



State of
New Hampshire

HOUSE RECORD

Second Year of the 163rd General Court

Calendar and Journal of the 2014 Session

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Friday, April 18, 2014

No. 31

Contains: Committee Reports, Bills Laid on Table, House Bills Amended
by the Senate, Meetings and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet on **Wednesday, April 23, 2014, at 10:00 a.m.** The House will also meet every Wednesday thereafter until further notice.

As noted in the box below, our Continuing Education series will resume on May 1st with an informational session on the Judicial Branch.

Terie Norelli, Speaker

NOTICE

The next meeting of chairs and vice chairs will be on **Tuesday, April 22nd, at 8:30 a.m.** in Rooms 305-307 of the Legislative Office Building.

Terie Norelli, Speaker

NOTICE

House Continuing Education

DATE: Thursday, May 1st
TOPIC: NH Judicial Branch – a presentation regarding the NH e-Court Project,
including Small Claims Court pilot programs and jury management system
TIME: 9:00 to 10:30 a.m.
LOCATION: Representatives Hall

Terie Norelli, Speaker

NOTICE

There will be a **Democratic Caucus** on **Wednesday, April 23rd at 9:00 a.m.** in Representatives Hall.
Rep. Stephen Shurtleff, Majority Leader

NOTICE

There will be a **Republican Caucus** on **Wednesday, April 23rd at 9:00 a.m.** in LOB 305-307.
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:

April 24

May 1

AVAILABLE FRIDAY:

April 25

May 2

Karen O. Wadsworth, Clerk of the House

2014 HOUSE DEADLINES

Thursday, April 24, 2014	Last day to act on Senate Bills going to a 2 nd committee
Thursday, May 8, 2014	Last day to report all remaining Senate Bills
Thursday, May 15, 2014	Last day to act on all remaining Senate Bills
Thursday, May 22, 2014	Last day to form Committees of Conference
Friday, May 30, 2014 at 4:00 pm	Last day to sign-off Committee of Conference reports
Thursday, June 5, 2014	Last day to act on Committee of Conference reports

WEDNESDAY APRIL 23 CONSENT CALENDAR

COMMERCE AND CONSUMER AFFAIRS

SB 257, (New Title) establishing a commission to study the sale of beer in refillable containers. **OUGHT TO PASS.** Rep. Kermit R Williams for Commerce and Consumer Affairs. This bill creates a commission to study the sale of beer in refillable containers. Commonly known as growlers, these containers allow customers to take home fresh draft beer from breweries and brew pubs. The commission would study the expansion of the business to allow other retail establishments to offer the same service. Because we are a control state, any commerce in alcohol is prohibited unless expressly permitted by law, so a bill providing for such sales would be developed by the commission if they decided that it was in the best interests of the state. **Vote 17-1.**

SB 290, authorizing credit unions to provide group accidental death and dismemberment insurance. **OUGHT TO PASS.**

Rep. Donald H Flanders for Commerce and Consumer Affairs. This is a technical correction that allows credit unions to continue to offer accidental death & dismemberment (AD&D) insurance. In 2008 the department of insurance issued a regulatory ruling that in order to offer AD&D insurance you have to be an employer group or qualified employee group. Since credit unions are neither, this allows past practice to continue. New Hampshire is the only one of 50 states without this provision. **Vote 18-0.**

EDUCATION

SB 221, (New Title) relative to private postsecondary career schools and relative to the authority of the board of barbering, cosmetology, and esthetics. **OUGHT TO PASS.**

Rep. Joseph A Pitre for Education. This bill completes the transfer of all private, postsecondary career schools including the Board of barbering, cosmetology and esthetics to the NH higher education commission of the NH department of education. **Vote 17-0.**

SB 335-FN, (New Title) establishing a commission to study career and technical education centers. **OUGHT TO PASS.**

Rep. Anne C Grassie for Education. This bill establishes a commission to study career and technical education centers. The commission will make recommendations about tax credit programs for donations of equipment and funding for costs of apprenticeships, funding for construction and renovation and increasing partnerships between businesses, skilled trades, advanced manufacturing and CTE programs. **Vote 17-0.**

ELECTION LAW

SB 275, relative to refusal to certify an absentee ballot application. **OUGHT TO PASS.**

Rep. Ruth E Gage for Election Law.

SB 275 was requested by the office of the secretary of state. Under current law, when a town or city clerk realizes that an applicant for an absentee ballot is not yet a registered voter, the words "not registered" are marked on the return outer envelope. SB 275 permits the clerk to open the outer envelope to verify that all of the required documents are enclosed. The bill also adds a reference to this provision to another section addressing the processing of absentee ballots. **Vote 16-0.**

SB 276, relative to notifying a UOCAVA voter of an invalid absentee ballot application. **OUGHT TO PASS.** Rep. Melanie A Levesque for Election Law. Current law requires a town or city clerk who invalidates an absentee ballot application to provide the UOCAVA voter the reason within 7 days. A reference to the procedures within RSA 657:16 has been added for clarification. **Vote 16-0.**

SB 277, relative to absentee voter registration. **OUGHT TO PASS.**

Rep. Mary L Till for Election Law. SB 277 was requested by the department of state. It adds a reference to RSA 657:21 to clarify that the signature on the affidavit envelope is subject to verification under RSA 657:23 which requires that an additional signature is available for comparison. **Vote 17-0.**

SB 278, relative to the absentee voter website. **OUGHT TO PASS.**

Rep. Robert J Perry for Election Law. Beginning on or about July 31, 2010, the state made available for use in every state election a public absentee voter website which allows absentee voters to track the progress of their application, beginning with whether one's application for an absentee ballot was received by the clerk, whether their absentee ballot has been sent pursuant to such request, and whether the envelope purporting to contain the voter's absentee ballot has been received by the clerk. SB 278 would require the website to also include whether the absentee ballot was challenged and rejected by the moderator on election day, including the reason for the challenge. This is important information for voters wanting to confirm their vote will be counted, or whether they need to take further action to ensure their vote is counted. This bill was requested by the department of state. **Vote 17-0.**

SB 280, relative to absentee voters. **OUGHT TO PASS.**

Rep. Gerald W.R. Ward for Election Law. This bill, requested by the secretary of state, clarifies and gives the weight of law to a common-sense election day procedure by requiring the ballot clerk to notify the moderator if a voter, whose name has been marked as having already voted absentee, appears at the polling place on election day to vote in person. **Vote 17-0.**

SB 378, relative to identification information contained in political advertising. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary B Richardson for Election Law. This bill permits reference to an internet address in lieu of signature and identification requirements on political signs and placards, provided that the internet address displays all of the information required under current law. The amendment corrects an erroneous effective date on SB 196-FN passed at the 2014 regular legislative session relating to push polling. **Vote 17-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 186-FN, relative to training of certain board officers of nonprofit corporations. **REFER FOR INTERIM STUDY.**

Rep. Lucy M Weber for Executive Departments and Administration. SB 186 requires the board president or a designee from every non-profit receiving over \$250,000 in public funds to attend a minimum of four hour off-premises training on fiduciary responsibilities, financial controls, organizational governance, ethics and relevant laws. Concerns were expressed from several points of view; first, that the requirement was unnecessarily burdensome on the great majority of non-profits which are performing their missions well; second, that the training required was not enough to have deterred the problem giving rise to the legislation; third, why require this training for non-profits and not for for-profit corporations receiving similar funding? Proposed amendments went some way to allow organizations with strong internal training programs to substitute that training for the off-premise requirement. However, the remaining concerns convinced a majority of committee members that the matter should be studied further prior to enacting legislation. **Vote 15-2.**

SB 222, (New Title) restructuring the department of administrative services, division of plant and property management and establishing the position of deputy commissioner in the department of information technology. **OUGHT TO PASS.**

Rep. Peter B Schmidt for Executive Departments and Administration. This bill constitutes the final piece of a multi-step process, as described in the bill title. The purpose is to enhance efficiency and achieve cost savings in the department of administrative services and the department of information technology. The joint committee on employee classification has already reviewed and approved the first steps, and the house has already passed them in HB 1634. **Vote 17-0.**

SB 264-FN, requiring the election of benefits by certain members of the judicial retirement plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P Goley for Executive Departments and Administration. This bill requires certain eligible judges under the judicial retirement plan to give notice of their election to receive benefits either under the former judicial retirement statutes (in effect through December 31, 2004) or retirement benefits paid pursuant to RSA 100-C (in effect starting January 1, 2005). Such notice shall be given in writing no later than September 30, 2014. Requiring the judges to choose a plan by September 30, 2014 will allow actuaries to determine more accurate rates for the retirement fund in the future. The amendment clarifies that once the election is made it is irrevocable. **Vote 16-0.**

SB 315-FN, establishing the board of building officials. **REFER FOR INTERIM STUDY.**

Rep. Lucy M Weber for Executive Departments and Administration. This bill establishes a new board of building officials, and details requirements for certification and regulation of building officials. The committee heard testimony about the need for this bill because of the wide variation in the qualifications of building inspectors, and the lack of familiarity some have with code requirements. Significant work has been done to address concerns expressed at the initial hearing, but difficult questions remain, among them how to craft

a bill which appropriately addresses the differing issues facing professional city building inspectors and the various individuals who perform these duties in small towns. Committee members decided that given the importance of the issue and the amount of work still needed, that interim study was appropriate. **Vote 17-0.**

FISH AND GAME AND MARINE RESOURCES

SB 407, relative to wolf hybrids. **REFER FOR INTERIM STUDY.**

Rep. Joe Duarte for Fish and Game and Marine Resources. After a well informed hearing and a well researched work session, the committee has agreed unanimously to refer SB 407 for interim study. The committee feels that there were many important issues to address in the bill as presented but just as many unanswered questions and not enough time to thoroughly research the bill before the reporting deadline. The committee intends to do it a due diligence and thoroughly study the issues presented and if needed, bring a well researched and vetted piece of legislation back to this body. **Vote 11-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 193-FN, (New Title) establishing a commission to study pathways to oral health care in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas M Sherman for Health, Human Services and Elderly Affairs. Good oral health has been identified as a critical component of general wellness. This bill creates a commission to evaluate barrier to and coverage for dental care for underserved New Hampshire residents. **Vote 16-0.**

SB 213-FN, establishing a registry for physician orders for life-sustaining treatment. **OUGHT TO PASS.** Rep. Mariellen J MacKay for Health, Human Services and Elderly Affairs. This bill creates a registry to house people's POLST information. POLST means a Provider's Order for Life-sustaining Treatment that is signed by a physician, ARPRN (advanced practice registered nurse), or a PAC physician assistant) and the individual. This bill also creates a registry advisory committee and language that clarifies that the registry will be created only if sufficient funds are available. **Vote 14-1.**

SB 234, relative to procedural changes in the law governing therapeutic use of cannabis. **OUGHT TO PASS.** Rep. Donald L LeBrun for Health, Human Services and Elderly Affairs. This bill represents an additional requirement governing alternate treatment centers and background checks for caregivers and qualifying patients. Background checks will be conducted by the state police and through federal agencies. This legislation is supported by the advisory council on medical marijuana. **Vote 14-1.**

SB 235, (2nd New Title) relative to the patients' trust fund and relative to a 10-bed psychiatric crisis unit. **OUGHT TO PASS.**

Rep. Thomas M Sherman for Health, Human Services and Elderly Affairs. This bill addresses two issues. The first is aligning an inpatient's personal funds account at New Hampshire Hospital with current patterns of admission with particular attention to their emotional needs. The second provides authorization for implementation of the New Hampshire Hospital 10- bed psychiatric crisis unit for which the funds are already available. **Vote 15-0.**

SB 298, establishing a permanent commission on post-traumatic stress disorder and traumatic brain injury. **OUGHT TO PASS.**

Rep. James R MacKay for Health, Human Services and Elderly Affairs. The commission on post traumatic stress disorder and traumatic brain injury has been in effect since 2001. The commission has been effective in confronting a number of barriers that veterans have faced in gaining access to health care. The commission has also been successful in working collaboratively with a number of organizations on behalf of veterans with post traumatic stress disorder and traumatic brain injury. This legislation makes this a permanent commission to continue their significant work. **Vote 13-0.**

SB 309, relative to the New Hampshire vaccine association. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs. This bill fixes a problem that occurred during the committee of conference process in the spring of 2013. This bill requires the vaccine association to do an annual report addressing the Association's activities, financial reports and any newly approved vaccines. The report goes to the President of the Senate, the Speaker of the House and the Governor. In addition, the bill adds three new members to the board, two of which will be public members. **Vote 14-0.**

SB 326-L, relative to procedural requirements for certain residents of nursing and assisted living facilities. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs. This bill clarifies the procedure for a nursing home facility, or an assisted living facility, to recover the cost of care rendered to a client when a person has not applied for medicaid, or when the person is not able to receive medicaid due to an asset transfer. The bill also specifies the information that must be included in a written notice to the patient and their fiduciary, if appropriate, from the facility regarding the medicaid application process. **Vote 16-0.**

SB 353, recodifying RSA 168-B, relative to surrogacy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen J Schmidt for Health, Human Services and Elderly Affairs. This bill is an act recodifying RSA 168-B, relative to surrogacy law. There have been significant advances in medicine over the past 20 years to meet the needs of individuals wishing to become parents, but cannot for whatever reason. This bill corrects the cumbersome parameters of existing law and will encourage New Hampshire couples to pursue surrogacy within New Hampshire rather than out of state. **Vote 15-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 351, (New Title) relative to the requirement for notice of non-compete agreements prior to the start of employment. **OUGHT TO PASS.**

Rep. Gary L Daniels for Labor, Industrial and Rehabilitative Services. This bill fixes issues in our current non-compete statute to ensure that if employees will be subject to a non-compete clause, that non-compete agreement is presented before acceptance of an offer. If the non-compete agreement is unenforceable, all other enforced employment contracts and terms of agreement shall remain enforceable. **Vote 20-0.**

MUNICIPAL AND COUNTY GOVERNMENT

SB 216, relative to designating an alternate trustee of the trust fund. **OUGHT TO PASS.**

Rep. Dennis J Malloy for Municipal and County Government. This bill permits the governing body to appoint alternates to the trustees of the trust fund. The committee understood that some NH towns find that either no one has run for this position or no more than one person is serving as a trustee. To help insure smooth functioning of the trustees of the trust funds, and that the fiduciary and reporting responsibilities are fulfilled, the trustee board may recommend to the appointing authority the names of no more than 2 persons who may serve as alternate members on the board for no more than a one-year term. **Vote 20-0.**

SB 219, relative to funds received from the sale of cemetery lots. **OUGHT TO PASS.**

Rep. Bruce L Tatro for Municipal and County Government. This bill enables municipalities, at any annual or special meeting, to vote to deposit funds received from the sale of cemetery lots in the general fund or deposit the funds with the trustees of trust funds for maintenance of cemeteries. **Vote 20-0.**

