State of
New Hampshire

HOUSE RECORD

First Year of the 164th General Court

Calendar and Journal of the 2015 Session

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

Vol. 37 **Concord, N.H.** **Friday, April 10, 2015** **No. 29**

Contains: House Deadlines, Committee Reports, Amendments, Bills Laid on Table, Meetings and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be Wednesday, April 15th, 2015, at 10:00 a.m.

You may have noticed different sign-in sheets on session days. Since the voting system is no longer being used for attendance, the sign-in sheets will be used for attendance as well as mileage. All representatives must sign in on session days. If you wish to be reimbursed for mileage, please check the second box on the sheet as well.

As a reminder, there will be a presentation by Dr. Doug Marlowe, a national educator and researcher on Drug Courts, on Tuesday, April 14th, from noon to 2:30 p.m. in Rooms 210-211 of the Legislative Office Building. Lunch will be provided, so please refer to Members' Notices in the back of this calendar for additional details and RSVP information.

Shawn N. Jasper, Speaker

NOTICE

There will <u>not</u> be a meeting of chairs and vice chairs next week.

Shawn N. Jasper, Speaker

NOTICE

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

CLOSES NOON on THURSDAY:	**AVAILABLE FRIDAY:**
April 16	April 17
April 23	April 24

Paul C. Smith, Clerk of the House

2015 HOUSE DEADLINES

Thursday, April 30, 2015	Last day to report Senate Bills going to a second committee
Thursday, May 7, 2015	Last day to act on SBs going to a second committee
Thursday, May 28, 2015	Last day to report all remaining SBs
	Last day to report list of retained SBs
Thursday, June 4, 2015	Last day to act on SBs
Thursday, June 11, 2015	Last day to form Committees of Conference
Thursday, June 18, 2015	Last day to sign Committee of Conference reports
Thursday, June 25, 2015	Last day to act on Committee of Conference reports

BILLS LAID ON TABLE

HB 112, relative to domicile for voting purposes. (Pending question: Ought To Pass)
HB 191, relative to projects which are privately financed in energy efficiency and clean energy districts. (Pending question: Ought To Pass)
HB 241-FN, prohibiting driving while holding an animal in the driver's seat. (Pending question: Ought To Pass)
HB 263, prohibiting residency restrictions on sex offenders. (Pending question: Ought To Pass)
HB 303, relative to statewide assessment standards and relative to parental consent for psychological services to students. (Pending question: Ought To Pass)
HB 349, relative to state buffers for projects requiring wetland permits. (Pending question: Inexpedient to Legislate)

HB 379, establishing a commission to study the effects of ocean acidification on commercially harvested species. (Pending question: Inexpedient to Legislate)
HB 446, relative to access to investigational drugs, biological products, and devices. (Pending question: Inexpedient to Legislate)
HB 457-FN-A, establishing a nurse practitioner position at the veterans' home and making an appropriation therefor. (No pending question)
HB 459, establishing a committee to study medical services provided to residents of the New Hampshire veterans' home. (Pending question: Inexpedient to Legislate)
HB 461, prohibiting the use or application of foreign laws in the state court. (Pending question: Inexpedient to Legislate)
HB 496, prohibiting public employers from using criminal history in employment decisions. (Pending question: Inexpedient to Legislate)
HB 516, relative to the determination of parental rights based on the best interest of the child and relative to grounds for modification of an order regarding parental rights and responsibilities. (Pending question: Inexpedient to Legislate)
HB 543, repealing the electric renewable portfolio standard. (Pending question: Inexpedient to Legislate)
HB 551, relative to preventing diversion of business income to tax havens. (Pending question: Inexpedient to Legislate)
HB 595, relative to banning abortion after viability. (Pending question: Adopt committee amendment 2015-0748h)
HB 646, allowing public bodies or agencies to charge for the costs of retrieval of public records under the right-to-know law. (Pending question: Adopt committee amendment 2015-0753h)
HB 647, exempting convictions for simple assault from an extended term of imprisonment and relative to annulments of certain criminal convictions. (Pending question: Inexpedient to Legislate)
HB 655, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire. (Pending question: Inexpedient to Legislate)
HB 676-FN-A, establishing a science, technology, engineering, and mathematics scholars program. (Pending question: Inexpedient to Legislate)
HCR 3, applying to Congress to call a convention of states under the United States Constitution. (Pending question: Adopt committee amendment 2015-0423h)
HR 6, recognizing February 26, 2015, as the 23rd anniversary of the Khojaly Tragedy in Azerbaijan. (Pending question: Inexpedient to Legislate)
HR 12, affirming revenue estimates for fiscal years 2015, 2016, and 2017. (Pending question: Third reading)

WEDNESDAY, APRIL 15
CONSENT CALENDAR

CHILDREN AND FAMILY LAW

SB 11, recodifying the Uniform Interstate Family Support Act. **OUGHT TO PASS.**
Rep. Debra L. DeSimone for Children and Family Law. This bill recodifies RSA 546-B based on the 2008 amendments to the Uniform Interstate Family Support Act. This bill is a request of the department of health and human services. The committee agreed that this bill positively enhances the ability of New Hampshire to remain consistent with other states and countries with child support and other family matters. **Vote 12-0.**

SB 103, (New Title) relative to guardian ad litem reports and relative to the definition of incapacity for purposes of filing a guardianship petition. **OUGHT TO PASS.**
Rep. Daniel C. Itse for Children and Family Law. This bill clarifies two issues of law. First, it ensures that all parties to a divorce case have access to guardian-ad-litem reports and recommendations unless the court finds that this disclosure is not in the child's best interest. Second, it defines the date of submission of evidence in petitions regarding incapacity in probate court as the receipt if mailed, or the court's date stamp if hand-delivered. **Vote 12-0.**

EDUCATION

SB 71, relative to the administration of glucagon injections for children in schools. **OUGHT TO PASS.**
Rep. John L. Balcom for Education. This bill allows glucagon injections to be provided by certain school employees. The bill further identifies storage, training, administration and liability issues associated with glucagon injections in schools. **Vote 21-0.**

SB 151-FN, requiring inclusion of home educated pupils in the definition of average daily membership in attendance. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Rick M. Ladd for Education. As amended, this bill provides that if a home-schooled pupil enrolls at a high school and in a school board approved "academic" course that his or her attendance shall count as an

additional 0.15 in the calculation formula for the school's ADMA for each academic course taken. As amended, the bill does not include an ADMA count calculation for a home-schooled student's participation in a co-curricular activity. Due to the self-contained nature of elementary classrooms and differing middle school/JHS instructional models, the committee believes that the additional ADMA count calculation is appropriate only in the high school grades where well-defined and approved/accredited academic courses are comparable and contribute to a high school diploma throughout the state. In summary, this bill provides ADMA funding to high schools for all enrolled students in relation to student attendance and offers choice and enrichment opportunity to home-schooled pupils. **Vote 19-0.**

SB 166, relative to facilitated individualized education program meetings. **OUGHT TO PASS.**
Rep. James L. Grenier for Education. Regular IEP team meetings are informal procedures and during these meetings actions or discussions leading to decisions are recorded. A facilitated IEP meeting has a trained facilitator assisting in meeting procedure. IDEA and RSA 186-C: 23 demand confidentiality and preclude record keeping during these meetings. This bill will remove facilitated IEP meetings from the list of formal alternative dispute resolution in RSA 186-C. If passed, these informal meetings will no longer be restricted as a formal alternate dispute resolution and will be given the flexibility to better serve the students, parents and facilitated IEP teams. **Vote 21-0.**

SB 194-FN, relative to epinephrine administration policies in postsecondary educational institutions. **OUGHT TO PASS.**
Rep. Robert J. Elliott for Education. This bill permits post secondary institutions to establish guidelines for the administration of epinephrine by designated trainees, establishes requirements for the storage of epinephrine on campus and limits civil liability for certain individuals who administer an emergency injection of epinephrine. This is a medication for the toxic effects to individuals who are allergic to certain foods or insects, causing difficult breathing, sometimes be fatal. **Vote 21-0.**

