to identification of the source of legislative bill proposals, ***HB 1440-FN,*** including the writing, promoting, or distributing of model legislation to elected officials as lobbying and requiring disclosure of scholarship funds, money, or other financial support received from such lobbyists by elected officials, ***HB 1551***, relative to the employment of elected officials

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K), Room 206, LOB

4:00 p.m. Regular meeting.

THURSDAY, FEBRUARY 13

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

9:00 a.m. Subcommittee work session on ***HB 1158-FN-L,*** relative to insurance incentives to lower costs of health care.

9:45 a.m. Subcommittee work session on ***HB 1276,*** relative to alcoholic beverage advertising restrictions.

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.
1:45 p.m. Subcommittee work session on ***HB 1282-FN,*** relative to consumer protection for propane fuel users.

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.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***HB 1611-FN***, adding certain products to the controlled drug act.
11:00 a.m. ***HB 1326***, establishing the affirmative defense of unwitting possession of a controlled drug.
1:00 p.m. ***HB 1625-FN,*** relative to penalties for possession of marijuana in the amount of one ounce or less and the cultivation of marijuana plants. ***Please note Rooms 202-204***

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, ***HB 1128,*** establishing a committee to study issues related to students receiving special education services while attending a chartered public school, ***HB 1393-FN-L,*** relative to tuition payments for students attending a chartered public school in the student's district of residence, ***HB 1392-FN-L,*** removing the restriction on the number of pupils eligible to transfer to a chartered public school.
1:15 p.m. Rescheduled public hearing on ***HB 1586-FN,*** relative to student and teacher information protection and privacy.
2:00 p.m. Rescheduled public hearing on ***HB 1587-FN-L,*** relative to the collection and disclosure of pupil data.
2:30 p.m. Rescheduled public hearing on ***HB 1238,*** relative to access to assessment materials.

ELECTION LAW, Room 308, LOB

9:00 a.m. Subcommittee work session on ***CACR 15,*** relating to elections. Providing that certain persons may vote in primaries prior to turning 18 years of age, ***HB 1323,*** relative to candidates for state representative, ***HB 1322,*** relative to the definition of "party" for election purposes, ***HB 1497-FN,*** relative to the definition of "party" and relative to nomination papers.
11:00 a.m. Subcommittee work session on ***HB 1460***, relative to the date of appointment of inspectors of election, ***HB 1338***, relative to appointment of inspectors of election by selectmen.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:00 a.m. Subcommittee work session on ***HB 1241,*** relative to the sale of consumer fireworks.
11:00 a.m. ***HB 1175,*** prohibiting state contracts with individuals or for corporations who have been convicted of certain criminal offenses or found liable of certain civil offenses.
1:00 p.m. ***HB 1454,*** relative to increases in fees using rulemaking authority.
2:00 p.m. ***HB 1444,*** recognizing the month of April as Genocide Awareness Month.

FINANCE – (DIVISION II), Room 209, LOB

9:30 a.m. ***HB 1635-FN-A,*** relative to community mental health programs and making appropriations therefor.
11:00 a.m. Work session on ***HB 435-FN,*** relative to funding for chartered public school pupils.
1:00 p.m. Work session on ***HB 650-FN-A,*** making an appropriation to start a bus service between Claremont and Lebanon.

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

11:00 a.m. Work session on ***HB 1635-FN-A,*** relative to community mental health programs and making appropriations therefor.

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

9:00 a.m. Subcommittee work session on ***HB 1434,*** relative to surrogate health care decision making by a family member or friend.
1:00 p.m. Executive session on ***HB 1299,*** establishing a committee to study the cost and feasibility of requiring photo identification on electronic benefit transfer (EBT) cards, ***HB 1502-FN,*** relative to induced termination of pregnancy statistics, ***HB 1538,*** relative to medical intervention in the provision of midwife services and rescheduled executive sessions 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. Executive session on ***HB 1253,*** relative to religious societies, ***HB 1439-FN,*** relative to the attorney general's authority in investigating combinations and monopolies, ***HB 1618-FN,*** relative to an additional hearing for persons who meet the standard for involuntary admission to a mental health treatment facility, ***HB 1631-FN,*** relative to debt collection and small claims, and continued executive sessions on ***HB 1293,*** establishing a civil right of action for victims of human trafficking, ***HB 1452,*** relative to jury nullification.

1:00 p.m. ***HB1504,*** providing that life begins at conception

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.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.

10:30 a.m. ***HB 1171,*** relative to eligibility for the veterans' property tax credit.