SB 236, relative to delivery of the final budget and recommendation of the municipal budget committee to the governing body. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Marjorie A Porter for Municipal and County Government. This bill as amended is one of many that have been needed over the years to fix issues arising in municipalities using the "SB2" form of town meeting. This year's calendar created issues around the time needed for notification. This bill allows municipalities with a municipal budget committee to deliver final budget recommendations the Thursday before the last Monday of January, February, or March depending on when the annual meeting is held. It also allows changes to be made to the official warrant after the deliberative session to reflect changes made at that session, fixes a problem the timing for notification caused in the Town of Windham, and modifies notification requirements for petitioned warrant articles which propose bonds. Finally, it clarifies RSA 31:98-a by requiring warrant articles establishing contingency funds be separate from the budget article. **Vote 20-0.**

SB 347, relative to municipal enforcement of land use ordinances. **OUGHT TO PASS.**

Rep. Dennis J Malloy for Municipal and County Government. This bill allows pleas by mail for violations of municipal land use ordinance and establishes a fine not to exceed \$100 for landlords failing to designate an agent. The committee agreed this bill creates a streamlined approach toward code compliance and does not change any zoning or code enforcement laws. The committee also felt that this helps municipalities promote health and safety through a lower, more acceptable fine structure allowing the use of regular mail instead of certified mail for notification purposes. Nothing in this bill shall apply to manufactured housing parks as defined in RSA 205-A:1,II. **Vote 20-0.**

PUBLIC WORKS AND HIGHWAYS

SB 404-FN, relative to the acquisition of real property for state government purposes. **REFER FOR INTERIM STUDY.**

Rep. John A Graham for Public Works and Highways. While this bill ostensibly deals with the purchase and use of all state real estate, the real impetus behind it is the location of courts. It has been the long standing practice of the General Court to require that a new court facility be built on land that has been provided at no cost to the state. As land becomes more expensive and less available this practice has been called into question. By placing this bill into study the committee can look at the pros and cons of continuing the practice that land be donated. The committee will look at, among other things, items such as the cost of land, the overall construction costs associated with potentially less desirable building lots, proximity to infrastructure, the future operating costs associated with specific lots including the costs to law enforcement and the judicial system, depending on a court's location. Ideally the study will provide useful information for use by the legislature during the development of the capital budget in the next biennium. **Vote 15-1.**

RESOURCES, RECREATION AND DEVELOPMENT

SB 266, relative to membership on the exotic aquatic weeds and species committee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Renzullo for Resources, Recreation and Development. This bill adds seven additional members to the exotic aquatic weeds and species committee. The committee presently is made up of nine members, six of whom are elected representatives or senators. The new members will represent interested entities across the water resources spectrum, including the department of environmental services (DES), department of fish and game, Connecticut River watershed council and the New Hampshire rivers council. Adding these new members provides the continuity and stability that the committee, originally constituted predominately with elected officials, has needed. The amendment added the Northeast Aquatic Plant Management Society to provide the prospective of those who commercially provide eradication services. **Vote 16-1.**

SB 291, relative to distribution of seedling trees for educational purposes. **OUGHT TO PASS.**

Rep. Suzanne J Smith for Resources, Recreation and Development. The state forest nursery raises tree seedlings which are sold to persons who desire to plant them. SB 291 will allow the department of forest and lands to distribute limited quantities of these seedlings, free of charge, to non-profit organizations for educational purposes at events approved by the director. The department already has the authority to distribute seedlings to counties, municipalities and public institutions. This bill simply adds non-profits to the list. **Vote 17-0.**

SB 363, relative to insurance coverage for facilities for the Winnepesaukee River basin control. **OUGHT TO PASS.**

Rep. Brian Wazlaw for Resources, Recreation and Development. This bill would make RSA 485-A:53 consistent with existing insurance practices, available insurance coverage and insurance procurement procedures. Because liability, general and pollution insurance for the Winnepesaukee River Basin Program (WRBP) has been unavailable for many years, the WRBP has sought and been granted a waiver from the executive council each fiscal year. This bill provides that outdated and prescriptive procedures for the purchase of insurance be removed. **Vote 16-0.**

SCIENCE, TECHNOLOGY AND ENERGY

SB 324, relative to the assessment of public utilities and other entities to fund the expenses of the public utilities commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles L Townsend for Science, Technology and Energy. The Public Utilities Commission (PUC) is entirely funded by assessments from utilities. When all utilities were fully regulated the assessment process was straightforward but as power and telecommunications industries have been opened to competitive processes, weighting the assessment levels for the different industry groups has become more complicated. The increasing complexity of the energy and telecommunications markets has added to the workload of the PUC. While making no change to the total funding for the PUC's work, the bill makes the distribution more fair by reducing the assessment for telephone utilities which are no longer highly regulated, and by including assessments for competitive electricity and natural gas suppliers and aggregators. All utilities are satisfied with the distribution of the assessments as proposed in the bill. **Vote 16-0.**

TRANSPORTATION

SB 240-FN, (New Title) relative to authorizing temporary registrations of off-highway recreational vehicles for nonresidents. **OUGHT TO PASS.**

Rep. George E Sykes for Transportation. This bill will reinstate a temporary OHRV 10-day registration for non-residents. The previous authorization had a sunset provision. With the opening of further trails DRED expects further demand for these types of registrations. This bill will benefit businesses engaged in tourism related services, and will further encourage recreational activities in the state. This new version of the bill also has a sunset provision. **Vote 15-0.**

WAYS AND MEANS

SB 265, making a technical correction to the disposition of meals and rooms tax revenues. **OUGHT TO PASS.** Rep. Frank W Davis for Ways and Means. This legislation corrects a reference in RSA 78-A:26, on the distribution of meals and rooms tax revenues to the cities and towns, and deletes an obsolete provision in the same statute. **Vote 17-0.**

SB 300, (New Title) relative to the setting of tax rates and the disposition of rooms and meals tax revenues by the department of revenue administration. **OUGHT TO PASS.**

Rep. Patricia T Lovejoy for Ways and Means. This bill resolves a timing problem that has been encountered in setting municipal tax rates. It requires that various state agencies provide the department of revenue

administration estimates of local aid to be distributed to municipalities and school districts by October 1st each year, and that the rooms and meals tax collected be remitted to the state treasurer by September 15th, thus allowing the timely setting of municipal tax rates each year. **Vote 17-0.**

SB 386, relative to the authority and duties of the department of revenue administration. **OUGHT TO PASS.** Rep. Mary R Cooney for Ways and Means. This bill was requested by the department of revenue administration.

It authorizes whole dollar rounding on all returns, clarifies municipal and property division training, changes the reporting of refunds to the fiscal committee to within 10 days after the close of each quarter instead of monthly, and moves the appropriation for grants for low and moderate income homeowners property tax relief to the department of revenue administration from the department of education. **Vote 17-0.**

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

SB 391, (New Title) relative to the juvenile justice advisory board; the policies and procedures of the youth development center; and a reduction in appropriation to the Sununu Youth Services Center. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick T Long for Children and Family Law. This bill addresses several critical and necessary changes with respect to the Sununu Youth Services Center. The amendment replaces the bill. It revises the membership and duties of the juvenile justice advisory board. The board last met in August 2013; prior to that meeting it met in 2004.

The bill establishes the number of meetings per year and requires a report. At the end of the first year, this bill requires the department of health and human services to re-establish a division of juvenile justice services (DJJS). The bill makes DJJS separate from the division of children and youth services (DCYS) as a stand-alone division. With this adjustment synergies will remain intact with DCYS. The focus on treatment continues. This bill establishes the appointment process for the Director, whereby a list of qualified candidates is submitted to the Governor who then appoints with the approval of the Governor and Executive Council. **Vote 16-2.**

SB 396, relative to child restraint practices. **OUGHT TO PASS.**

Rep. Pamela T Brown for Children and Family Law. This bill revises RSA 126-U which limits the use of child restraint practices in facilities and schools and regulates the use of seclusion, restraint and force in such programs. Seclusion, restraint and “force” are carefully defined and limited to use by trained personnel in emergencies only to ensure the immediate physical safety of persons when there is a substantial and imminent risk of serious bodily harm to the child and others. With this bill, parents must be immediately informed; and if seclusion is deemed necessary, the child shall be directly and continuously visually and auditorially monitored by a person trained in the safe use of seclusion. The Disabilities Rights Center, New Hampshire Council on Developmental Disabilities, Children and Family Services and numerous parents testified in support of SB 396. **Vote 16-2.**

COMMERCE AND CONSUMER AFFAIRS

SB 215-FN, authorizing benefit corporations. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Donna L Schlachman for the **Majority** of Commerce and Consumer Affairs. This bill was introduced on behalf of New Hampshire corporations who want to operate as benefit corporations. This relatively new business entity already exists in four New England states and 17 other states. It is supported by the Business and Industry Association, New Hampshire’s department of resources and economic development and has been requested by NH-based businesses. This bill simply allows a private business to run the way it wants to by allowing it to pursue environmental and social goals as a value added benefit for their shareholders, in addition to their profit goals and responsibilities. Benefit corporations are still held to the same standards under New Hampshire’s current corporate law, but have dual accountability to their shareholders. The committee heard that there are investors, representing billions of dollars, who are looking for opportunities to invest in b-corporations, as well as a workforce coming out of our institutions of higher living that are interested in companies with benefit missions. Enabling new Hampshire businesses to compete in this new market, and letting investors determine the success of this market, is another way for New Hampshire to support and attract business. The majority believes that the newness of this business model is an insufficient reason to keep New Hampshire businesses from competing in the market for investors by forming b-corporations. If we do not offer this option to companies, they may go elsewhere or not come here in the first place. **Vote 14-4.**

Rep. Emily C Sandblade for the **Minority** of Commerce and Consumer Affairs.

This bill is well-intentioned, but has many problems that need to be addressed before benefit corporations are a viable business form. Among the more serious problems are the following:

- 1) Benefit corporations must use third-party evaluations to show that they are fulfilling their purpose, but there are no standards for either qualifying the third parties, nor are there standards for showing that the corporation is meeting its stated goals.
- 2) Anyone can set up a third-party certifier, and there is no way to prevent third-party certifiers from approving goals that would horrify most people.
- 3) Statistically, businesses that do social good have lower profits than the average business. This means that such businesses--which will require the same infrastructure as their competitors--will pay fewer taxes to support that infrastructure. The revenue shortfall from such businesses will have to be made up by other businesses and individuals in the state, even if they don’t agree with the benefit corporations’ goals and even if they don’t get any benefit at all.
- 4) Furthermore, nothing in this bill provides for a concomitant reduction in state spending in exchange for the social good that a benefit corporation will provide. If the state of New Hampshire is going to sacrifice business tax revenue, shouldn’t it be getting something measurable in exchange?

5) While there is a way to convert a regular corporation to a benefit corporation, there is no provision for dealing with dissenting shareholders who do not agree to the conversion. This can be up to a full one-third of the shareholders. Because benefit status makes the stock less desirable, dissenting shareholders who thought their stock was worth a particular amount could find that it's worth considerably less than they were told. While the idea of doing good while doing well is a wonderful idea, the devil is in the details. This bill fails to address many, many details of setting up a new business form and is likely to result in further loading the courts with litigation. It's a laudable goal for the state of New Hampshire to allow a large array of business options, but no business option should have this many unaddressed problems. Therefore this bill should be returned to committee to be reworked in interim study.

SB 345, repealing the prospective repeal of the annual public hearing and report on health insurance costs and trends. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jill S Hammond for the **Majority** of Commerce and Consumer Affairs. This bill repeals the prospective repeal of the annual public hearing and report on health insurance costs and trends done by the NH Insurance Department. The department has done this for several years and the law was due to sunset. The continuation of this process will afford us a way of assessing the effects of federal health insurance reform under the patient protection and affordable care act. The Senate amended the original bill--a simple repeal of the repeal--by adding a second section requiring additional analysis and data of the commissioner, as well as a third section prohibiting a carrier from selling identical policies both on and off the exchange marketplace at different premiums. The committee has amended the senate version back to the original simple repeal. The additional information required in section two was either beyond the purview of the insurance department, or was already stipulated in the original law. The third section is already covered under the federal ACA and is redundant and unnecessary. **Vote 10-8.**

Rep. John B Hunt for the **Minority** of Commerce and Consumer Affairs. The sunset that would be repealed by this bill was passed because of the unknowns about premiums under the Affordable Care Act (ACA). Now that the process for how a premium is set is clearly defined, there is no need for the public hearing and report as required by this law on health insurance premiums. Passage of this bill will only insure that the insurance department will give the same report every year forever, even though the elements of the actual premiums are locked into law by the ACA. The inclusion of the sunset made sense at the time the law was passed and is still true today.

ENVIRONMENT AND AGRICULTURE

SB 141-FN, establishing the Granite State farm to plate program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rebecca A Brown for the **Majority** of Environment and Agriculture. This bill establishes an agricultural policy for the State. Agriculture is a vital part of our state's economy, heritage, and character. The number of farms increased 13 percent in the last five years as entrepreneurs of all ages start new farm businesses. All over the state, local food movements are growing. With our great assets of fertile land and soils, we are attracting new businesses and investment. Agriculture does not only mean raising livestock and growing crops - it also includes horticulture, fisheries, maple syrup production and the many related businesses that process, distribute, and sell local food. With this bill, the policy of state agencies and the university system is to foster agricultural enterprises and local, state, and regional food systems as vital to the health and economic well being of the public. This statement of policy is needed by the many community-level and statewide efforts that are addressing how we build a food system that works for everyone (currently NH produces only about 6 percent of the food we consume). Such a policy statement - while costing the state nothing - will help community-based efforts when they seek very competitive funding to support their work. **Vote 16-1.**

Rep. Richard E Gordon for the **Minority** of Environment and Agriculture. The minority feels this bill is a duplication of services and intrusion of state government upon rural community.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 395-FN, relative to the retirement classification of the director of the division of forests and lands. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jeffrey P Goley for the **Majority** of Executive Departments and Administration. This bill allows the director of forests and lands to maintain his or her status as a group II member of the state retirement system provided that prior to being appointed to the position he or she has been a member of Group II for at least 10 years. The commissioner of resources and economic development testified that the director of forests and lands is responsible for statewide wild fire prevention and control, as well as enforcement of forest protection laws, and per RSA 227-G:7, the director is a peace officer with power to serve criminal processes and make arrests. The majority of the committee believes that these responsibilities are similar to those of current

Group II members, such as police and fire chiefs whose duties combine desk work with field supervision. The majority also believes that the best way to recruit the most qualified candidate for this position would to be flexible and allow the person the ability to maintain Group II status. **Vote 10-7.**

Rep. John Sytek for the **Minority** of Executive Departments and Administration. The minority agrees with the majority in that we support the level of compensation appropriate for this division director. However we do not agree that this position should be placed in Group II retirement. This bill would permit the division director to keep his Group II retirement benefit while working at what is typically a Group I position. Group II is reserved for at-risk peace officers and firefighters. The job of division director is administrative and supervisory, completely removed from any at-risk situations. We know this from the written testimony of the commissioner of DRED. While that testimony listed statutory authority granting the division director arrest powers, there was no testimony that the division director has ever used or would ever be expected to use such arrest powers. It was pointed out that there are similar instances of Group II retention in state government but we do not feel that making continued exceptions – perhaps raising the concern that such legislation is motivated more by a generous impulse towards the incumbent than by the nature of the position itself – is good state policy. The NH retirement system provides for split benefits (some service time from Group II, some from Group I) for this sort of situation. This position and the incumbent in it should be paid at a salary level commensurate with its responsibilities as a Group I position but not at the price of diluting the meaning of Group II.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 368-FN, increasing the maximum fine for lead remediation. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs. This bill was requested by the department of health and human services. It requires the state to change the fine structure to meet federal standards. The lead program is in part funded by federal dollars which are only available if the state meets these standards.