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Ralph G. Boehm for Education. As amended, this bill establishes an Achieving a Better Life Experience Savings Account Program (ABLE) as established by an act by Congress in 2014. This is a savings program similar to a 529 plan, but contributions are not just for education, but for helping individuals with disabilities throughout their life. This bill also establishes a commission that will adopt rules to ensure that the state's ABLE program complies with section 529A of the Internal Revenue Code. The Federal ABLE act amended Section 529 of the Internal Revenue Code to create tax-free savings accounts for individuals with disabilities. It aims to ease financial strains faced by individuals with disabilities by making tax-free savings accounts available to cover qualified expenses such as education, housing and transportation. This would supplement, but not supplant, benefits provided through private insurances, the supplemental security income program, the beneficiary's employment and other sources. An ABLE account could fund a variety of essential expenses for individuals, including medical and dental care, education, community based supports, employment training, assistive technology, housing and transportation. The ABLE act provides individuals with disabilities the same types of flexible savings tools that all other Americans have through college savings accounts, health savings accounts and individual retirement accounts. There are no state monies used in this program. **Vote 19-0.**

ENVIRONMENT AND AGRICULTURE

SB 148, relative to the shellfish inspection program. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Stephen Darrow for Environment and Agriculture. This bill has been brought forward by request of the department of health and human services. The purpose of the bill is to bring New Hampshire statutes into compliance with federal regulations. Passage of the bill will enable New Hampshire commercial shellfish harvesters to do business with out of state customers. The amendment corrects a minor grammatical error. **Vote 15-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 21, relative to the board of mental health practice. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Peter B. Schmidt for Executive Departments and Administration. This bill, as amended by ED&A, sets the quorum requirement of the board at four members. The committee disagreed with the bill as amended by the senate, which had reduced the quorum requirement to three, which might have created a situation where the public members could have outnumbered the mental health practitioners present at a meeting of the board. **Vote 13-0.**

SB 33, relative to continuing education requirements for mental health practitioners on suicide prevention. **OUGHT TO PASS.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration**.** This bill establishes a new education requirement of at least three hours biennially on suicide prevention for licensure renewal by the board of mental health. The committee heard testimony from a wide range of mental health providers, public safety

officials and citizens whose families had been impacted by suicide that this is a serious mental health issue and that it is critically important for mental health professionals to be able to detect early warning signs. Members of the ED&A committee were in full agreement that this is a public policy issue worthy of addressing and the majority believes the inclusion of the education requirements on suicide prevention will help to address the matter. **Vote 11-2.**

SB 43, relative to the care and custody of female prisoners. **OUGHT TO PASS.**
Rep. Mark L. Proulx for Executive Departments and Administration. This is a house keeping bill that was requested by the department of corrections. This bill just changes the name from the state prison for women to the New Hampshire correctional facility for women. **Vote 13-0.**

SB 65, adding a judicial branch employee member to the deferred compensation commission. **OUGHT TO PASS.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration**.** This bill adds a nonclassified judicial branch employee with knowledge of defined contribution plans to the public employees deferred compensation commission. **Vote 13-0.**

SB 104-FN, relative to licensure of research organizations by the pharmacy board. **OUGHT TO PASS.**
Rep. Peter B. Schmidt for Executive Departments and Administration. This bill enables the further development of a high-tech research sector in NH by permitting, in this case, research into drug products, disease and drug diagnostics, and/or drug manufacturing technologies in our state, under the aegis of the NH pharmacy board. Necessary and appropriate definitions and restrictions are contained in the bill to allow the pharmacy board to exercise effective oversight and control, while also providing the opportunity for enhancing and expanding the NH economy. **Vote 15-0.**

SB 161, relative to the wellness and primary prevention council. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill, as amended makes certain changes to the membership and duties of the wellness and primary prevention council, an entity created to address prevention and early intervention for at-risk youth and their families. The bill provides a mechanism for the council to develop standards of quality for participating family resource centers, the entities that provide direct service to at-risk youth and their families. These standards of quality will help to ensure uniformity in the provision of services by the family resource centers. The legislation also changes the composition of the council due to the fact that some of the original participating agencies are no longer in existence. **Vote 12-2.**

SB 250, relative to the jurisdiction and voting procedures of the executive branch ethics committee. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill provides for certain changes to allow the executive branch ethics committee to more effectively fulfill its duties. First, it allows the committee to accept and consider complaints filed against executive branch employees for up to 180 days after the day the official resigns, retires or otherwise leaves his/her position. Currently, once an employee separates from office the ethics committee is unable to pursue any complaint filed against him/her. In addition, the bill changes the requirement for a supermajority for some votes to a simple majority. This was necessitated by the fact that it is at times difficult to meet that threshold. The committee amendment adds an explicit quorum requirement for all votes taken by the committee. After hearing all of the evidence on this subject, ED&A unanimously recommends passage. **Vote 13-0.**

SB 259-FN-L, (New Title) relative to place of assembly licenses. **OUGHT TO PASS.**
Rep. Peter B. Schmidt for Executive Departments and Administration. This bill addresses a gap in the statutes with regard to places of assembly that come about seasonally when bodies of water freeze over, permitting people to gather out on the ice. The question of jurisdiction over such places of assembly required clarification, which this bill provides, namely, the commissioner of safety, or designee. **Vote 13-0.**

FISH AND GAME AND MARINE RESOURCES

SB 70, relative to the processing of lobster tails. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Joe Duarte for Fish and Game and Marine Resources. This is a good bill for local businessmen. The amendment includes the words “shell on” to clarify lobster tails might have shell attached. **Vote 11-0.**

SB 182, relative to the sale of freshwater fishing bait. **OUGHT TO PASS.**
Rep. Douglas B. Long for Fish and Game and Marine Resources. This bill allows the sale of aquatic invertebrates by licensed dealers. This would help prevent the spread of aquatic diseases, by dealers being mandated. **Vote 12-0.**

SB 183, allowing the fish and game department to offer lifetime hunting and fishing licenses for newborns. **OUGHT TO PASS.**
Rep. James A. Spillane for Fish and Game and Marine Resources. This bill is a very positive one, which that invests in the future of hunting and fishing in the state while also allowing families to invest in the future of their children. **Vote 11-0.**

SB 222-FN, relative to harassment of hunting, fishing, or trapping. **OUGHT TO PASS.**
Rep. James C. Webb for Fish and Game and Marine Resources. The fish and game committee heard testimony that there are some problems related to hunters being harassed via banging of pan's and with today's technology, UAVs and drones my be used to harass hunters who have a right to be hunting where they are hunting and or fishing. **Vote 12-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 22, relative to certain changes in the law governing the therapeutic use of cannabis. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs. This bill was requested by the department of health and human services and extends reporting of health care associated infections under the health care associated infections (HAI) program to end-stage renal dialysis centers and in a more limited fashion to nursing and residential care facilities at no additional cost to the state. **Vote 17-1.**

SB 23, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Mary C. Freitas for Health, Human Services and Elderly Affairs. As amended, this bill allows advanced psychiatric nurse practioners the authority to request to the probate court that patients be admitted on a non-emergency involuntary hospitalization to a designated receiving facility. This bill also allows advanced psychiatric nurse practioners the ability to petition the probate court that a guardian's ward be admitted to a state institution for treatment. **Vote 19-0.**

SB 49, relative to clinical eligibility determination for long-term care. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Donald L. LeBrun for Health, Human Services and Elderly Affairs. This bill, as amended allows skilled professional medical personnel employed by, or designated to act on behalf of the department to determine clinical eligibility. The clinical eligibility determination shall be based upon the assessment tool approved by the department, or by an individual with equivalent training designated by the department. The department shall train all persons performing the assessment to use the assessment tool. **Vote 19-0.**

SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and health care quality issues. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Charles E. McMahon for Health, Human Services and Elderly Affairs. While the legislature has responded with statutes to address infectious disease outbreaks in hospitals and other licensed health care facilities, recent events have highlighted possible gaps in infection control regulation, oversight and reporting in health care settings not currently licensed, or actively monitored by the department of health and human services. The focus of this time-limited commission would be to review and assess the existing framework of health care services across these delivery systems and to identify barriers to timely and effective response to, and prevention of, infectious outbreaks. **Vote 19-0**

SB 108-FN, relative to health care associated infections. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Donald L. LeBrun for Health, Human Services and Elderly Affairs. This bill, as amended clarifies that any hospital pursuant to RSA 151:22 shall maintain a program capable of identifying and tracking infections for the purpose of reporting statistics. The bill adds end-stage renal dialysis centers, nursing and other residential care facilities and assisted living facilities and ambulatory surgical facilities as required. **Vote 17-0.**