11:00 a.m. ***HB 1195,*** establishing a commission to study the impacts of the property tax on New Hampshire's residents, businesses, municipalities, and the economy.

11:30 a.m. ***HB 1610-FN,*** relative to the excavation tax.

1:00 p.m. ***HB 1310,*** allowing towns and cities to terminate the application of the property tax exemption for water and air pollution control facilities within the town or city.

1:30 p.m. ***HB 1311,*** relative to the exemption period for the property tax exemption for water and air pollution control facilities.

2:00 p.m. ***HB 1333,*** relative to the elderly property tax exemption.

2:30 p.m. ***HB 1139,*** repealing authority for granting of property tax abatements for watering troughs and shade trees.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

9:00 a.m. Subcommittee work session on ***HB 1540,*** relative to least cost integrated resource plans filed by an electric utility.

10:00 a.m. ***HB 1602,*** relative to the divestiture of PSNH assets.

1:00 p.m. Informational briefing on the path forward and legislative needs for SB 99.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB

10:00 a.m. ***HR 20,*** urging Congress to support a statewide veterans' medical identification card.

11:00 a.m. ***HR 22,*** 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.

1:00 p.m. Executive session on ***HB 1136,*** establishing a committee to study the laws relating to the New Hampshire veterans' home, ***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, and rescheduled executive session on ***HR 24,*** urging Congress to investigate the Benghazi incident, ***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.

WAYS AND MEANS, Room 206, LOB

9:30 a.m. Full committee work session on ***HB 1633-FN-A-L,*** relative to expanded gaming in New Hampshire.

FRIDAY, FEBRUARY 14

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

1:00 p.m. Subcommittee work session on ***HB 1215,*** relative to the rights of franchisees.

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.

10:00 a.m. Audits.

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

11:00 a.m. Regular meeting.

HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:2), Room 303, LO

10:30 a.m. or 5 minutes after the JLFC meeting. Regular meeting.

JOINT LEGISLATIVE FACILITIES (RSA 17-E:2), Room 301, LOB

2:00 p.m. Regular meeting.

HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:2), Room 303, LOB
2:30 p.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.

TUESDAY, FEBRUARY 18

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB
2:00 p.m. Continued executive session on ***HB 1276,*** relative to alcoholic beverage advertising restrictions.

FINANCE, Rooms 210-211, LOB
10:00 a.m. Executive session on ***HB435-FN,*** relative to funding for chartered public school pupils, ***HB 461-FN,*** relative to long-term care services, ***HB 525-FN,*** raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age, ***HB 650-FN-A,*** making an appropriation to start a bus service between Claremont and Lebanon.

LEGISLATIVE ADMINISTRATION, Room 104, LOB
12:00 p.m. Continued executive session on ***HB 1551,*** relative to the employment of elected officials.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB
10:00 a.m. ***HB 1110,*** relative to the penalty for sales chasing by certified assessors.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB
10:00 a.m. ***HB 1374,*** repealing the priority status of the widening of I-93 from Manchester to the Massachusetts border in the state of New Hampshire 10 year transportation improvement plan.
1:00 p.m. Executive session on ***HB 1145,*** relative to the proposed Sewalls Falls Bridge in the city of Concord.
1:15 p.m. Continued public hearing on ***HB 2014,*** relative to the state 10-year transportation improvement program. Topic: Aeronautics, rail and transit, other projects, other public input.

WAYS AND MEANS, Room 202, LOB
10:00 a.m. Full committee work session on ***HB 1633-FN-A-L,*** relative to expanded gaming in New Hampshire. Topic: revenue and business models.

WEDNESDAY, FEBRUARY 19

SHORELAND ADVISORY COMMITTEE (RSA 483-B:21), Department of Environmental Services, Hazen Dr., Concord
1:00 p.m. Regular meeting.

THURSDAY, FEBRUARY 20

COMMISSION TO STUDY THE EFFECTS OF SERVICE-CONNECTED POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D:1), Room 203, LOB
2:30 p.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB
10:00 a.m. Full committee work session on ***HB 2014,*** relative to the state 10-year transportation improvement program.

FRIDAY, FEBRUARY 21

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB
9:00 a.m. Regular meeting.

COASTAL RISK AND HAZARDS COMMISSION (RSA 483-E), Seashell Pavilion at Hampton Beach
10:00 a.m. Regular meeting.

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a), Room 304, LOB
9:00 a.m. Regular meeting.

NEW HAMPSHIRE STATE ENERGY ADVISORY COUNCIL (RSA 4-E:2), Rooms 302-304, LOB
1:30 p.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

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), New Hampshire Department of Revenue Administration, 101 Pleasant St., Concord
9:30 a.m. Regular board meeting.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J), Rooms 205-207, LOB
9:30 p.m. Regular meeting.