Vote 10-5.

JOINT PUBLIC WORKS AND HIGHWAYS and WAYS MEANS

SB 367-FN-A, (New Title) requiring adjustment of the road toll according to changes in the Consumer Price Index, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack, and establishing a committee to study the effectiveness and efficiency of the department of transportation. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David B Campbell for the **Majority** of Joint Public Works And Highways and Ways And Means. The minority and opponents of this bill insist on calling the road toll a “tax.” It is not. The words “gas tax” do not appear anywhere in the New Hampshire RSAs. The “road toll” was enacted as a User Fee in the early twentieth century (by a Republican legislature and Governor) at the dawn of the automobile age, because of the need to build and maintain roads. It was affirmed in 1923 by the New Hampshire Supreme Court as a User Fee. It would not be before the House as a Senate Bill if it were not a User Fee; because under our State’s Constitution, all tax bills must originate in the House. Today, it remains a User Fee: the more one drives a vehicle on State roads; the more one uses fuel in the vehicle and the more road toll an individual pays to build and maintain our roads and bridges. About 20% of road toll revenue comes from out-of-state vehicles. It seems we all finally agree that our highway infrastructure is in terrible condition. Through neglect the problem is getting exponentially worse and more expensive each year. Only additional funds and investment, not words and ideology, will fix roads and bridges.

New Hampshire’s highway system is its economic life blood, supporting commerce, tourism, jobs and our everyday lives. Today, by not properly investing and maintaining NH’s roads and bridges, we are in the midst of an infrastructure crisis, that is on its way to becoming a catastrophe.

Today, we can enact legislation which will add the first permanent increase in Highway Fund revenue in over 20 years. While opponents will feign outrage that this increases the road toll by 23%, consider what the ravages of time and inflation have done to our state and municipal infrastructure over the same time: While the road toll revenue has increased (because of volume) by about 50% since 1991, the costs of asphalt, cement, steel, road salt and other highway related commodities over that time have increased 400% or more. The same dollars that could pave almost three miles of road in 1991, can now pave only one mile. The same dollars that could repair three similar bridges in 1991 can now only repair one.

The result is of the 4,500 miles of Highway Funded roads, which in 1991 had 630 miles rated as “poor” (in need of major repair) condition, now has over 1,660 miles (37%) in “poor” condition. The cost to pave a road in “fair” condition is between \$50 - 60,000 per mile, the costs to “rehabilitate” a road in “poor” condition range into the hundreds of thousands of dollars per mile!

The number of municipal and state red list bridges continues to grow faster than they can be repaired.

SB 367 begins the work of addressing the desperate need for additional investment in our state and municipal highway system. Every penny of the 4.2 cent increase in the road toll will be spent exclusively on the construction and maintenance of municipal and state roads and bridges:

- 33% to municipalities,
- 25% to secondary state roads and bridge, and
- 42% to complete the Interstate 93 widening.

The municipal funds are in the form of increased municipal block grant aid (the 12% off the top that has been in place for over 60 years) and doubling the state aid program for municipal bridges to \$13.6 million per year. The investment in secondary state roads and bridges in all six DOT districts will put NH back on an 8-10 year repaving cycle in the next two years, thereby saving taxpayer's millions of dollars.

And importantly, this bill in conjunction with the Ten Year Plan recently passed by the House, fully funds the Interstate 93 widening project, which otherwise will not be completed prior to its environmental permits expiring in 2020. Interstate 93 is the "main artery" to New Hampshire's economy: transporting commerce, goods, commuters and tourists to and from our state. It is the spine of the state's transportation system, linking to other major highways such as NH Routes 101, 3/11, 4, 28, 104, and 302 and Interstates 89, 293 and 393. It is the highest traveled road in the state, carrying in excess of 6,000 trucks and 100,000 vehicles per day. I-93 is the highway used by 22 million New Hampshire commuters and 13 million out-of-state visitors each year. This bill as it came from the Senate contains provisions to study the department of transportation's efficiencies, to sunset the 4.2 cent increase in 20 years and to eliminate one of the three tolled exit ramps (exit 12) on the F.E. Turnpike in Merrimack.

Turnpike toll plaza revenue exclusively funds the 90 linear miles that comprise NH's turnpike system and is unrelated to and has no impact on the 4,500 miles of road funded by the Highway Fund. So even though this is the proverbial orange on an apple tree, the Legislative Budget Assistant's analysis of the Merrimack tolls shows that even with the loss of the revenue at exit 12, there is a slight projected net gain in the overall Merrimack turnpike toll revenue when comparing FY 2011 to FY 2015. This is due to the increase in traffic at exits 10 and 11 from the opening of the new Discount Mall. Because there is no net Turnpike operating loss, the Treasurer testified that this ramp closure, and the one-time removal cost of \$600,000, would not adversely affect the Turnpike's financial status.

New Hampshire's road toll rate is currently the third lowest across the 32 states that comprise the nation's "frost belt," and even with the 4.2 cent increase will still be the lowest in New England. Last year, a study conducted by TRIP indicated the average NH driver pays an additional \$323 annually in added automobile repairs because of poor roads. For many residents, this spring's road conditions have unfortunately shown this study to be valid with a flood of damaged tires, wheels, hubcaps and front end alignments.

IF this 4.2 cent increase passed through to drivers "penny for penny" (and there has been overwhelming testimony through the years to the contrary) the additional amount vehicle owners driving between 5,000 to 20,000 miles a year would pay is between about \$8 and \$32 more per year. Neighboring states' fuel taxes are now and will be still be higher than NH's road toll (currently Maine is 10 cents more, Massachusetts is 6 cents and Vermont is 12 cents higher) As Berlin's Mayor recently said, "When I see New Hampshire with a lower fuel tax, but retailers charging the same price as in Maine and Vermont, I can only conclude that the wholesale distributors are laughing all the way to the bank."

The need to properly invest in the repair and renovation of our state and municipal roads and bridges is critically important for NH's future economic growth; and in our ability to compete with other states in holding and attracting businesses and jobs...to promote tourism and ensure safe and efficient travel to and from work and school. The increased funds will all be spent inside our state's boundaries creating hundreds of jobs and boosting New Hampshire's economy.

That is why so many business groups testified in support of SB 367 in its present form including: the Business and Industry Association, the Manchester and Nashua Chambers of Commerce, the Association of General Contractors, NH Good Roads, AAA, the NH Tourism Council and the NH Lodging and Restaurant Association. Many cities and towns and the NH Municipal Association are in favor of this bill. The Governor has also voiced her support of and willingness to sign SB 367 in its present form.

Please join with them and the 26 – 11 bipartisan majority of the Joint Committee and vote in favor of SB 367. Our state's future economic vitality depends on it. **Vote 26-11.**

Rep. Gene G Chandler for the **Minority** of Joint Public Works And Highways and Ways And Means. While few would question the need for improvements to NH's roads and bridges the minority questions aspects of this bill and the actions of prior legislatures regarding diversions from the highway fund.

Number one: The minority believes that if NH's citizens realized that 42% of the money raised from this tax increase on gasoline and diesel would go to pay for bonding to work on the Route I-93 project and not roads and bridges in their community, and that the 2014 ten year highway plan already includes 50 million dollars for the I-93 project, they might find this troubling.

The minority also believes that since the last two legislative budgets have overridden a very prudent law passed in 2008 capping the amount of money that could be diverted from the highway fund; to the tune of \$28 million in this last budget; NH's citizens might be well founded in their wariness that the proceeds from this new tax will actually go to highway improvements.

Additionally, the minority believes that removing the toll at exit 12 in Merrimack deserves more study due to the resulting loss in turnpike revenues. The Public Works committee and the House position in the ten

year plan was to study this issue and if the exit toll was removed Continental Boulevard would revert to the Town of Merrimack. The ten year highway plan, which is the House position on highway funding and is now in the Senate, addresses the issues and this is appropriately where they should have been addressed. It is establishing poor public policy when legislative special projects become part of a tax bill.

The minority believes that if NH's citizens are going to be subject to a higher tax on fuel, they deserve no less than a full guarantee that all the proceeds from that tax will go to their intended uses. **Vote 26-11**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 204-FN, (2nd New Title) relative to a benefit for certain medical conditions covered by workers' compensation and establishing a commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund. **OUGHT TO PASS WITH AMENDMENT.** Rep. Andrew A White for Labor, Industrial and Rehabilitative Services. This bill as amended by the committee provides a temporary fix and a long-term solution for a clear omission from our current workers compensation statutes. The bill provides a remedy for permanent impairment of internal organs or speech, touch, or taste that are not otherwise compensated under current workers compensation laws for members of the Group II Retirement System. The bill was introduced because a police officer, shot in the line of duty was unable to receive compensation for permanent impairment to several of his internal organs. The committee clearly identified that this situation, or another with similar consequences could definitely come up again. The bill authorizes but does not require the Governor and Executive Council to draw a warrant for up to \$125,000 for each claimant injured after March 12, 2012 who applies to the Governor and Council and caps the total payout at \$500,000. The bill also establishes a study commission to review the situation and make legislative suggestions for a permanent fix. **Vote 17-2.**

SB 207-FN, relative to paycheck equity. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda L Tanner for the **Majority** of Labor, Industrial and Rehabilitative Services. This bill addresses the issue of pay equity by clearing up the definition of equal pay, prohibiting retaliation against workers inquiring about wages and requiring the department of labor to post notices of pay equity laws. The majority believes that equal pay for equal work is a fundamental right. The bill does not restrict employers ability to pay employees differently based on factors of seniority, merit or performance based system, quantity or quality of product, expertise or shift differential. It does help to assure employers are pay equally for equal work based on a bona fide reason, not solely on their gender. **Vote 11-8.**

Rep. Gary L Daniels for the **Minority** of Labor, Industrial and Rehabilitative Services. The minority agrees that it should be illegal for an employer to discriminate between two employees based on sex, but views this bill as unnecessary because this discrimination is already statutorily prohibited under the federal pay equity act of 1963 and in NH RSA 275:37. The minority takes issue with three other aspects of the bill which do not allow the employer to make rules, sign agreements or discipline employees for disclosing their salary, wages or benefits. Employers need to allow for a harmonious work environment and partial information provided by one employee to another and then passed on through many means, including social media, will cause considerable discord in the workplace. For this reason, this bill is one of many that make it harder for employers to want to come to, and stay in, New Hampshire.

RESOURCES, RECREATION AND DEVELOPMENT

SB 325-FN-L, relative to oil spill preparedness and response. **OUGHT TO PASS.**

Rep. Suzanne J Smith for Resources, Recreation and Development. This bill gives the department of environmental services rulemaking authority to issue state standards for oil pipeline operators' spill response planning. The only operational oil pipelines in New Hampshire are part of the Portland-Montreal pipeline. This pipeline facility was built 50-60 years ago, and although it has operated safely since the early 1950s, an oil spill anywhere along the route would have a devastating impact on the North Country. The right-of-way roughly parallels Route 2, passing through the towns of Lancaster, Jefferson, Randolph, Gorham and Shelburne. It also includes more than 70 stream and wetland crossings, including the Connecticut and Androscoggin Rivers. Crude oil is transported from Portland to Montreal through this pipeline, and if we look to the future, there is a strong likelihood that tar sands diluted bitumen will be transported from Montreal to Portland through the pipelines in coming years. With the passage of SB 325, DES and the pipeline operators, working together, will be better prepared in case of a spill anywhere along this aging pipeline. The state has no authority to impose restrictions on this interstate pipeline, but NH does have the authority to be prepared for a disastrous oil spill. **Vote 12-5.**

SCIENCE, TECHNOLOGY AND ENERGY

SB 245-FN, (New Title) relative to the siting of energy facilities. **OUGHT TO PASS WITH AMENDMENT.** Rep. Amanda A Merrill for Science, Technology and Energy. The site evaluation committee (SEC) reviews proposals for energy facilities in New Hampshire and issues certificates for construction and operation of those

proposals that meet the statutory requirements of RSA 162-H. Senate Bill 245 makes changes to the membership of the SEC and to the SEC process that will increase the efficiency of the committee and provide greater opportunity for public involvement. The current SEC is unusually large compared to equivalent review panels in other states in the region, with 15 members drawn from the ranks of senior state agency officials. As the number and variety of applications to the SEC has grown in recent years, so has the strain on resources for participating agencies. And at the same time, members of the public are calling for more involvement in siting decisions that can have significant impacts on their communities. SB 245 addresses both of these issues with a change in committee makeup, decreasing the number of state agency members to seven while adding two public members. The bill also gives the SEC chairperson the option of empanelling smaller subcommittees in matters other than issuance of certificates and petitions of jurisdiction. In order to ensure that the SEC continues to benefit from the input of all relevant state agencies, the bill clarifies the procedures for participation of agencies not represented on the SEC. To further the goal of increasing public knowledge about proposed facilities, SB 245 adds specific requirements for information sessions in counties proposed as locations for such facilities. The bill authorizes a much-needed administrator for the SEC. This individual will perform tasks as authorized in statute, working under the supervision of the chairperson and with committee approval as appropriate. The administrator shall be paid through a new non-lapsing site evaluation committee fund be used to support the functioning of the SEC, established with a loan from the renewable energy fund. It is important to note that ongoing use of the renewable energy fund is prohibited in SB 245. The bill requires the SEC to develop a permanent funding plan for submission to the governor and the chairpersons of the house and senate finance committees; such plan would then be subject to legislative approval. This bill is the result of a study of the SEC conducted by the office of energy and planning under SB 99 (2013). **Vote 16-1.**

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

SB 296, relative to preferences for veterans and disabled veterans in public employment. **OUGHT TO PASS.** Rep. Leon H Rideout for State-Federal Relations and Veterans Affairs. This bill establishes a veteran's preference for public employment in New Hampshire. It is well known that veterans have a higher unemployment rate than the general public. The committee feels this is a small step in correcting that inequity. The committee also felt that it is a well deserved and justified preference. There are many other states that give veterans employment preference. **Vote 13-0.**

WAYS AND MEANS

SB 375, establishing a committee to study the creation of a flood mitigation fund for private property owners. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard Ames for the **Majority** of Ways and Means. The original bill established a committee to study the creation of a flood mitigation fund for private property owners. The committee's amendment, responding to the request of the division of homeland security, extends the scope of the study to include municipal property owners. The bill is supported by the department of environmental services, the department of transportation and the department of safety (through its division of homeland security and emergency management). No one appeared at the public hearing in opposition to the bill. Testimony in support of the bill indicated that current funding sources and programs are insufficient to meet the challenges of our increasingly severe weather events. The committee will collaborate with Executive Branch research and planning done this year and include in their work how to buy out severely damaged residences and businesses and remove them from the flood zone; and how to assist small towns whose property tax base does not allow for repair of flood-damaged bridges that connect other non-paying towns in their region. The study committee will be comprised of one senator appointed by the Senate President and two State Representatives appointed by the Speaker and must report its findings and recommendations by November 1, 2014. **Vote 9-8.**

Rep. Russell T Ober for the **Minority** of Ways and Means. There is no need for establishing yet another study committee. There is no need to study another dedicated fund. The state has no business in studying flood mitigation for private property. This is another attempt to have state interference with property owners. No doubt to get the money from the fund, the owners would be required several mandatory "fixes" to their property to qualify. Can you say "flood insurance"? There is no version to include municipal properties.