SB 133-FN, (New Title) relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs. This bill, as amended, improves the public use database file of health insurance and workers compensation medical claims in New Hampshire for the purpose of health care cost transparency while respecting HIPPA and patient privacy concerns. **Vote 16-0.**

SB 187, allowing a patient to designate a caregiver upon entry to a medical facility. **OUGHT TO PASS.**
Rep. Lucy M. Weber for Health, Human Services and Elderly Affairs. This bill arises out of an initiative by the American Association of Retired Persons to encourage better aftercare for a hospital patient following their discharge. The bill requires that the patient be given an opportunity to identify a designated caregiver prior to discharge. If the patient chooses to designate a caregiver, the hospital will: 1.) let the caregiver know of the designation; 2.) notify the caregiver of the intent to discharge and the discharge plan; and 3.) shall give the caregiver instruction about all the aftercare needs in the discharge plan. The goal is to ensure better aftercare and fewer re-hospitalizations. Care has been taken to preserve the autonomy of all concerned. The bill was supported by the NH Hospital Association as it clarifies and promotes uniformity as to discharge procedures. **Vote 17-0.**

SB 200-FN, relative to newborn screening for Krabbe Leukodystrophy. **INEXPEDIENT TO LEGISLATE.**
Rep. Joanne A. Ward for Health, Human Services and Elderly Affairs. Krabbe Leukodystrophy is a terrible genetic disease which is terminal, even if diagnosed and treated. The proposed test for this disease has many

false positives. These infants are subjected to lumbar punctures and the agony of waiting for a diagnosis that may never come. In New York over 2 million babies have been tested since 2006 and only 5 were treated, but did not survive. To quote Dr. Harvey Levy of Harvard, "New Hampshire has very wisely established by statute RSA 132:10a the newborn screening advisory committee to consider additions to newborn screening. Every proposed addition until now has been considered by this committee in the light of medical, scientific and ethical evidence for the best interests of the citizens of New Hampshire. The newborn screening advisory committee, after such consideration, would then present its recommendations and the evidence for it to the commissioner of the department of health and human services. I would hope that the legislature would see fit to follow this procedure for the proposed addition of krabbe disease." **Vote 17-2.**

JUDICIARY

SB 12, relative to jurisdiction over surrogacy cases under RSA 168-B. **OUGHT TO PASS.**
Rep. Joseph M. Hagan for Judiciary. RSA 168-B passed last biennium clarified and confirmed the parental rights of intended parent(s) resulting from assisted reproduction and that the gestational carrier has no parental rights when all parties participate in gestational carrier agreements. Unfortunately, jurisdiction was assigned to the superior and the probate court. This bill would give exclusive jurisdiction to the probate court where the expertise for such matters reside. **Vote 16-0.**

SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Frank H. Heffron for Judiciary. This bill makes several technical corrections to the laws relative to the judicial council, which, among other things, provides general information and makes recommendations to the general court and the judicial system on matters pertaining to the administration of justice and administers the indigent defense delivery system. The bill makes some changes concerning membership of the council; for example, the number of members appointed by the judicial branch administrative council is reduced from 5 to 4. It makes changes in terminology to reflect current practice, e.g., the current statute refers to the judiciary and family law committee, and this bill changes that to judiciary committee. The bill also provides that the Council shall provide legal and guardian-ad-litem services in child protection cases, which it has in fact been doing for some time. Another overdue change is the repeal of RSA 604-A:5, limiting the compensation of appointed counsel. It contained limits so low that the supreme court ruled it unconstitutional several years ago. The changes in this bill are recommended by the council as the result of a performance audit by the legislative budget assistant and received solid bipartisan support in the judiciary committee. **Vote 16-1.**

SB 44, relative to nonpublic sessions of public bodies under the right-to-know law. **OUGHT TO PASS.**
Rep. Mark McLean for Judiciary. This bill amends RSA 91-A:3, II(g) to take the right currently held by county corrections departments to hold nonpublic sessions when considering security related issues, and extends it to the state level. The law offers no additional provisions and only serves to make procedures at the state and county level more uniform. **Vote 18-0.**

SB 91, relative to appointment of counsel for indigent defendants. **OUGHT TO PASS.**
Rep. Claire A. Rouillard for Judiciary. This is a minor technical change to RSA 604-A:2, which provides counsel to indigent defendants charged with a felony or a class A misdemeanor. The current statute incorrectly states the appointment of counsel, after review of financial affidavit, could be made by the "commissioner of administrative services", which is the executive branch. Review of financial affidavits and appointment of counsel is and should be performed by the "court" or the judicial branch. This bill makes that correction. **Vote 18-0.**

SB 94, relative to documents filed electronically with a court under oath. **OUGHT TO PASS.**
Rep. Kurt F. Wuelper for Judiciary. This bill defines the words "under oath" for use in electronically filing court documents. The committee recognized the common use of electronic signatures for all kinds of government purposes and believes that letting people know they are signing "under penalty of perjury" provides adequate certification of their identity. **Vote 15-0.**

MUNICIPAL AND COUNTY GOVERNMENT

SB 20-FN-L, (New Title) establishing a commission on historic burial grounds and cemeteries. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Franklin W. Sterling for Municipal and County Government. The purpose of this bill as amended is to establish a commission on historic burial grounds. The commission is charged with documenting burial grounds, establishing a state historic register of historic burial grounds, reviewing current statutes on the protection of property owners and surrounding properties. The commission shall report it's findings and recommendations on or before November 1, 2016**. Vote 15-0.**

SB 54, relative to property tax payments by therapeutic cannabis alternative treatment centers. **OUGHT TO PASS.**
Rep. Catherine Cheney for Municipal and County Government. This bill fixes a possible unintended loophole in the collection of taxes by an alternative treatment center for therapeutic cannabis under RSA 72:23. It was and is the intent that these properties would pay taxes and SB 54 will ensure that the treatment centers shall make payments in lieu of property taxes in the same amount that the land and buildings would have been subject to if they were owned by a non-exempt owner. These centers were placed under the tax exempt statutes only to allow the attorney general's office oversight. This bill corrected the unintended consequence that they would be tax exempt. **Vote 15-0.**

SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James P. Belanger for Municipal and County Government. This bill allows governing bodies to adopt zoning ordinances, without legislative body approval, for managing storm water to meet federal standards. As amended, the bill requires a non binding advisory review of the project by the municipality's planning and zoning boards. This review will provide some expertise from those two boards that may not be available by the governing body members and could influence the resultant project to more closely conform to a municipality's existing ordinances. **Vote 15-0.**

SB 98, relative to third party review required by the planning board. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Catherine Cheney for Municipal and County Government. This bill, as amended, allows an applicant to request a different third party consultant to review plans. The applicant pays the consultants chosen by the Planning Board out of their own pocket anyway. The committee recognized that developers might want to bring in their own party. SB 98, as amended, would allow the applicant to bring a preferred consultant's name forward for consideration by the planning board even though the final selection is at the sole discretion of the planning board. The planning board retains the authority to exercise reasonable discretion on whether or not to accept the alternate firm. This is a win-win for both the planning board and the developer. **Vote 15-0.**

SB 143, relative to defining phased development. **OUGHT TO PASS.**
Rep. James E. Coffey for Municipal and County Government. This bill defines the term "phased development" which will be helpful to both planning boards and their applicants. Although the term is referred to in other statutes it has never been defined. The unanimous vote came after a very thorough debate and discussion. **Vote 15-0.**

RESOURCES, RECREATION AND DEVELOPMENT

SB 38, establishing a commission to develop a land conservation plan. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James W. McConnell for Resources, Recreation and Development. This bill establishes a commission to review, coordinate and prioritize the state's numerous conservation efforts and make recommendations for proposed legislation implementing the commission's conservation goals. Since 1990, no fewer than 11 legislative committees have documented in detail the need to protect New Hampshire's lands and natural resources. The amendment reduces the number of commission members from an unwieldy twenty one to a more manageable and efficient eleven. **Vote 19-0.**

SB 80, relative to the state trails plan and establishing a committee on rail trails. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Carolyn L. Matthews for Resources, Recreation and Development. A committee of one member of the senate and two members of the house of representatives will solicit testimony from several organizations, the bureau of trails, department of resources and economic development and department of transportation. An earlier study left questions unanswered about usage for railroad beds, immunity laws, inclusion of additional rail trails and policies that govern how rail trails are to be converted and how that process can be made easier for volunteer groups. The Committee agrees that further study is needed and to allow the committee to solicit additional testimony and to include a representative from the freight railroad industry. **Vote 19-0.**