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.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB
10:00 a.m. Full committee work session on ***HB 2014,*** relative to the state 10-year transportation improvement program.
11:30 a.m. Executive session on ***HB 1374,*** repealing the priority status of the widening of I-93 from Manchester to the Massachusetts border in the state of New Hampshire 10 year transportation improvement plan.

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.

FRIDAY, MARCH 21

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB
9:00 a.m. Regular 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 **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 **Grafton** County Delegation will meet at the Legislative Office Building, Concord, NH 03301, at noon or 10 minutes after the House breaks for lunch, whichever comes later, on Wednesday **February 12th** in Room 307 for the following reasons: (1) Regarding the vote to fill the Grafton County Commissioner Vacancy and (2) Such other matters as may be considered to be within the Grafton County delegation's jurisdiction.

Rep. Andrew White, Chairman
Grafton County Delegation

COUNTY DELEGATION NOTICE

The **Hillsborough** County Executive Committee will be meeting on **Friday, February 28th** at **9:00 a.m.** at the Hillsborough County Complex, Bouchard Building, Goffstown.

Rep Mariellen MacKay, Clerk
Hillsborough Executive Committee

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 469, HB 480, 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.

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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

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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

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All legislators are invited to the Environmental Caucus, 12 - 1 p.m. on **Tuesday Feb. 11** in LOB 303. We'll be discussing key issues and bills upcoming. Please bring a brown bag lunch or contact Rep. Christy Bartlett, **christydbartlett@gmail.com**, to order a lunch.

Rep. Rebecca A. Brown

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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

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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

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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

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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

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All legislators are cordially invited to attend a breakfast hosted by the New Hampshire Travel Council, (NHTC). The breakfast will take place in the State House Cafeteria from 7:30 a.m. to 9:00 a.m. on **Wednesday, March 12th**.

Reps. Peter Ramsey, Gene Chandler and Ed Butler

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The American Red Cross cordially invites all legislative members and staff to the annual State House Complex Blood Drive. The blood drive will take place on **Tuesday, March 18th** from 9:00 a.m. to 3;00 p.m. The American Red Cross state of the art self-contained coach will be parked out in front of the State House for this event. Give blood and you could help save three lives. Appointments are strongly encouraged. To schedule an appointment, please call the State House Health Services, Ext. 2757. In the past the blood drive has had overwhelming support. Please help to make this year the best ever!!

Reps. Steve Shurtleff and Gene Chandler

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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 Administrator

DATE	*TIME*	*GROUP*	*Group#/Grade*
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	11:30	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	10:00	Dover Alternative High School	10/HS
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
March 3	9:30/11:00 SH/HM	Maple Avenue Elementary School – Goffstown	60/4
March 4	9:30	Woodman Park School – Dover	50/4
March 4	10:15/11:30	Captain Samuel Douglas School – Brookline	100/4
March 5	9:30/10:45 SH/HM	Dondero Elementary School – Portsmouth	60/4
March 5	11:00	Wells Memorial School – Harrisville	15/4&5
March 6	9:45/11:15 SH/HM	Hooksett Memorial School	60/4
March 6	10:15	Lakes Region Leadership	
March 7	9:45/11:15 SH/HM	Hooksett Memorial School	89/4
March 10	9:30/11:00 SH/HM	Maple Avenue Elementary School – Goffstown	60/4
March 11	10:00	East Kingston Elementary School	27/4
March 12	10:30/12:00 SH/HM	Milford Elementary School	96/4

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

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 than 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 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 1142-FN-A
(2014-0402h)
Proposed by the Committee on Public Works and Highways - r

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

2 New Section; Definition; Motor Fuel Equivalent Gallon. Amend RSA 259 by inserting after section 58-a the following new section:

259:58-b Motor Fuel Equivalent Gallon. "Motor fuel equivalent gallon" means the volume of alternative fuel it takes to equal the energy content of one gallon of gasoline or special fuel. The commissioner of safety shall adopt in rules under RSA 260:57 the applicable conversion rates for motor fuel equivalent gallons for compressed natural gas, liquid natural gas, and propane based on nationally recognized standards for weights and measures.