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 525-FN, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age. (Pending question: Ought to Pass)

HB 566, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas. (Pending question: Inexpedient to Legislate)

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

HB 1264, relative to carrying of firearms by nonresidents. (Pending question: adoption of committee amendment 0659h)

HB 1313, relative to highway surveillance. (Pending question: Inexpedient to Legislate)

HB 1399-FN, relative to the application for a vested deferred retirement allowance in the retirement system. (Pending question: Ought to Pass)

HB 1436, relative to unlawful possession of alcoholic beverages. (Pending question: Recommit)

HB 1475, relative to expanding the research and development tax credit against the business profits tax to be a reinvestment tax credit. (No pending question)

HB 1565-FN, establishing the crime of filing a false lien or encumbrance against a public servant. (Pending question: adoption of committee amendment 0241h)

HB 1591-FN, establishing the right-to-know grievance commission. (Pending question: adoption of committee amendment 0658h)

HCR 10, applying to the Congress of the United States to call for a convention under Article V of the United States Constitution. (Pending question: Inexpedient To Legislate)

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)

HOUSE BILLS AMENDED BY THE SENATE

HB 118, providing immunity from criminal prosecution for seeking medical assistance with an emergency drug or alcohol overdose event. (SJ 1/30/2014)

HB 153, prohibiting the designation of industrial hemp as a controlled substance. (SJ 1/30/2014)

HB 234, relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training. (SJ 1/30/2014)

HB 426, relative to payment of costs and fees in guardianship cases. (SJ 2/6/2014)

HB 489-FN, relative to the New Hampshire medical malpractice joint underwriting association. (SJ 1/30/2014)

HB 591, relative to an abusive work environment and the health and safety of public employees. (SJ 1/30/2014)

HB 624-FN, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire. (SJ 1/30/2014)

COMMITTEE MEETINGS

FRIDAY, APRIL 18

COASTAL RISK AND HAZARDS COMMISSION (RSA 483-E), Dover City Hall Auditorium, 2nd Flr., 288 Central Ave., Dover, NH

10:00 a.m. Regular meeting.

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

9:00 a.m. Special meeting. Laws of 2014, Chapter 3 (SB 413). An act relative to health insurance coverage.

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

10:00 a.m. Regular meeting.

MONDAY, APRIL 21

CHARTER SCHOOLS AND OPEN ENROLLMENT LEGISLATIVE OVERSIGHT COMMITTEE (RSA 194-B:21), Room 100, State House

11:30 a.m. Regular meeting. Presentation by Paul Leather, Deputy Commissioner Department of Education on HB 435

COMMISSION ON HOUSING POLICY AND REGULATION, (RSA 19-N), Rooms 302-304, LOB

10:30 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

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

11:00 a.m. Regular business.

NEW HAMPSHIRE STATE ENERGY ADVISORY COUNCIL (RSA 4-E:2), Rooms 301-303, LOB

1:30 p.m. Regular meeting.

TUESDAY, APRIL 22

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:30 a.m. Subcommittee work session on **SB 422**, relative to the definition of pharmacy benefit manager.

In Room 303, LOB

10:30 a.m. Subcommittee work session **SB 292**, relative to insurance company regulation.

1:00 p.m. Executive session on **SB 393**, relative to the housing finance authority and surplus lands housing program, **SB 421**, establishing a committee to study timely consumer access to prescription drugs under the managed care law, **SB 422**, relative to the definition of pharmacy benefit manager, **SB 292**, relative to insurance company regulation, **SB 306**, establishing a commission to study New Hampshire mortgage foreclosure law, new federal regulations, and fair foreclosure practices, **SB 310-FN**, authorizing tenant brewing, **SB 329-FN**, relative to advertising alcoholic beverages on billboards, **SB 359**, relative to coverage under motor vehicle liability policies, **SB 361**, (New Title) relative to the licensing requirements for mortgage bankers and brokers, **SB 387**, (New Title) relative to exemptions from the land sales full disclosure act and relative to local land use citations, and a continued executive session on **SB 340-FN**, (New Title) requiring the insurance department to hold public information sessions and provide a comment period before approval of products to be sold on the health exchange,

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:30 a.m. Executive session on **SB 202**, relative to the elements of the crime of burglary, **SB 317-FN**, relative to trafficking in persons, **SB 318-FN**, establishing the crime of domestic violence.

EDUCATION, Room 207, LOB

10:30 a.m. Executive session on **SB 343**, (New Title) relative to the duties of the statewide education improvement and assessment program legislative oversight committee and repealing the school administrative unit legislative oversight committee, **SB 348**, establishing a commission to study sexual abuse prevention education in elementary and secondary schools, **SB 350**, (New Title) relative to the transfer of adequacy aid calculation data from the department of education to the department of revenue administration, **SB 355**, relative to access to social media by educational institutions, **SB 414-FN**, relative to Medicaid-funded services provided as a part of a child's individualized education program.

1:15 p.m. *Rescheduled* Presentation by the Department of Education: Perspectives on Accountability and Assessment

ELECTION LAW, Room 308, LOB

11:15 a.m. Executive session on **SB 120-FN**, relative to political contributions and expenditures and relative to reporting by political committees, **SB 183-FN**, (New Title) relative to identification of voters, processing absentee ballots, and voluntary political expenditure limitations, **SB 206-FN**, relative to proof of identity by voters, **SB 273**, relative to information in the statewide centralized voter registration database, **SB 279**, relative to challenges of voters, **SB 294**, relative to the deadline for requesting a recount of an election, **SB 374**, establishing a commission to review and make recommendations to standardize and make uniform the definitions of "domicile" and "residency" in state statutes.

ENVIRONMENT AND AGRICULTURE, Room 305, LOB

10:30 a.m. Continued executive session on **SB 392**, (New Title) establishing a commission on rural affairs.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:30 a.m. **SB 385**, relative to examination requirements for chiropractors.

Rehearing of bill and amendment **2014-1342h** and non germane amendment **2014-1343h**, which changes the examination requirements for reflexologists. Copies of non germane amendment are available in the Sergeant-At-Arms office

1:30 p.m. Executive session on **SB 385**, relative to examination requirements for chiropractors, **SB 399**, (New Title) relative to ethics in public contracting and establishing a committee to study state procurement.

FINANCE – (DIVISION I), Room 212, LOB

10:30 a.m. Work session on **SB 283-FN**, relative to disposition of funds obtained by the attorney general.

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

11:30 a.m. Work session on **SB 308-FN**, relative to innovation in the delivery of health care.

FISH AND GAME AND MARINE RESOURCES, Room 307, LOB

10:30 a.m. **SB 336-FN**, prohibiting the taking of deer from baited areas on state-owned lands.

1:00 p.m. **SB 230**, relative to the definition of utility terrain vehicles.

1:45 p.m. **SB 232**, relative to speed limits for off highway recreational vehicles and snowmobiles.

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

- 10:30 a.m. Subcommittee work session on **SB 229**, relative to the use and disclosure of protected health information.
- 1:00 p.m. **SB 360**, (New Title) relative to the comprehensive health care system.
- 2:00 p.m. **SB 384**, (New Title) establishing a committee to study how to regulate and control synthetic drugs in New Hampshire and relative to the limitations on filling prescriptions for certain controlled drugs.
- 3:00 p.m. **SB 371-FN**, (New Title) requiring the establishment of a senior citizens bill of rights.

JUDICIARY, Room 208, LOB

- 10:30 a.m. **SB 319-FN**, relative to access to reproductive health care facilities.
- 1:30 p.m. Executive session on **CACR 17**, relating to natural rights. Providing that discrimination based on sexual orientation is prohibited, **SB 244**, (New Title) establishing a procedure for the annulment of a mental health record and establishing a commission to study mental health and firearms, **SB 289**, relative to validated wills and revising the uniform trust act, **SB 303-FN**, relative to bad faith assertions of patent infringement, **SB 373-FN**, relative to procedure and jurisdiction of the superior courts, **SB 394**, relative to the recognition of out of state marriages, uniform marriage recognition law, civil union recognition, and gender neutral references, and **SB 419**, establishing a medical malpractice panel and insurance oversight committee.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 11:00 a.m. Subcommittee work session on **SB 333**, relative to property taxation of manufactured housing.
In Room 104, LOB
- 11:00 a.m. Subcommittee work session on **SB 228**, (New Title) relative to notice of changes to zoning districts.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:30 a.m. Full committee work session on **SB 372-FN-L**, relative to a state infrastructure bank.
- 11:00 a.m. Full committee work session on **SB 321**, relative to motorist service signs.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 10:30 a.m. **SB 239**, relative to the statewide emergency notification system.
- 1:00 p.m. **SB 417**, (New Title) relative to information provided to electric utility customers.
- 2:00 p.m. **SB 268**, (New Title) relative to funding for certain energy efficiency programs.

TRANSPORTATION, Room 203, LOB

- 10:30 a.m. Executive session on **SB 210**, relative to registration of vehicles by motor vehicle manufacturers, **SB 211**, relative to reporting requirements in fatal motor vehicle accident reports, **SB 231-FN**, (New Title) relative to regulation of tractors and utility vehicles, **SB 246-FN**, relative to penalties for speeding, **SB 247**, (New Title) relative to ignition interlock device violations and interlock device removal protocols, and **SB 248**, establishing a committee to study policies and procedures for the development and maintenance of state-owned abandoned rail corridors.

WAYS AND MEANS, Room 202, LOB

- 10:30 a.m. Continued executive session on **SB 366-FN-A-L**, relative to video lottery and table gaming.
- 11:30 a.m. Full committee work session on **SB 243**, (New Title) relative to the carry forward of a credit against the business profits tax, rulemaking concerning the real estate transfer tax, the disclosure of certain department of revenue administration records, and the tax on unstamped tobacco products.
- 1:00 p.m. Full committee work session on **SB 327-FN**, relative to economic revitalization zone tax credits.
- 1:30 p.m. Full committee work session on **SB 241**, establishing the division of economic development fund.
- 2:00 p.m. **SB 259-FN-A**, establishing a palliative care center for health care consumers and providers and continually appropriating a special fund.
- 2:15 p.m. **SB 220-FN**, relative to the regulation of electricians by the electricians' board.
- 2:45 p.m. **SB 311**, (New Title) authorizing the executive director of the fish and game department to execute an agreement allowing reciprocal snowmobile riding privileges with the states of Vermont and Maine.
- 3:00 p.m. **SB 405-FN**, requiring the registration of radon mitigation system installers with the board of home inspectors.

THURSDAY, APRIL 24**ELECTION LAW, Room 308, LOB**

- 11:00 a.m. Executive session on **SB 271**, (New Title) relative to retention of voter affidavits and identity verification, **SB 272**, relative to notice of voter registration.

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

2:00 p.m. Long Term Care subcommittee.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Rooms 201-203, LOB

1:00 p.m. **SB 307**, establishing a committee to review Citizens United amendments to the United States Constitution.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Full committee work session on **SB 269**, relative to the reporting requirements for dedicated funds, **CACR 19**, relating to dedicated funds. Providing that dedicated funds shall be used solely for the purpose of the fund.

FRIDAY, APRIL 25**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB**

9:00 a.m. Regular meeting.

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

1:00 p.m. Regular meeting.

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

10:00 a.m. Regular business.

10:30 a.m. Audits: 1) State of New Hampshire Management Letter year ended June 30, 2013.
2) State of New Hampshire Single Audit of Federal Financial Assistance Programs for the year ended June 30, 2013.

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

9:30 a.m. Regular meeting.

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

9:00 a.m. Subcommittee meeting.

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 303, LOB

9:00 a.m. Regular meeting.

MONDAY, APRIL 28**OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB**

9:00 a.m. Regular meeting.

TUESDAY, APRIL 29**MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB**

10:00 a.m. Continued executive session on **SB 228**, (New Title) relative to notice of changes to zoning districts, **SB 233**, relative to property tax exemption for district fire mutual aid systems, **SB 333**, relative to property taxation of manufactured housing.

THURSDAY, MAY 1**STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 203, LOB**

11:00 a.m. Executive session on **SB 307**, establishing a committee to review Citizens United amendments to the United States Constitution and a rescheduled executive session on **SB 212**, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces.

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

9:00 a.m. Continued regular meeting.

MONDAY, MAY 5**COUNCIL FOR CHILDREN AND ADOLESCENTS WITH CHRONIC HEALTH CONDITIONS (RSA 126-J), Upham Walker House, Parker St., Concord**

6:00 p.m. Regular meeting.

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

9:00 a.m. Regular meeting.

PUBLIC WORKS AND HIGHWAYS9:45 a.m. Bus tour of UNH Facilities in Durham. *Committee to meet in LOB lobby.***WEDNESDAY, MAY 7****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.

THURSDAY, MAY 8**EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB**

10:00 a.m. Ad Hoc subcommittee on retirement.

FRIDAY, MAY 9**STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I), Room 101, LOB**

9:30 a.m. Regular meeting.

TUESDAY, MAY 13**CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2), Room 201, LOB**

1:30 p.m. Regular meeting.

FRIDAY, MAY 16**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB**

9:00 a.m. Regular meeting.

MONDAY, MAY 19**COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), NH Higher Education Assistance Foundation, 4 Barrell Ct., Concord**

10:00 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. David P. Miller, Room 3, Rochester Manor-Rehab Wing, 40 Whitehall Rd., Rochester, NH 03867

Rep. Richard D. LeVasseur, 6 Glasgow Circle, Hudson, NH 03051-3759

Rep. Ronald R. Boisvert, 278 Greeley St., Manchester, NH 03102-2316

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

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 **Hillsborough** County Executive Committee will be meeting on **Friday, April 25th at 9:00 a.m.** at the Hillsborough County Complex, Bouchard Building, Goffstown, NH.