SB 168, relative to the duties of the commissioner of the department of environmental services. **OUGHT TO PASS.**
Rep. Carol M. McGuire for Resources, Recreation and Development. This bill grants the DES commissioner, along with the fish & game director, authority to recommend leases of some areas of Great Bay, to be used for shellfish restoration. Oysters are extremely efficient in cleaning the water in estuaries such as Great Bay, but over the last 40 years, 90% of the previous stock was killed off by pollution, harvesting, and disease. The Nature Conservancy, and other environmental groups, want to spend a few million dollars to restore some of these oyster beds. They want to ensure that harvesters don't raid the beds before they are self-supporting and to do that, a long-term lease of the areas involved is appropriate. Current law does not establish who can recommend a lease for approval by governor and council, so SB168 defines the authority to do so. No fees for the leases are authorized, because cleaning the water is in the state's interest. **Vote 19-0.**

SB 172, relative to the size limitations of off highway recreational vehicles. **OUGHT TO PASS.**
Rep. Chris Christensen for Resources, Recreation and Development. In New Hampshire off highway recreational vehicles (OHRV) are regulated by width and weight. Currently, there is a 62" limit on most state trails. In Jericho Mountain State Park, the limit is 65" which is common in the industry and in many other states. This bill standardizes the width limit at 65" for all state trails. It was noted that the wider, heavier vehicles do not cause more damage than smaller vehicles, and that they provide side by side seating. This enhances safety and gives access to disabled individuals who cannot ride straddle seat type OHRVs. **Vote 17-2.**

SB 173, (New Title) establishing a committee to study the feasibility of a club assistance program for off highway recreational vehicles. **OUGHT TO PASS.**
Rep. Carol M. McGuire for Resources, Recreation and Development. The club assistance program for snowmobiles provides a cost effective way for the enthusiasts and riders to build and maintain the trails, on a mostly volunteer basis. Some registration fees are used to provide materials and other grants to the clubs, and club members (93% of snowmobile riders) pay a reduced registration fee in recognition of their efforts. SB173 creates a study committee to consider a similar program for OHRVs. There are only about 20 OHRV clubs in the state right now, and they are responsible for much of the trail maintenance. Creating a club assistance program on the snowmobile club model would provide a way for the users to contribute more effectively to trail creation and maintenance. **Vote 17-0.**

SCIENCE, TECHNOLOGY AND ENERGY

SB 117-FN-L, relative to energy security and diversity. **INEXPEDIENT TO LEGISLATE.**
Rep. Herbert R. Vadney for Science, Technology and Energy. After years of discussion we are in the final stages of completing divestiture whereby power distribution companies will be prohibited from owning and operating generation facilities. SB117 would reverse that for solar power and make it much easier for power supply traders to own generation facilities, a position which flies in the face of divestiture. These companies which now simply arrange power purchases from actual power generators would, if SB117 passes, begin buying, installing, and owning solar systems that would soon need repairs, spare parts, and general maintenance, and would require these independent "traders" to operate hardware infrastructure which they currently don't do. This is counter to the reasons divestiture has been pursued. Additionally, there seems to be little or no consideration of how large this could grow, how much it could impact electricity rates, or how that much distributed power could be integrated into the grid. This proposed bill would also investigate the costs and benefits of net-metered renewable resources, and authorize an option for local property tax exemptions for geothermal energy systems, both issues that would benefit by being stand-alone issues rather than being bundled with utility level solar power. From the fiscal note: without details on the financial arrangements and generation quantity, the fiscal impact for state, county and local governments is indeterminate. The overall impact on state expenditures is indeterminable but the (PU) commission estimates consulting service costs will be $200,000. **Vote 18-2**

WEDNESDAY, APRIL 15
REGULAR CALENDAR

EDUCATION

SB 69, establishing a commission to study social impact bond funding for early childhood education for at-risk students. **OUGHT TO PASS.**
Rep. Mary Heath for Education. This bill establishes a commission to study social impact bond funding for early childhood education for at-risk students. The commission shall report findings on or before June 1, 2016. State funds are not required for this bill. **Vote 15-6.**

SB 101, prohibiting the state from requiring implementation of common core standards. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Glenn Cordelli for the **Majority** of Education. Common core has been a divisive and confusing issue for local districts and in the state. This bill states clearly that the common core standards are not required to be implemented in any school district. **Vote 11-9.**
Rep. Barbara E. Shaw for the **Minority** of Education. No law in New Hampshire requires school districts to adopt the common core standards, nor has it been mandated by the department of education. Therefore, SB 101 is unnecessary. Common core meaningfully addresses the problem of low expectations in our schools and equalizes learning opportunity. The curriculum may have a different focus at some grade levels, but districts have found it aligns very well with NH career and college ready standards already in place. Much of common core is based on analysis and application of knowledge. This thinking process is a valuable tool for 21st century learning and beyond.

SB 195-FN, (2nd New Title) encouraging instruction in cursive handwriting and memorization of multiplication tables. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Josh Moore for the **Majority** of Education. This bill would simply encourage each school board to teach cursive handwriting and memorization of multiplication tables. It does not mandate that either be taught, so it will not take away local control. We believe that memorization is beneficial in early childhood. We also believe that cursive handwriting still has a place in our society and this skill will be needed by future generations, in order to read our founding documents, as well as many other purposes. **Vote 15-6.**
Rep. James Verschueren for the **Minority** of Education. The minority of the committee does not oppose teaching cursive nor memorization of the multiplication table. This bill is too muddled to be entered into statute. "Encouragement" is fuzzy statutory language. The bill also suggests that it is appropriate for the legislature to tread on the authority of local school boards to set curriculum. A house resolution would have been the more appropriate vehicle for encouraging school boards in this direction.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 48, relative to the New Hampshire commission on Native American affairs. **OUGHT TO PASS.**
Rep. Mark L. Proulx for Executive Departments and Administration. This is a house keeping bill that extends the New Hampshire commission on Native American affairs to the year 2020. The commission recognizes the historic and cultural contributions of Native Americans throughout the state, strengthens and promotes N.H. native peoples' heritage and represents Native American interests through state policy and programming. **Vote 11-3.**

SB 125-FN, relative to certification and licensure for mold assessment or remediation services. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill requires persons who provide mold assessment or remediation services for residential dwellings for a fee to be certified by a nationally recognized accrediting body and licensed by the state. The majority of the ED&A committee agreed that mold constitutes a health problem for homeowners, that one's home is often his/her single largest asset, and that a homeowner should be able to rely on a basic level of competency from providers of mold assessment and remediation services. The amendment clarifies the language of the bill to ensure that providers offering assessment services are included in this category. **Vote 11-3.**

SB 142, proclaiming September 25 as Ataxia Awareness Day. **INEXPEDIENT TO LEGISLATE.**
Rep. Peter T. Hansen for Executive Departments and Administration. The bipartisan majority of the committee felt that while public awareness for Ataxia is important and useful, the committee recognized that the governor in any and every term has the opportunity to declare Ataxia Awareness Day and therefore action by the legislature is not required to achieve the desired results. **Vote 8-5.**

SB 191-FN, relative to the use of the state's procurement card services. **OUGHT TO PASS.**
Rep. Mark L. Proulx for Executive Departments and Administration. This bill is a result of a successful pilot program begun 5 years ago for some executive department purchases. The bill would expand the program by

allowing procurement cards to be used for major contract purchases for items such as salt, oil and gasoline. It would also extend the program to participation by the legislative and judicial branches as well as permitting municipalities and school districts to participate. This program replaces the antiquated field purchase order system which entails multi-form paperwork, delays and inefficient processing by many hands. Instead, procurement cards (with limits) would be used by state agencies and would allow for transactions to be monitored electronically. As a result, department heads could keep tabs on purchases in a day rather than the possibly weeks under the present paper system. The bill would also result in more timely payments to vendors. While the primary purpose of the bill is efficiency and better accountability, there are ancillary financial benefits. There are rebates associated with the use of procurement cards which subdivisions could share if their purchases are consolidated with those of state government. The bill provides for separate accountability and the state would not be responsible in any way for purchases made by participating subdivisions. **Vote 11-3.**

FISH AND GAME AND MARINE RESOURCES

SB 181, relative to registration fees for hunter education programs of the fish and game department. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ivy C. Vann for the Majority of Fish and Game and Marine Resources. The bill allows the fish and game department to charge up to $10 for hunter education classes to reduce the high rate of no shows taking up spaces in over subscribed classes. **Vote 9-2.**

Rep. James A. Spillane for the Minority of Fish and Game and Marine Resources. This bill, although intended to cut down on no-show students, is actually charging a new fee for a program that is currently paid 100% by the federal government. This bill, with some work, could have accomplished the decrease in no-shows without charging a new fee for 100% paid-for program.