3 New Section; Levy of Road Toll on Alternative Fuels. Amend RSA 260 by inserting after section 32 the following new section:

260:32-a Levy of Road Toll on Alternative Fuels. There is hereby imposed a road toll on alternative fuels, as defined in RSA 259:3-d and sold by licensed alternative fuel dealers, on the motor fuel equivalent gallon, as defined in RSA 259:58-b, for such alternative fuel at the rate per gallon established in RSA 260:32. The alternative fuel road toll shall be subject to the exemptions provided for by RSA 260:32, I-V and the refund provisions as provided in RSA 260:47, RSA 260:52-b, and RSA 260:52-e.

Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect January 1, 2015.

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 1150-FN
(2014-0249h)
Proposed by the Committee on Transportation - c

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

1 Dealer License; Fee. Amend RSA 261:103-a, II to read as follows:

II. All applications shall be accompanied by the payment of a license fee of [~~$125~~] ***$250***. If any application is denied or the license applied for is not issued, 75 percent of the license fee shall be refunded to the

applicant. ***There shall be no proration of fees for issuance of license for a partial term, however, applications submitted during the second year of the license cycle shall be accompanied by a fee of only $125.***

2 Dealer License; Expiration. Amend RSA 261:103-a, IV to read as follows:

IV. All licenses issued pursuant to the provisions of this section shall expire [~~annually~~] ***biennially in even-numbered years*** in the month designated by the director.

3 Inspection Stations. Amend RSA 266:1, V to read as follows:

V. The director may authorize properly qualified persons to make inspections without expense to the state at stations designated by [~~him~~] ***the director***, and may at any time revoke such authorization or designation; provided, however, that inspections conducted at such stations at the request and under the direction of a police officer or a [~~highway enforcement officer~~] ***state trooper or authorized employee of the department of safety*** shall be paid for as follows:

(a) In the event violations of this section are uncovered, by the owner of the vehicle.

(b) In the event no such violations are uncovered, by the agency represented by the police officer or [~~highway enforcement officer~~] ***state trooper or authorized employee of the department of safety***.

The [~~annual~~] ***biennial*** fee to be paid by the inspection station upon authorization to make inspections shall be [~~$25~~] ***$50*** and shall not be refundable ***nor prorated, however, applications submitted during the second year of the license cycle shall be subject to a fee of only $25***.

4 Effective Date.

I. Sections 1 and 2 of this act shall take effect January 1, 2016.

II. The remainder of this act shall take effect January 1, 2015.

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 1161-FN
(2014-0345h)
Proposed by the Committee on Executive Departments and Administration - c

Amend RSA 287-D:1, II as inserted by section 1 of the bill by replacing it with the following:

II. "Games of chance" means any game involving gambling as defined by RSA 647:2, II, or any lottery prohibited by RSA 647:1, but shall not include any game involving the use of a slot machine or any other device in the nature of a slot machine, 50/50 raffles as defined in RSA 287-A:1, III, or ice-out contests as defined in RSA 287-D:1, IV. ***"Slot machine" shall not include an electronic table that aids in the dealing and administration of approved card games of chance.***

Amend RSA 287-D:2-b, XVI(a) as inserted by section 2 of the bill by replacing it with the following:

XVI.(a) A game operator or game operator employer using an approved electronic table when conducting games of chance where chips have monetary value on behalf of a charity shall maintain the following minimum records provided that the record keeping requirements of this section shall not apply to manually dealt games:

(1) A list of each unique card player each day and the total amount of wagers by that player on that day.

(2) A record available to any player on a day of game play showing how long that player has been playing that day and a list of all monetary transactions by that player on that day in order to assist a player in management of time spent in card play.

Amend RSA 287-D:2-b, XVI(c) as inserted by section 2 of the bill by replacing it with the following:

(c) Electronic devices and software used to aid in the dealing and administration of card games and maintenance of the records required under this paragraph shall be private, secure, free from tampering, comply with all appropriate state laws and administrative rules, be Gaming Laboratories International certified, and shall be licensed in at least one state that has its own internal gaming and or licensing division. Manufacturers or distributors of such devices shall comply with RSA 287-D:3.

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 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 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 1357
(2014-0106h)
Proposed by the Minority of the Committee on Election Law - r

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

1 Accessible Voting System. Amend RSA 652:16-d to read as follows:

652:16-d Accessible Voting System.

I. "Accessible voting system" shall mean the system chosen by the state to meet the accessibility for individuals with disabilities requirements of section 301 of the Help America Vote Act of 2002, 42 U.S.C. section 15481, that has the capacity to print a paper ballot marked with the votes chosen by the voter.

II. If only one voter uses the accessible voting system at a polling place on election day, the moderator shall make a reasonable effort to assure that at least 2 volunteers also vote using the system in order to protect the secrecy of the ballot.