Rep. Mariellen MacKay Clerk

Hillsborough Executive Committee

COUNTY DELEGATION NOTICE

Pursuant to RSA 23:7 the Executive Committee of the **Merrimack** County Delegation will meet on **Monday, May 12th at 9:00 a.m.** in the Lower Level Conference Room located at the McDonnell Building 4 Court Street, Concord, NH. The purpose of the meeting is as follows: 1.) Review and Approve the First Quarter Financial Report. 2.) Hear a report from the Salary Study Committee Chairman. 3.) Hear a report on the Edna McKenna Facility 4. Any other business that may appropriately come before them.

Rep. Stephen Shurtleff, Chairman

Pursuant to RSA 23:7 the **Merrimack** County Delegation will meet on **Monday, May 12th, 9:30 a.m.** in the Lower Level Conference Room located at the McDonnell Building, 4 Court Street in Concord, NH. The purpose of the meeting is: 1. Act on the Elected Officials Salaries. 2. Hear a report on the Edna McKenna Facility 3. To consider any other business that may appropriately come before them.

Rep. Candace Bouchard, Chairman

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive Committee will meet on **Friday, May 2nd, 9:30 a.m.** in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood for a First Quarter Budget Review.

Rep. Kevin Waterhouse, Clerk

Rockingham County Executive Committee

REVISED FISCAL NOTES

The following Bills have a revised fiscal note: HB 118, HB 226, HB 255, HB 256, HB 263, HB 292, HB 319, HB 366, HB 404, HB 424, HB 439, HB 435, HBB 456, HB 461, HB 469, HB 480, HB 485, HB 489, HB 492, HB 495, HB 496, HB 525, HB 584, HB 597, HB 645, HB 649, HB 650, HB 653, HB 657, HB 666, HB 671, HB 682, HB 624, HB 1104, HB 1127, HB 1130, HB 1132, HB 1135, HB 1142, HB 1145, HB 1148, HB 1150, HB 1152, HB 1160, HB 1161, HB 1163, HB 1216, HB 1229, HB 1232, HB 1242, HB 1251, HB 1260, HB 1308, HB 1335, HB 1359, HB 1368, HB 1372, HB 1176, HB 1381, HB 1406, HB 1411, HB 1439, HB 1457, HB 1484, HB 1489, HB 1494, HB 1498, HB 1499, HB 1548, HB 1557, HB 1570, HB 1571, HB 1572, HB 1576, HB 1579, HB 1581, HB 1587, HB 1595, HB 1609, HB 1617, HB 1618, HB 1620, HB 1622, HB 1624, HB 1626, HB 1627, HB 1628, HB 1630, HB 1631, HB 1634, HB 1635, SB 91, SB 116, SB 141, SB 180, SB 193, SB 196, SB 204, SB 205, SB 206, SB 215, SB 231, SB 235, SB 240, SB 245, SB 259, SB 264, SB 283, SB 317, SB 318, SB 325, SB 327, SB 335, SB 339, SB 340, SB 345, SB 366, SB 367, SB 369, SB 370, SB 405, SB 409, SB 414, SB 416.

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

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

The House Business caucus will meet on **Tuesday, April 22nd**, at **3:00 p.m.** in LOB 303. All pro-business representatives are invited and encouraged to attend.

Reps. Laurie Sanborn, Adam Schroadter, Patrick Abrami

The members of the National Association of Insurance and Financial Advisors and the Coalition of Insurance and Financial Producers cordially invite all Representatives and staff to a reception in the State House cafeteria on **Wednesday, April 23rd, 7:30 a.m. to 9:30 a.m.** where a breakfast will be served. Members of both organizations live throughout New Hampshire - they are your local insurance and financial advisors who assist our citizens with life, health, disability, and long-term care insurance as well as investment products. Look forward to seeing you there.

Reps. Steve Shurtleff and Gene Chandler

Wednesday, April 23rd during session lunch break, all legislators are invited to a presentation in LOB 305-307 on Energy related bills working their way through the House and Senate. Short presentations by those in the know on transmission lines, how burial could work (HB 569 & SB 200), how the Site Evaluation Committee can be more efficient (SB 245), and a question of public interest. Plenty of time for Q&A. To reserve your box lunch, RSVP to Rep. Sue Ford sueford06@gmail.com or Rep. Suzanne Smith zanne719@gmail.com by Friday April 18th.

Reps. Sue Ford and Suzanne Smith

All legislators and staff are cordially invited to experience the Turkish Cultural Day in the State House Cafeteria on **Wednesday, April 23rd, 12:00 p.m. to 2:00 p.m.** The Turkish Cultural Center will provide the food.

Reps. Pamela Tucker and Lenette Peterson

Rescheduled: The New Hampshire Association of Regional Planning Commissions and the New Hampshire Planners Association will be hosting a Legislative Breakfast on **Wednesday, April 30th, 8:00 a.m. to 9:00 a.m.** in the State House Cafeteria. We cordially invite all members of the New Hampshire House and Senate to attend and learn about these organizations.

Rep. James Coffey

The New Hampshire Energy Forum cordially invites all House and Senate members and legislative staff to an Energy Today Rally on **Wednesday, April 30th, 11:45 a.m. to 1:00 p.m.** on the State House lawn. A free barbeque lunch will be provided for registered attendees. Please come and learn about American energy, American jobs and the Keystone XL Pipeline. To register, please go to www.NewHampshireEnergyForum.com. Attendance is free but registration is required for a lunch ticket.

Rep. Laurie Sanborn

All legislators are invited to a luncheon entitled "Children: the Bedrock of the Granite State," sponsored by Spark NH, the Governor-appointed Early Childhood Advisory Council for the State of New Hampshire to be held on **Wednesday, April 30th** in Room 210-211 LOB during the **noon lunch break**. The future prosperity of the Granite State depends on our ability to steward the next generation who will live, work and lead in our state. Come hear about the blueprint for state action, "The NH Comprehensive Strategic Plan for Early Childhood," and what you as New Hampshire Leaders can do. The presenters are Laura Milliken, Director of Spark NH, Tom Raffio, CEO of Northeast Delta Dental and Chair of the State Board of Education, Steve Rowe, President, NH Endowment for Health and Jackie Cowell, Executive Director of Early Learning NH. To assist in planning, please RSVP to any of the Representatives below by Friday, April 25th:

Reps. Mary Stuart Gile, Laurie Harding and
Anne Grassie

The members of the NH Snowmobile Association cordially invite all House members and staff to a reception in the State House cafeteria on **Wednesday, May 7th, 7:30 a.m. to 9:30 a.m.** where a breakfast will be served. We look forward to seeing you there.

Reps. Steve Shurtleff and Gene Chandler

Ned Helms, Board Chair, Goodwill Industries of Northern New England and Anna Eleanor Roosevelt, President & CEO of Goodwill NNE invite all lawmakers and staff to attend a legislative luncheon on **Wednesday, May 7th at 12 noon**. They will provide context about Goodwill's history, mission and new focus in New Hampshire. A salad and sandwich luncheon will take place at St. Paul's Church, Ordway Hall (basement).

Rep. Jim MacKay

The New Hampshire Soft Drink Association cordially invites all House and Senate members and legislative staff to enjoy a hot breakfast on **Wednesday, May 14th, from 8:00 a.m. to 10:00 a.m.** in the State House Cafeteria. Please come and see how the beverage industry in New Hampshire is delivering jobs, choice and recycling innovation for the people of New Hampshire. Experts will be on hand to demonstrate how plastic bottles are recycled and reused. It is a great demonstration to see. Please rsvp to jgrimbilas@biancopa.com

Reps. Steve Shurtleff and Gene Chandler

All House members and staff are invited to the biennial Legislative Health Screening Day, coordinated and presented by your State House health services, to be held **Wednesday, May 21st from 9:00 a.m. to 1:00 p.m.** on the third floor of the LOB. Screenings for blood pressure, blood sugar, glaucoma, and fall/balance prevention will be offered as well as chair massages provided by Seacoast Career School. Bring your questions to participating professionals, including a dentist, an ophthalmologist and a pharmacist. There will be door prizes and refreshments!

Reps. Steve Shurtleff and Gene Chandler

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

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Group#/Grade</i>
April 18	9:30	Danville Elementary School	26/3
April 18	10:00/11:00	DAR – Good Citizens	90/HS
April 18	10:45	Amherst St. School – Nashua	39/4
April 21	9:00/10:30 SH/SC	Riddle Brook School – Bedford	60/4
April 22	9:00	Manchester School of Technology HS	40/HS
April 22	9:30	Plymouth Elementary School	40/4
April 23	9:00	Manchester School of Technology HS	40/HS
April 23	10:00	Holy Family Academy – Manchester	21/4
April 23	12:45	Holderness Central School	24/4
April 24	9:30/11:30 SH/HM	Little Harbor School – Portsmouth	90/4
April 25	10:00	Manchester School of Technology ESL students	20
April 25	10:15/11:30 SH/SC	Auburn Elementary School	80/4
April 25	2:00	Brain Injury Association of NH	20
April 28	10:00/11:00/12:00 SH/SC/F&G	Stratham Memorial School	105/4
April 29	10:00/11:30 SH/HM	Moharimet Elementary School – Madbury	80/4
April 29	1:00	Miss NH contestants	30
April 30	11:00	Concord High School – Civics class	25/HS
April 30	10:00/11:30 SH/HM	Horne Street School – Dover	80/4
May 1	9:00	Northwood Elementary School	42/4
May 1	10:30	North Walpole School	40/4
May 1	11:30	Newfields Elementary School	15/4
May 2	10:00	Grantham Village School	45/4
May 2	11:00	Greenfield & Hancock Elementary Schools	32/4
May 2	9:15	Canterbury Elementary School	22/4
May 6	10:00	Bernice Ray School – Hanover	38/4
May 6	11:00	Campton Elementary School	38/4
May 7	9:30/11:00 SH/HM	Epping Central School	80/4
May 8	10:00/11:30 SH/HM	Fuller School – Keene	55/4
May 8	1:00	NH State Council	
May 8	3:00	IREM	
May 9	9:00	St. Thomas Aquinas School – Derry	45/4
May 9	10:00	Bernice Ray School – Hanover	38/4
May 9	11:30	St. Joseph's Regional School	25/4

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

**Amendment to SB 141-FN
(2014-1346h)**

Proposed by the Majority of the Committee on Environment and Agriculture-r

Amend RSA 425:2-a, I as inserted by section 1 of the bill by replacing it with the following:

I. It is the policy of the state of New Hampshire through the department of agriculture, markets, and food and in conjunction with other state agencies to encourage and support local food producers, farming, and fisheries, including businesses engaged in agriculture, the raising and care of livestock, dairy, fishing, foraging, and aquaculture, agritourism, horticulture, orchard management, maple syrup production, and the associated local and regional businesses that process, purchase, distribute, and sell such food throughout the state.

Amend RSA 425:2-a, II as inserted by section 1 of the bill by replacing them with the following:

II. State agencies, including the department of agriculture, markets, and food; the department of resources and economic development; the department of health and human services; the department of environmental services, the department of transportation, the department of education, the University of New Hampshire College of Life Sciences and Agriculture, and the University of New Hampshire Cooperative Extension shall strive for inter-agency cooperation as well as cooperation with public and private entities to foster local, state, and regional food systems that adhere to the Granite State farm to plate principles below:

Amend RSA 425:2-a, II, (g)-(h) as inserted by section 1 of the bill by replacing them with the following:

(g) Economic development opportunities among New Hampshire's cities and towns are facilitated by state and local governments cooperating to remove obstacles and excessive financial burdens to farms and associated businesses, including farmers' markets, cooperatives, food hubs, fisheries, and processing centers.

(h) All levels of government shall consider the findings of the Farm Viability Task Force of 2006-2007 as well as consider advocating farmland preservation efforts that would permanently protect farmland with voluntary agricultural conservation easements that place priority on protection of agricultural resources and production to ensure our state's future capacity to produce food.

Amend RSA 425:2-a, II(j) as inserted by section 1 of the bill by replacing it with the following:

(j) Federal governmental programs provide significant opportunities for the state to obtain federal funding that supports the development of local food systems, such as use of federal benefits at farmers' markets.

**Amendment to SB 193-FN
(2014-1399h)**

Proposed by the Committee on Health, Human Services and Elderly Affairs-c

Amend RSA 317-A:21-f, II as inserted by section 1 of the bill by replacing it with the following:

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

- (a) Two members of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) A public member, appointed by the governor.
- (d) The executive director of the governor's commission on disability, or designee.
- (e) A representative of the New Hampshire Dental Society, appointed by the society.
- (f) A representative of the New Hampshire Dental Hygienists Association, appointed by the association.
- (g) A representative of the New Hampshire board of dental examiners, appointed by the board.
- (h) A representative of New Hampshire Kids Count, appointed by the organization.
- (i) A representative of the New Hampshire Oral Health Coalition, appointed by the coalition.
- (j) A representative of the New Hampshire Academy of Pediatric Dentistry, appointed by the academy.
- (k) The New Hampshire Medicaid dental director, or designee.
- (l) A representative of a federally qualified health center (FQHC) with a dental program, appointed

by the Bi-State Primary Care Association.

(m) A representative of the state committee on aging, appointed by the chairman of the committee.

Amend RSA 317-A:21-f, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The commission shall analyze and evaluate barriers to and coverage for dental care for underserved New Hampshire residents, the impact of the implementation of expanded function dental assistants and certified public health dental hygienists, and how adding these 2 new professions to the dental team will meet the need for oral health services in New Hampshire. Such evaluation shall include a review of oral health access data and needs and coverage needs for dental services for underserved New Hampshire residents.

**Amendment to SB 204-FN
(2014-1427h)**

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

Amend RSA 281-A:32-a, II as inserted by section 1 of the bill by replacing it with the following:

II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. No payments shall be made after July 1, 2016. Benefits paid under this section for all claimants shall not exceed \$500,000

Amend RSA 281-A:32-b, I(a)(2) as inserted by section 1 of the bill by replacing it with the following:

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives.

Amend RSA 281-A:32-b, I(a) as inserted by section 1 of the bill by inserting after subparagraph (8) the following new subparagraph:

(9) A medical professional possessing extensive knowledge of soft tissue injuries, appointed by the governor.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3Applicability. RSA 281-A:32-a as inserted by section 1 of this act shall apply to injuries sustained on or after March 12, 2012.

**Amendment to SB 236
(2014-1409h)**

Proposed by the Committee on Municipal and County Government-c

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

AN ACT relative to delivery of the final budget and recommendation of the municipal budget committee to the governing body and ratifying the approval of a bond by the town of Windham, requiring separate warrant articles for contingency funds, relative to the amendment of the operating budget warrant article in an official ballot referendum jurisdiction, and relative to the deadline for certain citizen petitions proposing bonds.