JUDICIARY

SB 149, relative to nonpublic sessions under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael J. Sylvia for the **Majority** of Judiciary. This bill sought to add a section to the right-to-know law related to nonpublic sessions which would allow school board discussions of entering into a student or pupil tuition contract. The majority of the committee felt that the addition of a full section solely for this narrow purpose was unnecessary. We believe that the school board contract discussions are currently covered by RSA 91-A: 3 II d.) "Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community." **Vote 13-4.**

Rep. Timothy O. Horrigan for the **Minority** of Judiciary. School districts are frequently required to enter into tuition contracts with other districts. This happens primarily when a district lacks its own high school. This bill, if passed, would allow school boards to meet in nonpublic session while negotiating tuition contracts which would allow them to make better deals.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 47, repealing the payment of subminimum wages to persons with disabilities. **OUGHT TO PASS.**

Rep. Tammy A. Simmons for Labor, Industrial and Rehabilitative Services. This bill as amended eliminates an anachronistic policy that dates back to the 1930s and 1940s. No employers or agencies in NH currently pay sub-minimum wages to disabled employees. This bill does not impact the ability to pay sub-minimum wages in a family business under 279:26a or for training purposes under 279:22-aa. The committee unanimously recognized that disabled people deserve the same dignity and employment opportunities within the same guidelines as everyone else. **Vote 16-0.**

MUNICIPAL AND COUNTY GOVERNMENT

SB 74, establishing a committee to study reducing the cost of county government. **INEXPEDIENT TO LEGISLATE.**

Rep. David A. Bickford for Municipal and County Government. The majority of the committee felt the duties spelled out in the bill could just as well be accomplished by the association of counties. One member of the association testified that he has been involved in about 16 similar studies in the past. Since no two counties are alike and don't want to be, a general study would accomplish little that would apply to all ten. **Vote 11-4.**

RESOURCES, RECREATION AND DEVELOPMENT

SB 16, relative to the requirement for observers of water skiers. **OUGHT TO PASS.**

Rep. James W. McConnell for Resources, Recreation and Development. This bill provides that a wide-angle mirror may, under certain circumstances, replace the observer currently required in motorboats towing water

skiers in a slalom course. Both the boat and the course must meet specific required criteria, so this does not apply to casual recreational skiers, tow boats or off course skiing. The committee found that the wide-angle mirror has successfully replaced tow boat observers elsewhere and, by eliminating the requirement that a third person be present in the tow boat, will increase the opportunities for competitive water skiers to practice their sport. Vote 14-5.

SCIENCE, TECHNOLOGY AND ENERGY

SB 46, relative to public safety radio interoperability. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill replaces the word "telecommunications" with "telephony" to distinguish between radio transmission and telephone-style communication of digital voice and data. It further directs the department of safety to establish a Statewide Interoperability Executive Committee (SEIC) to develop statewide radio communications interoperability standards. These standards will allow police, fire, and other emergency services to communicate efficiently even when they come from different jurisdictions. This capability exists only sporadically today, but is needed as demonstrated by numerous specific examples cited in public testimony and by individual experiences related by committee members. The SEIC will also provide guidelines for the training of dispatchers and dispatch center supervisors, and will recommend technologies, operating procedures, network consolidation, and other resources that will enhance communications interoperability in New Hampshire. This bill was requested by the department of safety. **Vote 13-8.**

Rep. Douglas W. Thomas for the Minority of Science, Technology and Energy. This bill would formalize by statute a massive 45 member subcommittee to oversee statewide radio interoperability between members appointed by the governor of the Advisory Council on Emergency Preparedness and Security (ACEPS). Although members have been meeting informally, no standards have been developed. The minority agrees that statewide radio interoperability is critically important for communications between ACEPS groups and that there should be a focal point to determine what standards are needed, but creating a statute for such a large group would be counter-productive. It is the minority's opinion that a significantly smaller group, representing all the state agencies, would be more efficient and reactive to the needs of the state.

SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William S. Baber for Science, Technology and Energy. Many states have changed how electric utilities are compensated by moving from a model where distribution service rates are based on the amount of power consumed to a model where rates are decoupled from consumption. This model has support from both ratepayers and utilities as it allows greater flexibility in the services utilities can offer. Currently utilities are disincentivized from offering services that conserve energy as doing so would reduce their revenue. Decoupling could remove this disincentive. The majority finds value in creating a commission to study decoupling so that any forthcoming model best meets the needs of New Hampshire, our ratepayers, and utilities. **Vote 13-8.**

SB 208, establishing a committee to study limiting the sulfur content of liquid fuels. **OUGHT TO PASS.**

Rep. Douglas W. Thomas for Science, Technology and Energy. This bill seeks to study the effects on ultra-low sulfur content heating oil. Currently, no. 2 fuel heating oil used in New Hampshire contains 1200-2000 ppm sulfur. Sulfur contributes to equipment corrosion and is a pollutant. Ultra-low sulfur heating oil lowers the sulfur content to 15 ppm. It is currently required in most northeast states and five New England states by 2018. Testimony revealed that the use of ultra-low sulfur heating oil would reduce cleaning oil furnaces from every year to every two years and will not require modifications. By 2018 the cost per gallon of ultra-low sulfur heating oil should be very close to current heating oil prices and would be offset by the savings in reduced furnace cleanings. The study will provide time to investigate further and see how prices are affected. **Vote 17-4.**

COMMITTEE MEETINGS

FRIDAY, APRIL 10

TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE (RSA 12-A:46), DRED, 172 Pembroke Rd., Concord

9:00 a.m. TeleHealth subcommittee meeting.
10:00 a.m. TAB Quarterly meeting.

MONDAY, APRIL 13

ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), joint with PRE-ENGINEERING TECHNOLOGY ADVISORY (RSA 188-E:15), Room 202, LOB

3:00 p.m. Regular meeting.

COMMISSION TO STUDY SEXUAL ABUSE PREVENTION EDUCATION IN ELEMENTARY AND SECONDARY SCHOOLS (RSA 189:69), Room 101, LOB

10:00 a.m. Regular meeting.

NH COURT ACCREDITATION COMMISSION (RSA 490:5-a), NH Supreme Court, One Charles Doe Dr., Concord

1:00 p.m. Regular meeting.

TUESDAY, APRIL 14

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Full committee work session on alimony issues.
Executive session on pending legislation may follow.

1:00 p.m. Full committee work session on family law issues.
Executive session on pending legislation may follow.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. Subcommittee work session on ***SB 99,*** establishing a committee to study allowing the sampling of beer or wine at farmer's markets, ***SB 73,*** relative to documentation of age to purchase alcoholic beverages and tobacco products, ***SB 105,*** relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act, ***SB 189,*** relative to liquor manufacturers, ***SB 93-FN-A,*** relative to the definition of beverage, ***SB 145,*** relative to wine consumed at cocktail lounges, ***SB 35,*** relative to the definition of wine-fortified, and ***SB 216-FN,*** relative to sales of alcoholic beverages by manufacturers.

Room 304, LOB

10:00 a.m. Subcommittee work session on ***SB 266-FN,*** adopting the Uniform Securities Act, ***SB 188-FN,*** revising banking, credit union, and trust laws, and ***SB 254,*** establishing a committee to study the provision of services to the public through peer-to-peer or sharing economy businesses.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. ***SB 72,*** relative to confidentiality of police personnel files and establishing a commission to study the use of police personnel files as they relate to the Laurie List.
Executive session on pending legislation may follow.

11:00 a.m. ***SB 153,*** relative to the accessibility of criminal records.
Executive session on pending legislation may follow.

ELECTION LAW, Room 308, LOB

10:00 a.m. Continued public hearing on ***SB 39,*** relative to recounts on questions.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. Executive session on ***SB 251,*** relative to regulations for commercial composters.

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

10:00 a.m. Subcommittee work session on ***SB 84,*** relative to the definition of "telemedicine."