2 Sealed Ballots. Amend RSA 659:95, II to read as follows:

II. [~~Ballots, including cast, cancelled, and uncast ballots and~~] Successfully challenged and rejected absentee ballots still contained in their envelopes, prepared or preserved in accordance with the election laws shall be exempt from the provisions of RSA 91-A. This exemption shall apply to any [~~ballots or~~] absentee voter affidavits prepared for or used in any election conducted by the state or any political subdivision, including federal elections.

3 Disposal of Ballots. Amend RSA 660:16, II to read as follows:

II. [~~Ballots, including cast, cancelled, and uncast ballots and~~] Successfully challenged absentee ballots still contained in their envelopes, prepared or preserved in accordance with the election laws shall be exempt from the provisions of RSA 91-A. This exemption shall apply to any [~~ballots or~~] absentee voter affidavit envelopes prepared for or used in any election conducted by the state or any political subdivision, including federal elections.

4 New Subdivision; Public Review of Ballots. Amend RSA 660 by inserting after section 31 the following new subdivision:

Public Review of Ballots

660:32 Public Review of Ballots.

I. Public review of ballots shall only be allowed after the recount period for the election has ended.

II. The clerk shall remove the seal from the container holding the ballots in the presence of the person requesting the review. After the review, the clerk shall return the ballots to the container and seal the container in the presence of the person requesting the review with a sealer provided by the secretary of state.

III. If only one of a particular type of ballot is included in the ballots to be reviewed, the clerk may exclude the ballot, and may also exclude a randomly-selected ballot of another type, in order to prevent any reviewed ballot from being linked to an identifiable voter and to prevent a determination of how an identifiable voter has voted. The application of this paragraph shall include, but not be limited to, federal offices only absentee ballots, write-in absentee ballots, and photocopy ballots.

5 Preservation of Ballots. Amend RSA 669:33, II to read as follows:

II. [~~Ballots, including cast, cancelled, and uncast ballots and~~] Successfully challenged absentee ballots still contained in their envelopes, prepared or preserved in accordance with the election laws shall be exempt from the provisions of RSA 91-A. This exemption shall apply to any [~~ballots or~~] absentee voter affidavit envelopes prepared for or used in any election conducted by the state or any political subdivision, including federal elections.

6 Effective Date. This act shall take effect 60 days after its passage.2014-0106h

AMENDED ANALYSIS

This bill limits the ballot exemption from the provisions of RSA 91-A so that it applies only to successfully challenged absentee ballots. This bill also establishes requirements for public review of preserved ballots.

Amendment to HB 1372-FN-A
(2014-0339h)
Proposed by the Committee on Children and Family Law - c

Amend the bill by replacing section 1 with the following:

1 Department of Justice; Appropriation for Pediatric Sexual Assault Nurse Examiner. The sum of $20,000 for the fiscal year ending June 30, 2014 is hereby appropriated to the department of justice, grants management unit, of which $10,000 shall be for the purpose of providing ongoing training and education for pediatric sexual assault nurse examiners and $10,000 shall be for the purchase of software and network access necessary for the ongoing training and education of pediatric sexual assault nurse examiners. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2014-0339h

AMENDED ANALYSIS

This bill makes an appropriation to the department of justice, grants management unit, for the ongoing training and education of pediatric sexual assault nurse examiners.

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.

Amendment to HB 1478
(2014-0400h)
Proposed by the Committee on Children and Family Law - c

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

AN ACT relative to oversight of child day care agencies.

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

1 Record of Licenses and Monitoring Visits. Amend RSA 170-E:10 to read as follows:

170-E:10 Record of Licenses ***and Monitoring Visits***.

I. The department shall keep in a central depository records of licenses issued under this subdivision and all monitoring reports that have been made relative to licensees. When a license is issued to a child day care agency, the department shall give notice to the health officer and fire department of the city or town in which the licensee is located stating the granting of such license and its terms. A like notice shall be given of any suspension or revocation of such license.

II. The license itself, [~~and~~] the findings of monitoring visits, and final decisions relative to licensure of the child day care agency shall be considered public information, ***posted on the department's website, and*** available for review by members of the public; information submitted in the application process, however, shall be private, confidential, and not available for review.

III. At least 5 business days before posting the results or findings of a monitoring visit on the department's website, the department shall provide the child day care agency with the results or findings by email or, if the child day care agency has not provided an email address, by United States mail. If the child day care agency submits a reasonable response to the department's findings, the child day care agency's response shall be posted with the department's findings on the website.

2 New Section; Informal Dispute Resolution. Amend RSA 170-E by inserting after section 10 the following new section:

170-E:10-a Informal Dispute Resolution.