Amend the bill by replacing all after section 3 with the following:

4Ratification of Approval of Bond at Windham Town Meeting. Notwithstanding RSA 40:13, II-a(c), the public hearing held on January 23, 2014, with notice as required in RSA 33:8-a, I, shall be considered as lawful to support the issuance of not more than \$700,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act, RSA 33, as approved by the town of Windham at its annual town meeting held on March 11, 2014.

5Contingency Fund; Separate Warrant Article. Amend RSA 31:98-a to read as follows:

31:98-a Contingency Fund. Every town annually by an article ***separate from the budget and all other articles*** in the warrant may establish a contingency fund to meet the cost of unanticipated expenses that may arise during the year. Such fund shall not exceed one per cent of the amount appropriated by the town for town purposes during the preceding year excluding capital expenditures and the amortization of debt. A detailed report of all expenditures from the contingency fund shall be made annually by the selectmen and published with their report.

6Contingency Fund; Separate Warrant Article. Amend RSA 198:4-b, I to read as follows:

I. A school district annually by an article ***separate from the budget and all other articles*** in the warrant, or the governing body of a city upon recommendation of the school board, when the operation of the schools is by a department of the city, may establish a contingency fund to meet the cost of unanticipated expenses that may arise during the year. A detailed report of all expenditures from the contingency fund shall be made annually by the school board and published with their report.

7New Subparagraph; Amendment of Operating Budget Warrant Article. Amend RSA 32:5, VII by inserting after subparagraph (b) the following new subparagraph:

(c) If the operating budget warrant article is amended at the first session of the meeting in an official ballot referendum jurisdiction operating under RSA 40:13, the governing body and the budget committee, if one exists, may each vote on whether to recommend the amended article, and the recommendation or recommendations shall appear on the ballot for the second session of the meeting.

8Deadline for Citizen Petitions Proposing Bonds. Amend RSA 40:13, II-a(b) to read as follows:

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in January, ***provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.***

9Deadline for Citizen Petitions Proposing Bonds. Amend RSA 40:13, II-b(b) to read as follows:

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in February, ***provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.***

10 Deadline for Citizen Petitions Proposing Bonds. Amend RSA 40:13, II-c(b) to read as follows:

(b) The "budget submission date" as defined in RSA 273-A:1, III and the final date for submission of petitioned articles under RSA 39:3 and RSA 197:6 shall be the second Tuesday in March, ***provided however, that if a petitioned article proposes a bond governed by RSA 33:8-a, the deadline shall be the preceding Friday.***

11 Effective Date.

I. Section 4 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect 60 days after its passage.

2014-1409h

AMENDED ANALYSIS

This bill:

I. Allows municipalities with a municipal budget committee to deliver final budget and recommendations the Thursday before the last Monday in January, February, or March depending on when the municipality holds its annual meeting.

II. Ratifies the approval of a bond by the town of Windham at its annual town meeting held on March 11, 2014.

III. Requires that the establishment of a town contingency fund be in a separate warrant article.

IV. Requires the recommendation of the governing body and budget committee regarding the operating budget warrant article to appear on the ballot if the operating budget warrant article is amended at the first session of the meeting in an official ballot referendum jurisdiction.

V. Sets earlier deadlines in official ballot towns for citizen petitions proposing bonds in excess of \$100,000.

**Amendment to SB 245-FN
(2014-1442h)**

Proposed by the Committee on Science, Technology and Rehabilitative Services-r

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

1Energy Evaluation and Siting. RSA 162-H:1 is repealed and reenacted to read as follows:

162-H:1 Declaration of Purpose. The legislature recognizes that the selection of sites for energy facilities may have significant impacts on and benefits to the following: the welfare of the population, private property, the location and growth of industry, the overall economic growth of the state, the environment of the state, historic sites, aesthetics, air and water quality, the use of natural resources, and public health and safety. Accordingly, the legislature finds that it is in the public interest to maintain a balance among those potential significant impacts and benefits in decisions about the siting, construction, and operation of energy facilities in New Hampshire; that undue delay in the construction of new energy facilities be avoided; that full and timely consideration of environmental consequences be provided; that all entities planning to construct facilities in the state be required to provide full and complete disclosure to the public of such plans; and that the state ensure that the construction and operation of energy facilities is treated as a significant aspect of land-use planning in which all environmental, economic, and technical issues are resolved in an integrated fashion. In furtherance of these objectives, the legislature hereby establishes a procedure for the review, approval, monitoring, and enforcement of compliance in the planning, siting, construction, and operation of energy facilities.

2New Paragraph; Energy Facility Evaluation and Siting, Construction and Operation; Definitions; Administrator. Amend RSA 162-H:2 by inserting after paragraph I the following new paragraph:

I-a. "Administrator" means the administrator of the committee established by this chapter.

3Energy Facility Evaluation and Siting, Construction and Operation; Definitions; Energy. Amend RSA 162-H:2, VI to read as follows:

VI. "Energy" means power, including mechanical power [ø], useful heat, **or electricity** derived from any resource, including, but not limited to, oil, coal, and gas.

4Energy Facility Evaluation and Siting, Construction and Operation; Definitions; Petitioner. Amend RSA 162-H:2, XI(c) to read as follows:

(c) A petition endorsed by the governing body of [the] **a** host community or 2 or more governing bodies of abutting communities.

5Energy Facility Evaluation and Siting, Construction and Operation; Definitions; Renewable Energy Facility. Amend RSA 162-H:2, XII to read as follows:

XII. "Renewable energy facility" means electric generating station equipment and associated facilities designed for, or capable of, operation at a nameplate capacity of greater than 30 megawatts [~~but less than 120 megawatts~~] and powered by wind energy, geothermal energy, hydrogen derived from biomass fuels or methane gas, ocean thermal, wave, current, or tidal energy, methane gas, biomass technologies, solar technologies, or hydroelectric energy. "Renewable energy facility" shall also include electric generating station equipment and associated facilities of 30 megawatts or less nameplate capacity but at least 5 megawatts which the committee determines requires a certificate, consistent with the findings and purposes set forth in RSA 162-H:1, either on its own motion or by petition of the applicant or 2 or more petitioners as defined in RSA 162-H:2, XI.

6Site Evaluation Committee. RSA 162-H:3 is repealed and reenacted to read as follows:

162-H:3 Site Evaluation Committee Established.

I. There is hereby established a committee to be known as the New Hampshire site evaluation committee consisting of 9 members, as follows:

(a) The commissioners of the public utilities commission, the chairperson of which shall be the chairperson of the committee;

(b) The commissioner of the department of environmental services, who shall be the vice-chairperson of the committee;

(c) The commissioner of the department of resources and economic development;

(d) The commissioner of the department of transportation;

(e) The commissioner of the department of cultural resources or the director of the division of historical resources as designee; and

(f) Two members of the public, appointed by the governor, with the consent of the council, at least one of whom shall be a member in good standing of the New Hampshire Bar Association, and both of whom shall be residents of the state of New Hampshire with expertise or experience in one or more of the following areas: public deliberative or adjudicative proceedings; business management; environmental protection; natural resource protection; energy facility design, construction, operation, or management; or community and regional planning or economic development.

II. The public members shall serve 4-year terms and until their successors are appointed and qualified. The initial term of one member shall be 2 years. Any public member chosen to fill a vacancy occurring other than by expiration of term shall be appointed for the unexpired term of the member who is to be succeeded.

III. No public member nor any member of his or her family shall receive income from energy facilities within the jurisdiction of the committee. The public members shall comply with RSA 15-A and RSA 15-B.

IV. All members shall refrain from ex parte communications regarding any matter pending before the committee.

V. Seven members of the committee shall constitute a quorum for the purpose of conducting the committee's business.

VI. Any public member of the committee may be removed by the governor and council for inefficiency, neglect of duty, or misconduct or malfeasance in office, after being given a written statement of the charges and an opportunity to be heard.

VII. The committee shall be administratively attached to the public utilities commission pursuant to RSA 21-G:10.

VIII. Public members of the committee shall be compensated on a pro rata basis, based upon the daily salary rate for a commissioner of the public utilities commission at the initial step.

IX. The chairperson shall serve as the chief executive of the committee and may:

- (a) Delegate to other members the duties of presiding officer, as appropriate.
- (b) Perform administrative actions for the committee, as may a presiding officer.
- (c) Establish, with the consent of the committee, the budgetary requirements of the committee.
- (d) Engage personnel in accordance with this chapter.
- (e) Form subcommittees pursuant to RSA 162-H:4-a.

X. An alternate public member who satisfies the qualification requirements of subparagraph I(f), excluding the New Hampshire Bar membership requirement, shall be appointed by the governor, with consent of the council. The alternate public member shall only sit on the committee or a subcommittee as provided for in paragraph XI.

XI. If at any time a member must recuse himself or herself on a matter or is not otherwise available for good reason, such person, if a state employee, may designate a senior administrative employee or a staff attorney from his or her agency to sit on the committee. In the case of a public member, the chairperson shall appoint the alternate public member, or if such member is not available, the governor and council shall appoint a replacement upon petition of the chairperson. The replacement process under this paragraph shall also be applicable to subcommittee members under RSA 162-H:4-a.

7New Section; Site Evaluation Committee; Administrator. Amend RSA 162-H by inserting after section 3 the following new section:

162-H:3-a Administrator and Other Employees. There is hereby established within the site evaluation committee the position of administrator who shall be an unclassified state employee. In the alternative, the position may be filled by an independent contractor. The administrator shall be hired by and under the supervision of the chairperson. The administrator, or chairperson in the absence of an administrator, with committee approval, may engage additional technical, legal, or administrative support to fulfill the functions of the committee as necessary. Any person to be hired by the administrator shall be approved by the chairperson. The administrator and any employees or contractors shall be paid from the site evaluation committee fund established in RSA 162-H:21.

8Section Heading. Amend the section heading of RSA 162-H:4 to read as follows:

162-H:4 Powers and Duties of the Committee.

9Powers and Duties of the Committee. Amend RSA 162-H:4, I through IV to read as follows:

I. The committee shall:

- (a) **Evaluate and** issue any certificate under this chapter for an energy facility.
- (b) Determine the terms and conditions of any certificate issued under this chapter.
- (c) Monitor the construction and operation of any energy facility granted a certificate under this chapter **to ensure compliance with such certificate.**
- (d) Enforce the terms and conditions of any certificate issued under this chapter.
- (e) **Assist the public in understanding the requirements of this chapter.**

II. The committee shall hold hearings as required by this chapter and such additional hearings as it deems necessary and appropriate.

III. The committee may delegate the authority to monitor the construction or operation of any energy facility granted a certificate under this chapter to **the administrator or** such state agency or official ~~[represented on the committee]~~ as it deems appropriate, but ~~[, subject to RSA 162-H:10, it may not delegate authority to hold hearings, issue certificates, determine the terms and conditions of a certificate, or enforce a certificate]~~ **shall ensure that the terms and conditions of the certificate are met.** Any authorized representative or delegate of the committee shall have a right of entry onto the premises of any part of the

energy facility to ascertain if the facility is being constructed or operated in continuing compliance with the terms and conditions of the certificate. During normal hours of business administration and on the premises of the facility, such a representative or delegate shall also have a right to inspect such records of the certificate-holder as are relevant to the terms or conditions of the certificate.

III-a. The committee may delegate to [an] **the administrator or such state** agency or official [represented on the committee] **as it deems appropriate** the authority to specify the use of any technique, methodology, practice, or procedure approved by the committee within a certificate issued under this chapter, or the authority to specify minor changes in the route alignment to the extent that such changes are authorized by the certificate for those portions of a proposed electric transmission line or energy transmission pipeline for which information was unavailable due to conditions which could not have been reasonably anticipated prior to the issuance of the certificate.

III-b. The committee may not delegate its authority or duties, except as provided under this chapter.

IV. In cases where the committee determines that other existing statutes provide adequate protection of the objectives of RSA 162-H:1, the committee may, within 60 days of acceptance of the application, or filing of a request for exemption with sufficient information to enable the committee to determine whether the proposal meets the requirements set forth below, and after holding a public [informational] hearing in a county where the energy facility is proposed, exempt the applicant from the approval and certificate provisions of this chapter, provided that the following requirements are met:

(a) Existing state or federal statutes, state or federal agency rules or municipal ordinances provide adequate protection of the objectives of RSA 162-H:1;

(b) A review of the application or request for exemption reveals that consideration of the proposal by only selected agencies represented on the committee is required and that the objectives of RSA 162-H:1 can be met by those agencies without exercising the provisions of RSA 162-H;

(c) Response to the application or request for exemption from the general public indicates that the objectives of RSA 162-H:1 are met through the individual review processes of the participating agencies; and

(d) All environmental impacts or effects are adequately regulated by other federal, state, or local statutes, rules, or ordinances.

10 Powers of Committee. RSA 162-H:4, V is repealed and reenacted to read as follows:

V. In any matter before the committee, the presiding officer, or a hearing officer designated by the presiding officer, may hear and decide procedural matters that are before the committee, including procedural schedules, consolidation of parties with substantially similar interests, discovery schedules and motions, and identification of significant disputed issues for hearing and decision by the committee. Undisputed petitions for intervention may be decided by the hearing officer and disputed petitions shall be decided by the presiding officer. Any party aggrieved by a decision on a petition to intervene may within 10 calendar days request that the committee review such decision. Other procedural decisions may be reviewed by the committee at its discretion.

11 New Section; Subcommittees. Amend RSA 162-H by inserting after section 4 the following new section: 162-H:4-a Subcommittees.

I. The chairperson may establish subcommittees to consider and make decisions on applications, including the issuance of certificates, or to exercise any other authority or perform any other duty of the committee under this chapter, except that no subcommittee may approve the budgetary requirements of the committee, or any support staff positions paid for through the site evaluation committee fund, propose the funding plan under RSA 162-H:21, or adopt initial or final rulemaking proposals. For purposes of statutory interpretation and executing the regulatory functions of this chapter, the subcommittee shall assume the role of and be considered the committee, with all of its associated powers and duties in order to execute the charge given it by the chairperson.

II. When considering the issuance of a certificate or a petition of jurisdiction, a subcommittee shall have no fewer than 7 members. The 2 public members shall serve on each subcommittee with the remaining 5 or more members selected by the chairperson from among the state agency members of the committee. Each selected member may designate a senior administrative employee or staff attorney from his or her respective agency to sit in his or her place on the subcommittee. The chairperson shall designate one member or designee to be the presiding officer who shall be an attorney whenever possible. Five members of the subcommittee shall constitute a quorum for the purpose of conducting the subcommittee's business.

III. In any matter not covered under paragraph II, the chairperson may establish subcommittees of 3 members, consisting of 2 state agency members and one public member. Each state agency member may designate a senior administrative employee or staff attorney from his or her agency to sit in his or her place on the subcommittee. The chairperson shall designate one member or designee to be the presiding officer who shall be an attorney whenever possible. Two members of the subcommittee shall constitute a quorum. Any party whose interests may be affected may object to the matter being assigned to a 3-person subcommittee

no less than 14 days before the first hearing. If objection is received, the chairperson shall remove the matter from the 3-person subcommittee and either assign it to a subcommittee formed under paragraph II or have the full committee decide the matter.