JUDICIARY, Room 208, LOB

10:00 a.m. ***SB 19,*** relative to the payment of restitution among and between co-defendants.

10:45 a.m. ***SB 240,*** protecting certified public accountants from prosecution or penalty for providing services to alternative treatment centers.
Executive session on pending legislation may follow.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:15 a.m. ***SB 241,*** relative to authorization for the town of Rindge to make capital expenditures from a trust fund.

10:30 a.m. ***SB 141,*** relative to powers of the zoning board of adjustment.

10:45 a.m. ***SB 77-L,*** authorizing the creation of a special purpose village district within the town of Danbury.

Rooms 301-303, LOB

1:00 p.m. ==CANCELLED== ***SB 30-FN-L,*** permitting counties with unincorporated areas to establish tax increment financing districts.

TRANSPORTATION, Room 203, LOB

10:00 a.m. Subcommittee work session on ***SB 230-FN-L,*** relative to speed limits on state roads that are seasonally congested by pedestrian and bicycle traffic.

11:00 a.m. Subcommittee work session on ***SB 63,*** relative to membership of the board of directors for the New Hampshire rail transit authority.

WAYS AND MEANS, Room 202, LOB

9:30 a.m. Continued public hearing ***SB 213-FN-A-L,*** establishing a committee to study the formula for distribution of meals and rooms tax revenues.

10:00 a.m. Full committee work session on ***SB 113-FN-A-L,*** relative to video lottery and table gaming. Executive session on pending legislation may follow.

WEDNESDAY, APRIL 15

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

12:00 p.m. or at session lunch break. Executive session on ***SB 238-FN***, relative to the workers' compensation appeals board.

THURSDAY, APRIL 16

COMMISSION TO STUDY THE EFFECTS OF SERVICE-CONNECTED POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D:1), Army Aviation Support Facility, 26 Regional Dr., Concord

2:30 p.m. Regular meeting.

FINANCE, Rooms 210-211, LOB

9:30 a.m. Executive session on ***SB 5,*** relative to transfers into the revenue stabilization reserve account, ***SB 8-FN-L,*** relative to appropriations for nursing homes, ***SB 13,*** relative to the disposition of dedicated funds, ***SB 32,*** relative to state agency budgetary reporting requirements, ***SB 90,*** relative to the judicial branch budget, and ***SB 258-FN,*** changing the timing of determination of weighted case units for the purpose of calculating the judicial branch budget request and judicial salaries.

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

10:00 a.m. Continued public hearing on ***SB 7,*** adding duties to the joint health care reform oversight committee.

JUDICIARY, Room 206-208, LOB

10:00 a.m. ***SB 124-FN,*** relative to filing felonies first in the superior court.

1:00 p.m. ***SB 209-FN,*** adopting the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.
Executive session on pending legislation may follow.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Executive session on ***SB 77-L,*** authorizing the creation of a special purpose village district within the town of Danbury, ***SB 141,*** relative to powers of the zoning board of adjustment, and ***SB 241,*** relative to authorization for the town of Rindge to make capital expenditures from a trust fund.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Ad Hoc subcommittee to develop a strategy on the future of Renewable Portfolio Standards.

FRIDAY, APRIL 17

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

9:00 a.m. Regular meeting.

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 303, LOB

1:00 p.m. Regular meeting.

GUARDIAN AD LITEM BOARD (RSA 490-C:1), Room 101, LOB

11:00 a.m. Non-public session of the Complaint Review Committee.

NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g), Room 201, LOB

10:00 a.m. Regular meeting.

MONDAY, APRIL 20

COMMISSION TO STUDY MENTAL HEALTH IMPLEMENTATION IN NEW HAMPSHIRE (RSA 135-C:63-b), Rooms 205-207, LOB

10:00 a.m. Regular meeting.

INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E), Room 204, LOB

1:30 p.m. Regular meeting.

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q), Room 205, LOB

1:30 p.m. Regular meeting.

TUESDAY, APRIL 21

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. Subcommittee work session on ***SB 105,*** relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act.

11:00 a.m. Subcommittee work session on ***SB 155-FN-A,*** establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. ***SB 235,*** relative to the condominium act and the land sales full disclosure act.

10:15 a.m. ***SB 242-L,*** relative to amending the budget in towns that have adopted official ballot voting.

10:30 a.m. ***SB 146,*** relative to accessory dwelling units.

THURSDAY, APRIL 23

FINANCE - (DIVISION I), Room 212, LOB

10:00 a.m. Agency briefing with Commissioner Denis Goulet, Department of Information Technology.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Executive session on ***SB 146,*** relative to accessory dwelling units, ***SB 235,*** relative to the condominium act and the land sales full disclosure act, and ***SB 242-L,*** relative to amending the budget in towns that have adopted official ballot voting.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 303, LOB

10:00 a.m. ***SCR 1,*** recognizing the contribution of Bhutanese refugees to New Hampshire, and requesting the United States government to work diligently on resolving the Bhutanese refugee crisis, reaching an agreement to allow the option of repatriation, and promoting human rights and democracy in Bhutan. ****Please note room.***

11:00 a.m. ***SCR 2,*** urging Congress to discontinue foreign aid to Argentina until financial disputes are resolved. ****Please note room.***
Executive session on pending legislation may follow.

FRIDAY, APRIL 24

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J), Rooms 301-303, LOB

9:30 a.m. Regular meeting.

TUESDAY, APRIL 28

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. Executive session on ***SB 105,*** relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act, and ***SB 155-FN-A,*** establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

1:15 p.m. Subcommittee work session on ***SB 218-FN,*** making spoofing an unfair and deceptive act under the consumer protection law, ***SB 55,*** allowing private employers to establish a policy granting a veterans' preference in employment decisions, ***SB 223-FN,*** relative to name availability for business organizations, ***SB 50,*** relative to the content of a mortgage foreclosure notice, ***SB 52,*** establishing a commission to study the issue of residential tenancies in foreclosed properties, ***SB 115-FN,*** relative to the resale of condominium and subdivision time shares, and ***SB 219-FN,*** relative to breastfeeding.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. Executive session on ***SB 86,*** relative to state procurement of goods and services, ***SB 96,*** establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards, and ***SB 202-FN,*** relative to licensure of outsourcing facilities by the pharmacy board.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. ***SB 221-FN,*** relative to electric rate reduction financing.

FRIDAY, MAY 1

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

NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R), Room 308, LOB
10:00 a.m. Regular meeting.

MONDAY, MAY 4

STATE COMMITTEE ON AGING (RSA 161-F:7), DHHS, Brown Bldg., 129 Pleasant St., Concord
10:00 a.m. Regular meeting.

TUESDAY, MAY 5

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Rooms 205-207, LOB
10:00 a.m. Kids Count presentation.

WEDNESDAY, MAY 6

ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES (RSA 186-C:3-b), NHDOE, Londergan Hall, Room 15, 101 Pleasant St., Concord
4:30 p.m. Regular meeting.

FRIDAY, MAY 8

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13), Room 205, LOB
11:00 a.m. Regular meeting.

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 307, LOB
9:00 a.m. Regular meeting.

MONDAY, MAY 11

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), NH Department of Revenue Administration, 109 Pleasant St., Concord
9:30 a.m. Regular board meeting.

THURSDAY, MAY 14

ELECTRIC UTILITY RESTRUCTURING OVERSIGHT COMMITTEE (RSA 374-F:5), Room 304, LOB
10:00 a.m. Regular meeting.

HOME EDUCATION ADVISORY COUNCIL (RSA 193-A:10), NH Department of Education, Londergan Hall Room 12, 101 Pleasant St., Concord
3:30 p.m. Regular meeting.

FRIDAY, MAY 15

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

FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB
10:00 a.m. Regular business.

MONDAY, MAY 18

COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), NH Higher Education Assistance Foundation, 4 Barrell Court, Concord.
10:00 a.m. Regular meeting.

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q), Room 205, LOB
1:30 p.m. Regular meeting.

TUESDAY, MAY 19

JOINT HEALTH CARE REFORM OVERSIGHT COMMITTEE (RSA 420-N:3), Room 302, LOB
3:00 p.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The **Hillsborough** County Executive Committee will be meeting on **Friday April 24th at 9:00 a.m.** at the Hillsborough County Complex, Bouchard Building, Goffstown.

Rep. Jim Belanger, Clerk
Hillsborough Executive Committee

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive Committee will meet on **Friday, April 17th at 9:30 a.m.** in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood. The purpose of the meeting is to conduct the first quarter budget review.