I. The department shall offer an opportunity for informal dispute resolution to any child day care agency that disagrees with the results or findings of a monitoring visit. The child day care agency shall submit a written request for informal dispute resolution no later than 14 days from the date the findings were issued by the department. Within 30 days of receipt of a request for informal dispute resolution, the department shall review the evidence presented and provide written notice of its decision to the child day care agency.

II. Informal dispute resolution shall not be available to any child day care agency against which the department has initiated action to suspend, revoke, deny, or refuse to renew a license or permit under this chapter.

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

2014-0400h

AMENDED ANALYSIS

This bill requires the department to provide the results of a monitoring visit to the child care agency. The bill also provides the child day care agency with the opportunity to respond and have the agency's response posted on the department's website. The bill also establishes a process for informal dispute resolution if the child day care agency disagrees with the department's findings.

Floor Amendment to HB 1486-FN
(2014-0407h)
Proposed by Reps. Hoell and Itse

Amend the bill by replacing section 1 with the following:

1 Unlawful Possession and Intoxication; Fines. Amend RSA 179:10, I to read as follows:

I. Except as provided in RSA 179:23, any person under the age of 21 years who has in his or her possession any liquor or alcoholic beverage, or who is intoxicated by consumption of an alcoholic beverage, shall be guilty of a violation and shall be fined [~~a minimum of $300~~] ***not less than $100 plus penalty assessment and not more than $300 plus penalty assessment***. Any second and subsequent offense shall be fined [~~at least $600~~] ***not less than $250 plus penalty assessment and not more than $500 plus penalty assessment***. For purposes of this section, alcohol concentration as defined in RSA 259:3-b of .02 or more shall be prima facie evidence of intoxication. No portion of [~~this mandatory~~] ***the*** minimum fine shall be waived[~~,~~] ***or*** continued for sentencing[~~, or~~] ***and no portion of the minimum fine shall be*** suspended [~~by the court~~] ***except for sufficient mitigating circumstances which shall be stated on the court's order***. [~~In addition to the penalties provided in this section, the court may, in its discretion, impose further penalties authorized by RSA 263:56-b.~~]

Amendment to HB 1494-FN
(2014-0422h)
Proposed by the Committee on Executive Departments and Administration - r

Amend RSA 100-A:1, XVII as inserted by section 2 of the bill by deleting subparagraph (c).

2014-0422h

AMENDED ANALYSIS

This bill:

I. Clarifies definitions of terms used in RSA 100-A.

II. Establishes a procedure for the determination of the costs of purchase of service credits.
III. Clarifies the ability to earn service credit while on a salary continuance plan.
IV. Changes the date for the approval of the comprehensive annual financial report (CAFR).
V. Adds a penalty for employers who fail to timely remit data on compensation paid to retired members.
VI. Repeals obsolete provisions.

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 1589-FN
(2014-0371h)
Proposed by the Committee on Commerce and Consumer Affairs - r

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

AN ACT requiring a criminal background check for certain firearm sales or transfers.

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

1 Purpose. It is the purpose and intent of the general court in enacting RSA 159-E to require commercial firearm sales and transfers in New Hampshire to be processed through a licensed firearms dealer, who will conduct a background check and create a record of each sale. The general court believes this law will protect public safety by helping to keep guns out of the hands of felons, domestic abusers, the dangerously mentally ill.

2 New Chapter; Universal Background Checks for Firearms Sales. Amend RSA by inserting after chapter 159-D the following new chapter:

CHAPTER 159-E
UNIVERSAL BACKGROUND CHECKS FOR FIREARMS SALES

159-E:1 Definitions. As used in this chapter:

I. "Commercial sale" means a sale, transfer, or exchange of a firearm that takes place at, or on the curtilage of, a gun show or pursuant to an offer to sell or buy a firearm that took place at a gun show, or pursuant to an advertisement, posting, listing, or display.

II. "Firearm" means any weapon or device designed to be used as a weapon, which will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, explosion, or other means of combustion, or the frame or receiver of such a device, provided the term "firearm" shall not include the term "antique firearm" as defined in 18 U.S.C. section 921(a)(16), or a weapon that has been rendered permanently inoperable and is incapable of being readily restored to a firing condition.

III. "Individual" means a natural person.

IV. "Law enforcement" means any person employed by the United States, or a state, county, city, municipality, village, township, or other political subdivision as a police officer, peace officer, or another position involving the enforcement of the law and protection of the public interest.