2 Application for Certificate. Amend RSA 162-H:7, II to read as follows:

II. All applications for a certificate for an energy facility shall be filed with the ~~[chairman]~~ **chairperson** of the site evaluation committee.

3 Application for Certificate. Amend RSA 162-H:7, IV and V to read as follows:

IV. Each application shall contain sufficient information to satisfy the application requirements of each state agency having jurisdiction, under state or federal law, to regulate any aspect of the construction or operation of the proposed facility, and shall include each agency's completed application forms. Upon the filing of an application, the committee shall expeditiously forward a copy to the state agencies having ~~[jurisdiction]~~ **permitting or other regulatory authority and to other state agencies identified in administrative rules**. Upon receipt of a copy, each agency shall conduct a preliminary review to ascertain if the application contains sufficient information for its purposes. If the application does not contain sufficient information for the purposes of any of the state agencies having ~~[jurisdiction]~~ **permitting or other regulatory authority**, that agency shall, in writing, notify the committee of that fact and specify what information the applicant must supply; thereupon the committee shall provide the applicant with a copy of such notification and specification. Notwithstanding any other provision of law, for purposes of the time limitations imposed by this section, any application made under this section shall be deemed not accepted either by the committee or by any of the state agencies having ~~[jurisdiction]~~ **permitting or other regulatory authority** if the applicant is ~~[seasonably]~~ **reasonably** notified that it has not supplied sufficient information for any of the state agencies having ~~[jurisdiction]~~ **permitting or other regulatory authority** in accordance with this paragraph.

V. Each application shall also:

(a) Describe in reasonable detail the type and size of each major part of the proposed facility.

(b) Identify both the **applicant's** preferred choice and ~~[any]~~ other ~~[choices]~~ **alternatives it considers available for the site and configuration** of each major part of the proposed facility **and the reasons for the applicant's preferred choice**.

(c) Describe in reasonable detail the impact of each major part of the proposed facility on the environment for each site proposed.

(d) Describe in reasonable detail the applicant's proposals for studying and solving environmental problems.

(e) Describe in reasonable detail the applicant's financial, technical, and managerial capability for construction and operation of the proposed facility.

(f) Document that written notification of the proposed project, including appropriate copies of the application, has been given to the appropriate governing body of each community in which the facility is proposed to be located.

(g) **Describe in reasonable detail the elements of and financial assurances for a facility decommissioning plan.**

(h) Provide such additional information as the committee may require to carry out the purposes of this chapter.

4 Application for Certificate. Amend RSA 162-H:7, VI-a through VI-d to read as follows:

VI-a. ~~[Within 30 days after acceptance of the application, the committee shall hold at least one public hearing in each county in which the proposed facility is to be located,]~~ **Public information sessions shall be held** in accordance with RSA 162-H:10.

VI-b. All ~~[participating]~~ state agencies **having permitting or other regulatory authority** shall report their progress to the committee within ~~[5 months]~~ **150 days** of the acceptance of the application, outlining draft permit conditions and specifying additional data requirements necessary to make a final decision **on the parts of the application that relate to its permitting or other regulatory authority**.

VI-c. All ~~[participating]~~ state agencies **having permitting or other regulatory authority** shall make and submit to the committee a final decision on the parts of the application that relate to its ~~[jurisdiction]~~ **permitting and other regulatory authority**, no later than ~~[8 months]~~ **240 days** after the application has been accepted.

VI-d. Within ~~[9 months]~~ **365 days** of the acceptance of an application, the committee shall issue or deny a certificate for an energy facility.

5 New Section; Role of State Agencies. Amend RSA 162-H by inserting after section 7 the following new section:

162-H:7-a Role of State Agencies.

I. State agencies having permitting or other regulatory authority may participate in committee proceedings as follows:

(a) Receive proposals or permit requests within the agency's permitting or other regulatory authority, expertise, or both; determine completeness of elements required for such agency's permitting or other programs; and report on such issues to the committee;

(b) Review proposals or permit requests and submit recommended draft permit terms and conditions to the committee;

(c) Identify issues of concern on the proposal or permit request or notify the committee that the application raises no issues of concern;

(d) When issues of concern are identified by the agency or committee, designate one or more witnesses to appear before the committee at a hearing to provide input and answer questions of parties and committee members; and

(e) If the committee intends to impose certificate conditions that are different than those proposed by state agencies having permitting or other regulatory authority, the committee shall promptly notify the agency or agencies in writing to seek confirmation that such conditions or rulings are in conformity with the laws and regulations applicable to the project and state whether the conditions or rulings are appropriate in light of the agency's statutory responsibilities. The notified state agencies shall respond to the committee's request for confirmation as soon as possible, but no later than 10 calendar days from the date the agency or agencies receive the notification described above.

II. When initiating a proceeding for a committee matter, the committee shall expeditiously notify state agencies having permitting or other regulatory authority or that are identified in administrative rules.

III. Within 30 days of receipt of a notification of proceeding, a state agency not having permitting or other regulatory authority but wishing to participate in the proceeding shall advise the presiding officer of the committee in writing of such desire and be allowed to do so provided that the presiding officer determines that a material interest in the proceeding is demonstrated and such participation conforms with the normal procedural rules of the committee.

IV. The commissioner or director of each state agency that intends to participate in a committee proceeding shall advise the presiding officer of the name of the individual on the agency's staff designated to be the agency liaison for the proceeding. The presiding officer may request the attendance of an agency's designated liaison at a session of the committee if that person could materially assist the committee in its examination or consideration of a matter.

V. All communications between the committee and agencies regarding a pending committee matter shall be included in the official record and be publicly available.

VI. A state agency may intervene as a party in any committee proceeding in the same manner as other persons under RSA 541-A. An intervening agency shall have the right to rehearing and appeal of a certificate or other decision of the committee.

16 Public Hearing; Studies; Rules. Amend RSA 162-H:10 to read as follows:

162-H:10 Public Hearing; Studies; Rules.

I. At least 30 days prior to filing an application for a certificate, an applicant shall hold at least one public information session in each county where the proposed facility is to be located and shall, at a minimum, publish a public notice not less than 14 days before such session in one or more newspapers having a regular circulation in the county in which the session is to be held, describing the nature and location of the proposed facility. At such session, the applicant shall present information regarding the project and receive comments from the public. Not less than 10 days before such session, the applicant shall provide a copy of the public notice to the chairperson of the committee. The applicant shall arrange for a transcript of such session to be prepared and shall include the transcript in its application for a certificate.

I-a. Within [30] 45 days after acceptance of an application for a certificate [of site and facility], pursuant to RSA 162-H:7, the [site-evaluation committee] ***applicant*** shall hold at least one [joint] public [hearing] ***information session*** in each county in which the proposed facility is to be located and shall, ***at a minimum***, publish a public notice not less than 14 days before said [hearing] ***session*** in one or more newspapers having a regular circulation in the county in which the [hearing] ***session*** is to be held, describing the nature and location of the proposed [facilities] ***facility***. ***Not less than 10 days before such session, the applicant shall provide a copy of the public notice to the presiding officer of the committee. The administrator, or a designee of the presiding officer of the committee, shall act as presiding officer of the information session. The session shall be for public information on the proposed facility with the applicant presenting the information to the public. The presiding officer shall also explain to the public the process the committee will use to review the application for the proposed facility.***

I-b. Upon request of the governing body of a municipality or unincorporated place in which the proposed facility is to be located, or on the committee's own motion, the committee may order the applicant to provide such additional information sessions as are reasonable to inform the public of the proposed project.

I-c. Within 90 days after acceptance of an application for a certificate, pursuant to RSA 162-H:7, the site evaluation committee shall hold at least one public hearing in each county in which the proposed facility is to be located and shall publish a public notice not less than 14 days before

such session in one or more newspapers having a regular circulation in the county in which the hearing is to be held, describing the nature and location of the proposed facilities. The public hearings shall be joint hearings, with representatives of the [other] agencies that have [jurisdiction] **permitting or other regulatory authority** over the subject matter and shall be deemed to satisfy all initial requirements for public hearings under statutes requiring permits relative to environmental impact. ~~[The hearings shall be for public information on the proposed facilities with the applicant presenting the information to the site evaluation committee and to the public.]~~ Notwithstanding any other provision of law, the hearing shall be a joint hearing with the other state agencies and shall be in lieu of all hearings otherwise required by any of the other state agencies; provided, however, if any of such other state agencies does not otherwise have authority to conduct hearings, it may not join in the hearing under this chapter; provided further, however, the ability or inability of any of the other state agencies to join shall not affect the composition of the committee under RSA 162-H:3 nor the ability of any member of the committee to act in accordance with this chapter.

II. ~~[Except for informational hearings,]~~ Subsequent hearings shall be in the nature of adjudicative proceedings under RSA 541-A and may be held in the county or one of the counties in which the proposed facility is to be located or in Concord, New Hampshire, as determined by the site evaluation committee. The committee shall give adequate public notice of the time and place of each subsequent ~~[session]~~ **hearing**.

III. The site evaluation committee shall consider and weigh all evidence presented at public hearings and shall consider and weigh written information and reports submitted to it by members of the public before, during, and subsequent to public hearings **but prior to the closing of the record of the proceeding**. ~~[The committee shall grant free access to records and reports in its files to members of the public during normal working hours and shall permit copies of such records and reports to be made by interested members of the public at their expense.]~~ **The committee shall consider, as appropriate, prior committee findings and rulings on the same or similar subject matters, but shall not be bound thereby.**

IV. The site evaluation committee shall require from the applicant whatever information it deems necessary to assist in the conduct of the hearings, and any investigation or studies it may undertake, and in the determination of the terms and conditions of any certificate under consideration.

V. The site evaluation committee and counsel for the public shall ~~[jointly]~~ conduct such reasonable studies and investigations as they deem necessary or appropriate to carry out the purposes of this chapter and may employ a consultant or consultants, legal counsel and other staff in furtherance of the duties imposed by this chapter, the cost of which shall be borne by the applicant in such amount as may be approved by the committee. The site evaluation committee and counsel for the public are further authorized to assess the applicant for all travel and related expenses associated with the processing of an application under this chapter.

VI. The site evaluation committee shall issue such rules to administer this chapter, pursuant to RSA 541-A, after public notice and hearing, as may from time to time be required.

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

17 Enforcement. Amend RSA 162-H:12, I to read as follows:

I. Whenever the committee, **or the administrator as designee**, determines that any term or condition of any certificate issued under this chapter is being violated, it shall, in writing, notify the person holding the certificate of the specific violation and order the person to immediately terminate the violation. If, 15 days after receipt of the order, the person has failed or neglected to terminate the violation, the committee may suspend the person's certificate. Except for emergencies, prior to any suspension, the committee shall give written notice of its consideration of suspension and of its reasons therefor and shall provide opportunity for a prompt hearing.

18 Enforcement. Amend RSA 162-H:12, IV to read as follows:

IV. Notwithstanding any other provision of this chapter, each of the other state agencies having [jurisdiction] **permitting or other regulatory authority** shall retain all of its powers and duties of enforcement.

19 Records; Temporary Suspension of Deliberations. Amend RSA 162-H:13 and RSA 162-H:14 to read as follows:

162-H:13 Records. Complete verbatim records shall be kept by the committee of all hearings, and records of all other actions, proceedings, and correspondence of the committee, **including submittals of information and reports by members of the public**, shall be maintained, all of which records shall be open to the public inspection **and copying** as provided for under RSA 91-A. **Records regarding pending applications for a certificate shall also be made available on a website.**

162-H:14 Temporary Suspension of Deliberations.

I. If the site evaluation committee, at any time ~~[during its deliberations relative to]~~ **while** an application for a certificate **is before it**, deems it to be in the public interest, it may temporarily suspend its deliberations and time frame established under RSA 162-H:7.

II. ~~[Repealed.]~~

20 Findings and Certificate Issuance. Amend RSA 162-H:16, I to read as follows:

I. The committee shall incorporate in any certificate such terms and conditions as may be specified to the committee by any of the ~~[other]~~ state agencies having ~~[jurisdiction]~~ **permitting or other regulatory authority**, under state or federal law, to regulate any aspect of the construction or operation of the proposed facility; provided, however, the committee shall not issue any certificate under this chapter if any of the ~~[other]~~ state agencies denies authorization for the proposed activity over which it has ~~[jurisdiction]~~ **permitting or other regulatory authority**. The denial of any such authorization shall be based on the record and explained in reasonable detail by the denying agency.

21 Findings and Certificate Issuance. Amend RSA 162-H:16, IV to read as follows:

IV. ~~[The site evaluation committee, after having considered available alternatives and fully reviewed the environmental impact of the site or route, and other relevant factors bearing on whether the objectives of this chapter would be best served by the issuance of the certificate, must find that the site and facility]~~
After due consideration of all relevant information regarding the potential siting or routes of a proposed energy facility, including potential significant impacts and benefits, the site evaluation committee shall determine if issuance of a certificate will serve the objectives of this chapter. In order to issue a certificate, the committee shall find that:

(a) The applicant has adequate financial, technical, and managerial capability to assure construction and operation of the facility in continuing compliance with the terms and conditions of the certificate.

(b) **The site and facility** will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.

(c) **The site and facility** will not have an unreasonable adverse effect on aesthetics, historic sites, air and water quality, the natural environment, and public health and safety.

(d) ~~[Repealed.]~~

22 New Subparagraph; Findings and Certificate Issuance. Amend RSA 162-H:16, IV by inserting after subparagraph (d) the following new subparagraph:

(e) Issuance of a certificate will serve the public interest.

23 New Section; Fund Established; Funding Plan. Amend RSA 162-H by inserting after section 20 the following new section:

162-H:21 Fund Established; Funding Plan.

I. There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the site evaluation committee fund. All moneys in such fund shall be continually appropriated to the site evaluation committee for the purposes of the committee. The fund shall be established with a transfer from the renewable energy fund established in RSA 362-F:10 in an amount not to exceed \$1,000,000. Repayment of the initial renewable energy fund transfer shall be made over a period of not more than 10 years.

II. By December 1, 2014, the committee shall submit a permanent funding plan, including recommendations for legislation, to the governor and to the chairpersons of the house and senate finance committees. The committee shall consider potential funding sources, including but not limited to the imposition of reasonable application fees and other funding sources. The plan shall describe the costs of the ongoing administration of the committee's duties, including state agency expenses associated with processing an application under this chapter. The plan shall include recommendations for the ongoing funding of the committee's operations, including reimbursement for the hearing and review time of members of the committee and state agency staff. The plan shall make recommendations for funding sources to meet those needs, except that such funding sources shall not include annual operating fees imposed on energy facilities or further use of the renewable energy fund. The plan shall provide an estimate of revenues from application fees and additional funding sources.