Rep. David A. Welch, Clerk
Rockingham County Convention

REVISED FISCAL NOTES

The following Bills have revised fiscal notes: HBs 177, 197, 208, 215, 221, 267, 354, 357, 477, 563, 577, 578, 596, 600, 606, 609, 614, 619, 622, 626, 628, 629, 630, 632, 634, 635, 638, 639, 642, 648, 649, 651, 654, 655, 656, 658, 881, 663, 665, 667, 668, 669, 671, 672, 673, 674, 677, 678, 679, 680, 681, 684, 685, SB 20, SB 93, SB 104, SB 112, SB 120, SB 133, SB 135, SB 188, SB 190, SB 191, SB 195, SB 211, SB 214, SB 230, SB 259

MEMBERS' NOTICES

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

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Dr. Doug Marlowe, a leading national researcher and educator in the drug court and problem-solving court fields will be coming to Concord on **Tuesday, April 14th.** He will be speaking to legislators from **12:00-2:30 p.m.,** LOB Room 210 to address NH Legislators regarding the brain, addiction and drug court as an evidenced based treatment option for high risk offending addicts. This program is especially important given the rising number of individuals arrested for crimes associated with their substance use disorders. Lunch will be served. RSVP to JLfrench@courts.state.nh.us or 603-271-2521.

Reps. Jack Flanagan and Stephen Shurtleff

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On **Tuesday, April 14th** nationally known author Jonathan Williams will be hosting a luncheon to discuss his new book, Rich States, Poor States the annual ranking of all 50 states. The lunch will be located in LOB rooms 305-307 from **12:00 p.m.-1:00 p.m**. All representatives are invited to attend, however, space is limited. Please RSVP to pamzt@comcoast.net

Reps. Bill Ohm, Gary Azarian, Pamela Tucker

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The NH House Business Caucus meeting on **Tuesday, April 14th**, will be sponsored by the Independent Business Council of NH, an organization whose mission is to strengthen and promote a strong and healthy business climate which spurs investment in the granite state. All current, pro-business House members are encouraged to attend, enjoy coffee and pastries, and learn more about efforts to improve economic growth. The meeting will be held **at 8:30 a.m.** in LOB 302.

Reps. Laurie Sanborn, Patrick Abrami, Adam Schroadter

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Members of the General Court and staff are invited to a free chair massage on **Tuesday, April 14th from 9:00 a.m. to 2:00 p.m**. in room 212, LOB. This annual event is sponsored by the NH chapter of the National Association of Massage Therapists.

Rep. Ben Baroody

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All members are invited to Capitol Bible Study and Prayer on **Wednesday, April 15th at 8:00 a.m.** in LOB 303 with Pastor Peter Chamberland. Come for a time of refreshments and prayer before session.

Rep. Warren Groen

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The New Hampshire Association of Regional Planning Commissions (NHARPC) will be hosting a Legislative Breakfast on **Wednesday, April 15th** from **8:00 a.m. – 9:30 a.m.** in the State House Cafeteria. We cordially invite all members of the New Hampshire House and Senate to attend. Members of NHARPC will be present to highlight various projects that the regional planning commissions are involved in.

Rep. James Coffey

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The Rustik Baby Project, NH Citizens Alliance and NH Breastfeeding Rights Coalition invite members to a luncheon and meet and greet regarding SB 219, relative to breastfeeding, on **Wednesday, April 15th from 11:30 a.m. to 1:30 p.m.** in the State House Cafeteria. Come meet your constituents, take home materials and photo ops. Please contact Kate Frederick at 603-630-6382 or at www.rustikevents.com for more information.

Reps. Ed Butler and Karen Umberger

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Casino Free NH and the Granite State Coalition Against Expanded Gambling invite all representatives to join us for lunch at St. Paul's Church, Ordway Hall (in the basement of the Church) on **Wednesday, April 15th** during the session lunch break. There will be a brief program and the opportunity to have questions answered.

Reps. David Hess and Mary Jane Wallner

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The Coalition of Legislators Against Downshifting (CLAD) will meet with staff members of New Hampshire Municipal Association at **lunch time on Wednesday April 15th** in LOB room 201. Bring your own lunch.

Reps. Mario Ratzki, Thomas Buco, David Karrick

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The NH Oral Health Coalition invites all House members to join us for our Annual Legislative Breakfast – "Banding Together for NH's Oral Health" on **Wednesday, April 22nd** from **7:30 to 9:00 a.m.** in the NH State House Cafeteria. A *hot* breakfast will be served by Elizabeth's Kitchen at the State House. Oral Health Coalition members statewide will provide displays and updated information on access to oral health throughout NH. RSVP to: info@nhoralhealth.org or 603-415-5550.

Rep. Tom Buco

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UNH President Mark Huddleston invites all lawmakers to join him for the Annual UNH Legislative Luncheon on **Thursday, April 23rd from 12:00 to 1:00 p.m**. at the State Library (20 Park Street, Concord). This year's event will feature a complimentary lunch followed by a discussion of the successes, challenges and future opportunities for the University of New Hampshire. Please RSVP by April 20th to thomas.cronin@unh.edu.

Shawn N. Jasper, Speaker

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The Greater Epping Republican Committee invites you to a program entitled, "Big Government Education: Rotten to the Common Core" on **Sunday, April 26th from 2:00-4:00 p.m.** at the Town Hall at 157 Main Street in Epping. The featured speakers include: Dr. Duke Pesta, a professor of English at the University of Wisconsin who has written and spoken extensively about Common Core, which he warns will fail to boost academic success and will lead to social engineering by the federal government; Ann Marie Banfield, a volunteer for Cornerstone Action of NH where she serves as Education Liaison. To pre-register for this event, call 679-2444, e-mail greatereppinggop@gmail.com, or visit http://greatereppinggop.wix.org/eppinggop.

Reps. Jeffrey Harris and Michael Vose

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All legislators and staff are warmly welcomed to a Celebration of New Car Technology on **Wednesday, April 29th** from **11:30 a.m. to 2:00 p.m**. on the State House Plaza. Please join the Alliance of Automobile Manufacturers outside as automakers showcase their vehicles and the latest in automotive technology. Alliance staff will be on hand to answer your questions about the industry and its critical role in the economic growth of the Granite State.

Reps. Gene Chandler, Jack Flanagan, Stephen Shurtleff

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The New Hampshire Soft Drink Association cordially invites all House and Senate members and legislative staff to enjoy lunch on **Wednesday, April 29th** from **12:00 p.m. to 2:00 p.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. See you there!

Reps. Jack Flanagan and Stephen Shurtleff

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The House Republican Alliance will meet **Tuesdays, 8:30 a.m. in LOB 204** to discuss legislation. All Republican Representatives are welcome.

Reps. Carol McGuire, Bill Ohm, Leon Rideout

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 **2015** These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes.

Please contact the Visitor Center concerning school tour booking information. Legislators planning to meet with students should notify the Visitor Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director
Deborah Rivers, Public Information Administrator

DATE	*TIME*	*GROUP*	*Group#/Grade*
April 10	9:30	Mount Lebanon School – Lebanon	49/4
April 10	10:30	Greenfield Elementary School	20/4
April 10	10:30	Hancock Elementary School	20/4
April 10	11:30	Teen Pact	
April 13	9:30/11:00 SH/HM	Webster School – Manchester	57/4
April 13	10:30	Lafayette Regional School – Franconia	17/4
April 14	9:45	Maple Wood School – Somersworth	45/4
April 14	1:00	SNHU International Students	10/col
April 14	11:00	Goshen Lempster Coop School	20/4
April 15	9:30/11:00 SH/HM	Jaffrey School	60/4
April 15	12:00	Alvirne High School – French Exchange	35/HS
April 16	10:00/11:30 SH/HM	Horne St. School – Dover	105/4
April 17	9:45/10:45 SH/HM	D.A.R. NH Good Citizens	100/HS & adults
April 17	10:00/11:30 SH/SC	Captain Samuel Douglas School – Brookline	95/4
April 17	10:15	Merrimack Valley Middle School	12/HS
April 17	1:30	Emerging Leaders in Communities of Color	10/adults
April 20	10:30	Ossipee Central School	54/4
April 20	11:30	Tuftonboro Central School	21/4
April 20	3:00	Belmont High School – French Exchange	36/HS
April 21	10:00/11:30 SH/HM	Garrison School – Dover	100/4
April 21	12:30	Christa McAuliffe School – Concord	50/4
April 22	9:00	Greenland Central School	49/4
April 22	10:00	Pax Exchange Students	20/HS
April 22	12:00	Presentation of Mary School – Hudson	50/4
April 23	9:45/11:00 SH/HM	Danville Elementary School	63/4
April 23	9:45	Nashua Christian Academy	9/4
April 23	12:30	Christa McAuliffe School	25/4