V. "Licensed firearms dealer," "licensed dealer," or "dealer" means a person who has a valid federal firearms dealer license under 18 U.S.C. section 923(a), and all additional licenses required by state or local law to engage in the business of selling firearms.

VI. "Person" means any corporation, company, association, firm, partnership, club, organization, society, joint stock company or other entity, and shall include any entity that engages in business in this state, in whole or part, through Internet or mail order sales.

VII. "Prohibited person" means any person who is prohibited from owning or possessing a firearm pursuant to 18 U.S.C. section 922(d) or pursuant to state law.

159-E:2 Firearms Sales to be Conducted Through a Licensed Dealer.

I. No person shall engage in the commercial sale of a firearm unless:

(a) The person is a licensed firearms dealer;

(b) The purchaser is a licensed firearms dealer; or

(c) The requirements of paragraph II are met.

II. If neither party to a prospective firearms transaction is a licensed firearms dealer, the parties to the transaction shall complete the commercial sale through a licensed firearms dealer as follows:

(a) The seller shall deliver the firearm to the dealer, who shall process the sale as if he or she were the seller, except that the seller may remove the firearm from the business premises of the licensed dealer while the background check is being conducted. If the seller removes the firearm from the business premises of the licensed dealer while the background check is being conducted, the purchaser and the seller shall return to the business premises of the licensed dealer, and the seller shall again deliver the firearm to the licensed dealer prior to completing the sale.

(b) Except as provided in subparagraph (a), the dealer shall comply with all requirements of federal, state, and local law that would apply if the licensed dealer were selling the firearm from his or her inventory to the purchaser, including but not limited to, conducting a background check on the prospective purchaser, which shall include a check of the National Instant Criminal Background Check System (NICS), and compliance with all federal, state, and local recordkeeping requirements.

(c) If the transaction is not prohibited, the dealer shall deliver the firearm to the buyer after all legal requirements are met.

(d) If the dealer cannot legally deliver the firearm to the buyer, the dealer shall return the firearm to the seller without requiring a background check and the transfer to the buyer shall not take place.

(e) The dealer may require the purchaser to pay a reasonable fee.

159-E:3 Exception. This chapter shall not apply to a noncommercial, private sale, transfer, or exchange of a firearm between individuals, provided neither party to the transaction is a prohibited person. If the status of either party's eligibility to own or possess a firearm cannot be ascertained, the transaction shall be completed through a federally-licensed firearm dealer pursuant to RSA 159-E:2, II.

159-E:4 Penalties.

I. Any person who violates any provision of this chapter shall be guilty of a class B misdemeanor for a first offense, and a class A misdemeanor for a second or subsequent offense.

II. The local law enforcement agency shall report all violations of this chapter by a licensed firearms dealer to the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

159-E:5 Other Laws.

I. Nothing in this chapter shall be construed to modify or change the duties of the department of safety pursuant to RSA 159-D.

II. Nothing in this chapter shall be construed to require or authorize any state, county, or local law enforcement agency to establish or maintain a registry of firearms sold or transferred in accordance with this chapter.

3 Applicability. The provisions of section 2 of this act shall apply to the sale of a firearm on or after the effective date of this act and shall not apply to sales completed prior to the effective date of this act.

4 Effective Date. This act shall take effect January 1, 2015.

2014-0371h

AMENDED ANALYSIS

This bill requires commercial firearms sales or transfers in this state to be subject to a criminal background check and provides for a criminal penalty for a violation. The bill excludes private, noncommercial sales or transfers between individuals, provided neither individual is prohibited from owning or possessing a firearm under state or federal law.

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 1595-FN
(2014-0207h)
Proposed by the Majority of the Committee on Commerce and Consumer Affairs - r

Amend RSA 356-B:71 as inserted by section 1 of the bill by inserting after paragraph I the following and renumbering the original paragraphs II-VI to read as III-VII, respectively:

II. No more than 3 members of the board may be involved professionally and/or financially in the condominium industry.

Amend RSA 356-B:74, II and III as inserted by section 1 of the bill by replacing them with the following:

II. A decision of the board may be appealed, by either party, by requesting a rehearing and appeal pursuant to RSA 541.

III. If no timely appeal is taken pursuant to paragraph II, the decision of the board shall become final.

Amendment to HB 1616-FN
(2014-0084h)
Proposed by the Committee on Health, Human Services and Elderly Affairs - r

Amend the bill by replacing section 2 with the following:

2 Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1, IX(a) to read as follows:

(a) "Qualifying medical condition" means the presence of:

(1) Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C currently receiving antiviral treatment, amyotrophic lateral sclerosis, muscular dystrophy, Crohn's disease, agitation of Alzheimer's disease, multiple sclerosis, chronic pancreatitis, spinal cord injury or disease, traumatic brain injury, ***epilepsy, lupus, Parkinson's disease,*** or one or more injuries that significantly interferes with daily activities as documented by the patient's provider; and

(2) A severely debilitating or terminal medical condition or its treatment that has produced at least one of the following: ***dementia associated with Alzheimer's disease,*** elevated intraocular pressure, cachexia, chemotherapy-induced anorexia, wasting syndrome, severe pain that has not responded to previously prescribed medication or surgical measures or for which other treatment options produced serious side effects, constant or severe nausea, moderate to severe vomiting, seizures, or severe, persistent muscle spasms.

Amendment to HB 1624-FN
(2014-0336h)
Proposed by the Committee on Children and family Law - r

Amend RSA 169-B:20, IV and V as inserted by section 19 of the bill by replacing them with the following:

IV. If the court determines that a competency determination is necessary, it shall order that a minor be examined to evaluate the minor's competency to proceed. The court shall set the time within which the competency evaluation report shall be filed with the court, which shall be no later than 21 days of the court's

order in cases in which at the time of the order the minor is detained, not later than 30 days of the court's order in cases in which at the time of the order the minor is in an out-of-home placement, and not later than 60 days of the court's order in cases in which at the time of the order the minor remains in the home. So that detention or placement outside the home is not unnecessarily extended by the determination of competency, the time within which the report shall be filed with the court shall be appropriately modified by the court in cases in which during the pendency of the competency evaluation the minor's placement changes. Following notice and an opportunity to be heard to the parties, upon a showing of good cause, the court may extend the time for filing of the evaluation report. Any such extension shall be limited to the time necessary for completion of the evaluation report and shall be set out in a written order which details the basis for the extension.

V. A competency evaluation may be conducted by an entity approved by the commissioner of health and human services, which may include an agency other than the Philbrook center, a psychiatrist, or psychologist licensed in the state of New Hampshire. The commissioner shall adopt standards establishing the process for approval as an examiner as well as the qualifications required for approval, which shall be based on generally accepted standards for forensic psychiatrists and psychologists. The expense of such evaluation shall be borne by the department of health and human services as provided in RSA 169-B:40, I(a) and shall not be subject to reimbursement under RSA 169-B:40, I(c).

Amend RSA 169-B:20, VIII as inserted by section 19 of the bill by replacing it with the following:

VIII. Following receipt of the competency examination report from the examiner, the court shall provide copies of the report to the parties and hold a competency determination hearing. The court may consider the report of the examiner, together with all other evidence relevant to the issue of competency, including a subsequent evaluation requested by defense under RSA 604-A, in its determination whether the minor is competent to proceed. If the court finds that the minor is competent to proceed, the court shall promptly resume the proceedings. If the court is not satisfied that the minor is competent to proceed, the court shall dismiss the petition.

Amend RSA 169-B:31-b, III(a) as inserted by section 24 of the bill by inserting after subparagraph (4) the following new subparagraph:

(5) Re-entry into the juvenile justice system.

Amend the bill by replacing sections 25 and 26 with the following:

25 New Section; Juvenile Defense; Assigned Counsel. Amend RSA 604-A by inserting after section 2-d the following new section:

604-A:2-e Counsel in Juvenile Delinquency Cases. Courts assigning counsel in RSA 169-B proceedings shall do so in accordance with standards adopted by the judicial council.

26 New Paragraph; Juvenile Defense; Qualifications. Amend RSA 604-A:10 by inserting after paragraph IV the following new paragraph:

V. The judicial council shall adopt standards relative to appointment for juvenile counsel. Such standards shall establish training, experience, and other qualifications for attorneys to represent minors in such proceedings, and shall be developed with consideration of relevant national standards including, but not limited to, the Juvenile Justice Standards of the Institute of Judicial Administration and American Bar Association.

2014-0336h

AMENDED ANALYSIS

This bill:

I. Changes the age of minority for juvenile delinquency proceedings from 17 to 18 years of age.

II. Clarifies competency determinations in juvenile proceedings.

III. Clarifies right to counsel in juvenile hearings under RSA 621:19, I-a.

IV. Changes waiver of counsel procedure for juvenile proceedings.

V. Directs the department of health and human services to collect certain data regarding the juvenile justice program.

VI. Requires the judicial council to adopt standards relative to the appointment and qualification of juvenile defense counsel.

VII. Requires the department of corrections to submit plans for compliance with the Prison Rape Elimination Act (PREA).

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:

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 ***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 devce, 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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