24 Site Evaluation Committee; Application for Certificate; Applicability.

I. The provisions of this chapter shall apply to any application or petition received on or after July 1, 2014.

II. Pending matters for which an adjudicative hearing was held prior to July 1, 2014 shall be governed by the laws in place prior to the enactment of this section and shall be addressed by the committee in effect at the time the matters were filed.

III. The committee in existence prior to July 1, 2014 shall cease to exist when all matters for which it is responsible have been resolved, through rulings on requests for rehearing or reconsideration.

25 Site Evaluation Committee; Transitional Responsibilities.

I. Any pending matter for which an adjudicative hearing was not held prior to July 1, 2014, and all matters filed on or after July 1, 2014 shall be reviewed by the committee as re-organized under this act; provided, however, that the committee in existence prior to July 1, 2014, shall be responsible for any matter filed before July 1, 2014, for which an adjudicative hearing commences on or after July 1, 2014, but before the establishment of the committee as reorganized in this act. The parties in any pending matter for which an adjudicative hearing was not held prior to July 1, 2014 shall have a reasonable opportunity to supplement filings under the provisions of this chapter as effective July 1, 2014.

II. The re-organization of the committee under this act, including the appointment of an administrator and public members, shall occur no later than November 1, 2014.

III. Notwithstanding any other provision of RSA 162-H, the committee in existence prior to July 1, 2014 shall continue to process all matters filed on or after July 1, 2014 until such time as the re-organized committee is established, and for the process of adopting rules pursuant to RSA 162-H:10, VII, until such time as the re-organized committee is established. Notwithstanding any other provision of law, the actions of the committee in existence prior to July 1, 2014 shall be deemed the actions of the committee for the purposes of appointing an administrator and of adopting rules pursuant to RSA 162-H:10, VII.

⌘ New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (316) the following new subparagraph:

(317) Moneys deposited in the site evaluation committee fund established in RSA 162-H:21, I.

⌘ Repeal. The following are repealed:

I. RSA 4-C:6, II(e), relative to energy facility evaluation committee.

II. RSA 162-H:6-a, relative to time frames for review of renewable energy facilities.

III. RSA 162-H:7, VI-e, relative to time frames for applications for certificates.

IV. RSA 162-H:15, relative to informational meetings.

⌘ Effective Date. This act shall take effect July 1, 2014.

Amendment to SB 264-FN (2014-1319h)

Proposed by the Committee on Executive Departments and Administration- c

Amend RSA 100-C:18 as inserted by section 1 of the bill by replacing it with the following:

100-C:18 Notice of Election. Each member in active service as a judge, who was appointed prior to January 1, 2005, shall notify the plan in writing no later than September 30, 2014, as to whether such member intends to claim retirement benefits pursuant to one of the former judicial retirement statutes, RSA 490:2, RSA 491:2, RSA 502-A:6-a or RSA 547:2-a, instead of the retirement benefits paid pursuant to RSA 100-C. Such election, once made, shall be irrevocable. If an election is not made by that date the member shall only retire under the provisions of RSA 100-C. In the event that a judge elects to claim retirement benefits pursuant to one of the former judicial retirement statutes, that judge shall not be entitled to reimbursement for any contributions made pursuant to RSA 100-C:13 or RSA 100-C:14.

Amendment to SB 266 (2014-1333h)

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

Amend RSA 487:30, II(a) as inserted by section 1 of the bill by inserting after subparagraph (9) the following new subparagraph:

(10) One member of the Northeast Aquatic Plant Management Society, appointed by the president of that organization.

Amendment to SB 324 (2014-1354h)

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

Amend RSA 363-A:2, I(c) and (d) as inserted by section 2 of the bill by replacing it with the following:

(c) 33 percent of the gross utility revenue of all excepted local exchange carriers as defined in RSA 362:7, I(c), and 33 percent of the gross revenue of any affiliate of such a carrier received from New Hampshire retail customers for a VoIP service as defined in RSA 362:7, I(d) or an IP enabled service as defined in RSA 362:7, I(e) that provides the voice capabilities described in RSA 362:7, I(d)(I) and (3), other than a cellular mobile radio communications service provider;

(d) 33 percent of all providers' gross revenue received from New Hampshire retail customers for a VoIP service as defined in RSA 362:7, I(d) or an IP-enabled service as defined in RSA 362:7, I(e) that provides the voice capabilities described in RSA 362:7, I(d)(1) and (3), other than a cellular mobile radio communications service provider or any entity to which subparagraph (c) applies; and

Amend RSA 363-A:2, III as inserted by section 2 of the bill by replacing it with the following:

III. Each entity described in subparagraph I(e) shall be assessed the sum of \$10,000 on an annual basis and shall pay such assessed sum to the commission. Each electric load aggregator, and each aggregator of

natural gas customers shall be assessed the sum of \$2,000 on an annual basis and shall pay such assessed sum to the commission. Each telecommunications carrier voluntarily registered with the commission shall be assessed the sum of \$1,000 on an annual basis and shall pay such sum to the commission.

Amend RSA 363-A:6, I as inserted by section 6 of the bill by replacing it with the following:

I. Assessment amounts determined with reference to the revenues of competitive electric power suppliers and all assessments against regulated electric distribution utilities and electric cooperatives for which a certificate of deregulation is on file with the commission shall be collected from electric customers through the distribution rates of the respective electric distribution utility or rural electric cooperative for which a certificate of deregulation is on file with the commission; provided that an amount equal to the amount assessed directly to a competitive electric power supplier under RSA 363-A:2, III shall be collected from the energy service or default service customers of each electric distribution utility or rural electric cooperative for which a certificate of deregulation is on file with the commission.

Amendment to SB 345

(2014-1372h)

Proposed by the Committee on Commerce and Consumer Affairs-r

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

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

2014-1372h

AMENDED ANALYSIS

This bill repeals the prospective repeal of the annual public hearing and report on health insurance costs and trends.

Amendment to SB 353

(2014-1310h)

Proposed by the Committee on Health, Human Services and Elderly Affairs- c

Amend RSA 168-B:11, IV as inserted by section 2 of the bill by inserting after subparagraph (e) the following new subparagraph:

(f) The express written agreement of all parties as to how decisions regarding termination of the pregnancy shall be made.

Floor Amendment to SB 367-FN-A

(2014-1417h)

Proposed by Rep. Graham

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

AN ACT requiring adjustment of the road toll according to changes in the Consumer Price Index and establishing a committee to study the effectiveness and efficiency of the department of transportation.

Amend the bill by deleting section 7 and renumbering the original sections 8 and 9 to read as 7 and 8, respectively.

Amend the bill by replacing section 8 with the following:

8Effective Date.

I. Sections 1 and 3 of this act shall take effect on July 1, 2014.

II. Sections 2 and 5 of this act shall take effect as provided in section 6 of this act.

III. Section 4 of this act shall take effect July 1, 2015.

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

2014-1417h

AMENDED ANALYSIS

This bill requires the adjustment in 2014 of the road toll imposed on sales of motor fuels according to changes in the Consumer Price Index and appropriates revenues for certain transportation projects. The provisions for the road toll adjustment are repealed upon completion of the bonding for the widening of Interstate 93 project. The bill also establishes a committee to study the effectiveness and efficiency of the department of transportation.

Amendment to SB 375

(2014-1329h)

Proposed by the Majority of the Committee on Ways and Means- r

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

AN ACT establishing a committee to study the creation of a flood mitigation fund for private and municipal property owners.

Amend the bill by replacing section 1 with the following:

1Committee Established. There is established a committee to study the creation of a flood mitigation fund for private and municipal property owners.

Amend the bill by replacing section 3 with the following:

3Duties. The committee shall study the creation of flood mitigation fund for private and municipal property owners.2014-1329h

AMENDED ANALYSIS

This bill establishes a committee to study the creation of a flood mitigation fund for private and municipal property owners.

Amendment to SB 378

(2014-1304h)

Proposed by the Committee on Election Law-c

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

2Push-Polling; Effective Date. Section 4 of SB 196-FN of the 2014 regular legislative session is repealed and reenacted to read as follows:

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

3Contingency. If SB 196-FN of the 2014 regular legislative session does not become law, section 2 of this act shall not take effect.

4Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

2014-1304h

AMENDED ANALYSIS

This bill permits reference to an Internet address in lieu of signature and identification requirements on political signs and placards. This bill also changes the effective date of modifications to the push-polling laws enacted in SB 196-FN.

Amendment to SB 391

(2014-1421h)

Proposed by the Committee on Children and Family Law-r

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

1Juvenile Justice Advisory Board. RSA 621-A:9 and RSA 621-A:10 are repealed and reenacted to read as follows:

621-A:9 Juvenile Justice Advisory Board Established.

I. There is hereby established a juvenile justice advisory board. The board shall provide oversight and advice to the director of the division of juvenile justice services and the commissioner relative to programs and services provided to children at the youth development center and youth services center.

II. The board shall be composed of the following members:

(a) One member of the house children and family law committee, appointed by the speaker of the house of representatives.

(b) One member of the house finance committee, appointed by the speaker of the house of representatives.

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

(d) The bureau chief of the bureau of behavioral health, department of health and human services, or designee.

(e) The commissioner of the department of education, or designee.

(f) One justice from the judicial branch family division, specializing in juvenile justice, appointed by the administrative judge of the circuit court.

(g) One superintendent of a county correctional facility, appointed by the New Hampshire Association of Counties.

(h) One parent whose child has received services at the youth development center, appointed by the governor.

(i) A nonsupervisory employee of the youth development center, who has daily contact with children assigned to the center, appointed by the State Employees' Association of New Hampshire, Chapter 21 President.

(j) One juvenile probation and parole officer, appointed by the commissioner of the department of health and human services.

(k) One attorney specializing in juvenile justice, appointed by the governor.

(l) One representative of a juvenile diversion program, appointed by the governor.

III. Members of the advisory board shall serve without compensation, except that legislative members shall receive mileage at the legislative rate while attending to the duties of the board.

621-A:10 Terms of Office; Organization.

I. The legislative members of the board and the commissioners shall serve terms co-terminous with their terms in office. The remaining members of the board shall serve 3-year terms.

II. Each appointed member of the advisory board shall hold office until a successor is appointed and qualified. The appointment of successors for the filling of vacancies for unexpired terms shall be by appointment in the same manner as the original appointment.

III. The advisory board shall elect its own chairperson. The commissioners shall not be eligible to serve as chairperson of the advisory board. Any one of the legislative members of the board may call the first meeting. The board shall meet 6 times during the first year; thereafter, the board shall meet at least 4 times a year. Five members of the advisory board shall constitute a quorum.

IV. On or before the anniversary of the first meeting called after the effective date of this section, the advisory board shall submit a written report to the speaker of the house of representatives, the president of the senate, the governor, and the following legislative committees: the house children and family law committee, the house criminal justice and public safety committee, the senate judiciary committee, and the house and senate finance committees. The report shall detail the activities of the board and any recommendations made by the board to the department relative to juvenile justice services. The report shall include the board's assessment of the policies and procedures of the youth development center.

2Duties of the Advisory Board. Amend RSA 621-A:11 to read as follows:

621-A:11 Duties of the Advisory Board.

I. The advisory board shall act in an ***oversight and*** advisory capacity to assist the commissioner of the department of health and human services ***and the director of the division of juvenile justice services*** relative to juvenile justice programs and services provided to children at the youth development center and other juvenile justice facilities. The board ~~may~~ ***shall*** also provide advice and input on fiscal and budgetary matters related to such facilities, the availability of state and federal grants, business partnerships, and other funding sources available to the department for such facilities.

~~[I-a.]~~ ***II. The board shall assess whether the youth development center is meeting the objectives of RSA 621:2 and shall seek information from the director of the division of juvenile justice services in the department of health and human services concerning the successes and challenges relative to the state's juvenile justice programs and services.***

III. The board shall develop a list of qualified candidates for the position of director of the division of juvenile justice services under RSA 621-A:4-a.

~~[I-b.]~~ ***IV. The board shall be available to address emergent issues identified by the commissioner of health and human services, the director of the division of juvenile justice services, the chair of the advisory board, or any board member. In furtherance of this paragraph, the board may solicit comments from the public or any other entities as it deems appropriate.***

~~[II. Beginning in December 2010, and biennially thereafter, the board shall submit a written report to the speaker of the house, the president of the senate, the governor, and the following legislative committees: the house children and family law committee, the house criminal justice and safety committee, and the senate judiciary committee. The report shall detail the activities of the board and any recommendations made by the board to the department relative to juvenile justice services.]~~

3New Paragraph; Department of Health and Human Services; Juvenile Justice Services. Amend RSA 126-A:4 by inserting after paragraph V the following new paragraph:

VI. Notwithstanding any other provision of law to the contrary, the commissioner shall establish a division within the department for the administration of all juvenile justice services, including but not limited to the administration of the youth development center under RSA 621, the youth services center under RSA 621-A, and the supervision of juvenile probation and parole officers under RSA 170-G. Such division shall have the same status within the department as the division of the department responsible for the administration of services to children and youth under RSA 170-G.

4New Section; Director of the Division of Juvenile Justice Services; Appointment. Amend RSA 621-A by inserting after section 4 the following new section:

621-A:4-a Director of the Division of Juvenile Justice Services; Appointment. The director of the division of juvenile justice services shall be appointed by the governor, with the consent of council, from a list of a minimum of 3 qualified candidates submitted by the juvenile justice advisory board, provided that the names of additional qualified candidates may be submitted upon the request of the governor and council. The director of the division of juvenile justice services shall serve a term of 4 years.

5Youth Development Center; Reference to Sununu Youth Services Center Added. Amend RSA 621:1, I to read as follows:

I. The New Hampshire youth development center, a juvenile correctional facility formerly known as the industrial school, may also be referred to as ~~the~~ YDC, ~~or~~ the center, ***or the Sununu Youth Services Center***. References to the industrial school, ~~or the~~ YDC, ***or the Sununu Youth Services Center*** in statutes or other documents shall mean the youth development center.

6Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. Amend 2013, 143:14 to read as follows:

143:14 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by [\$500,000] **\$231,926** for the fiscal year ending June 30, 2014 and by [\$750,000] **\$1,018,074** for the fiscal year ending June 30, 2015. ~~[The department shall develop a reduction plan for the reductions required under this section and present the plan to the fiscal committee of the general court no later than September 30, 2013.]~~

7Effective Date.

I. Section 6 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect 60 days after its passage.

2014-1421h

AMENDED ANALYSIS

This bill:

I. Revises the membership and duties of the juvenile justice advisory board.

II. Requires the department of health and human services to maintain a separate division of juvenile justice services.

III. Establishes education and appointment criteria for the director of the division of juvenile justice services.

IV. Revises the amount the department of health and human services is directed to reduce state general fund appropriations to the Sununu Youth Services Center for the biennium ending June 30, 2015.

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