DATE	*TIME*	*GROUP*	*Group#/Grade*
April 24	9:30/11:00 SH/HM	Hillsboro-Deering School	90/4
April 28	10:00	Keene State College French students	35/Col
April 29	9:00	Hanover High School German Exchange students	20/HS
April 29	3:00	Immaculate Conception Apostolic School	27/HS
April 30	10:30	North Walpole School	24/4
May 1	10:00	Antrim Elementary School	25/4
May 1	11:00	Enfield Village School	45/4
May 4	9:00	Strong Foundations Charter School – Pembroke	25/4
May 4	9:30/11:00 SH/HM	South Nashua High School	70/HS
May 5	9:45/11:00	Woodman Park School – Dover	105/4
May 5	9:30	Bridgewater-Hebron School	25/4
May 6	1:30	NH State Legislative Council	
May 6	9:30/11:00 SH/HM	Epping Elementary School	80/4
May 6	10:00	Paul School – Wakefield	43/4
May 7	10:15/11:30 SH/HM	Auburn Village School	60/4
May 7	11:00	Hudson Home School	12
May 7	12:30	Conway Elementary School	35/4
May 7	3:00	IREM	25/adults
May 8	9:30	Canterbury School	
May 8	10:00	Mont Vernon School	31/4
May 8	10:00	Newfields Elementary School	32/4
May 8	11:00	Campton Elementary School	40/4
May 8	1:00	Sugar Hill Retirement Community	18/Srs

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to SB 14

(2015-1242h)

Proposed by the Committee on Judiciary - c

Amend RSA 494:2 as inserted by section 2 of the bill by replacing it with the following:

494:2 Appointment and Tenure of Office. The term of each member except the members of the judicial branch administrative council, the attorney general, the president-elect of the New Hampshire Bar Association, and the chairpersons of the senate judiciary committee and the house judiciary [~~and family law~~] committee shall be for 3 years and until a successor is appointed and qualified. Vacancies shall be filled for the remainder of the term in the same manner and from the same group as the original appointment. Each member of the judicial branch administrative council, the attorney general, the president-elect of the New Hampshire Bar Association, and the chairpersons of the senate judiciary and house judiciary [~~and family law~~] committees shall be ex officio members and shall serve during their term of office.

Amendment to SB 20-FN-LOCAL

(2015-1129h)

Proposed by the Committee on Municipal and County Government - c

Amend RSA 227-C:12-a as inserted by section 1 of the bill by inserting after subparagraph II(n) the following new subparagraph:

(o) The Roman Catholic bishop of Manchester, or designee.

Amend RSA 227-C:12-a, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The commission shall file interim reports of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015, November 1, 2016, and November 1, 2017, and a final report on or before November 1, 2018.

Amend the bill by replacing section 3 with the following:

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2018.

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

2015-1129h

AMENDED ANALYSIS

This bill also establishes the commission on historic burial grounds and cemeteries.

Amendment to SB 21

(2015-0973h)

Proposed by the Committee on Executive Departments and Administration - c

Amend the bill by replacing section 1 with the following:

1 Mental Health Practice; Board Quorum. Amend RSA 330-A:9, I to read as follows:

I. The board shall hold regular annual meetings. Other meetings of the board shall be held at such times and upon such notice as the rules of the board provide. [~~Five~~] ***Four*** members shall constitute a quorum.

Amendment to SB 22

(2015-1251h)

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

Amend RSA 126-X:4, I(c) as inserted by section 2 of the bill by replacing it with the following:

(c) A recent passport-sized photograph of the applicant's face. ***The department may use the photograph submitted with the initial application for up to 5 years for the purpose of issuing renewal or replacement registry identification cards, after which the applicant shall submit a new photograph.***

Amend RSA 126-X:4, II(b) as inserted by section 3 of the bill by replacing it with the following:

(b) A recent passport-sized photograph of the applicant's face. ***The department may use the photograph submitted with the initial application for up to 5 years for the purpose of issuing renewal or replacement registry identification cards, after which the applicant shall submit a new photograph.***

Amend RSA 126-X:5, I(b) as inserted by section 6 of the bill by replacing it with the following:

(b) The actor is a designated caregiver who has been issued a valid registry identification card***,*** was in possession of [~~a~~] cannabis in a quantity and location permitted pursuant to this chapter, and was engaged in the therapeutic use of cannabis on behalf of a qualifying patient ***; or***

Amendment to SB 23

(2015-1123h)

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

Amend the bill by replacing section 4 with the following:

4 Admission to State Institutions; Advanced Practice Registered Nurses Added. Amend RSA 464-A:25, I(a)(6) to read as follows:

(6) A guardian may not admit a ward to a state institution for more than 60 days for any single admission or more than 90 days in any 12-month period upon certification of a physician or psychiatrist***, or an advanced practice registered nurse, as defined in RSA 135-C:2, II-a*** without filing a petition requesting approval of the probate court.

Amendment to SB 38

(2015-1239h)

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

Amend RSA 162-C:12, I(a)-(m) as inserted by section 1 of the bill by replacing it with the following:

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

(b) One member of the resources, recreation and development committee of the house of representatives, appointed by the speaker.

(c) One member from the New Hampshire Association of Conservation Commissions to represent municipal conservation interests, appointed by that association.

(d) Three representatives of statewide or regional conservation organizations, appointed by the governor.

(e) One person representing business and industry, appointed by the Business and Industry Association.

(f) One person representing hunting, fishing, and other outdoor recreation, appointed by the fish and game commission.

(g) One person representing real estate interests, appointed by the New Hampshire Association of Realtors.

(h) One member of the New Hampshire Farm Bureau, appointed by the that organization.

(i) One person representing the forest products industry, appointed by the New Hampshire Timberland Owners Association.

Amend RSA 162-C:12, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Solicit input from the public, non-profit organizations, the land and community heritage investment program, regional planning commissions, the university of New Hampshire cooperative extension service, businesses and other stakeholders, and from representatives of land conservation initiatives in other states.

Amendment to SB 49

(2015-1185h)

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

Amend RSA 151-E:3, II as inserted by section 2 of the bill by replacing it with the following:

II. [~~A person is eligible for services under the medicaid waiver if the person has been determined clinically eligible under RSA 151-E:3, I(a), and financially eligible pursuant to rules adopted by the commissioner under RSA 541-A~~]. ***Skilled professional medical personnel employed by or designated to act on behalf of the department shall determine clinical eligibility in accordance with the criteria in subparagraph I(a). The clinical eligibility determination shall be based upon an assessment tool, approved by the department, performed by skilled professional medical personnel employed by the department, or by an individual with equivalent training designated by the department. The department shall train all persons performing the assessment to use the assessment tool. For the purposes of this section, "skilled professional medical personnel" shall have the same meaning as in 42 C.F.R., section 432.50(d)(1)(ii).***

Amendment to SB 56

(2015-1227h)

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

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

AN ACT establishing a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

Amend the bill by replacing sections 1 and 2 with the following:

1 Statement of Intent.

I. The general court recognizes that:

(a) New Hampshire is committed to improving patient safety and promoting better health care quality outcomes for its citizens.

(b) New Hampshire and its regulatory agencies are committed to working in partnership with health care providers across all health care delivery settings to identify improvement in the oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues.

II. Therefore, the general court hereby establishes a commission to study oversight, regulation, and reporting of patient safety concerns as it relates to infectious disease prevention and control issues to achieve a better understanding of the landscape of credentialing and regulatory oversight of independent or private, unlicensed and/or unaffiliated health care settings with a goal of better-informed policy decision making regarding patient safety concerns related to infectious disease control issues and a determination of the need for future remedial legislation. This commission is not intended to duplicate the work of the health care quality assurance commission under RSA 151-G but to work in collaboration regarding health care infectious disease prevention and control quality issues.

2 New Subdivision; Commission to Study Oversight, Regulation, and Reporting of Patient Safety and Infectious Disease Prevention and Control Issues. Amend RSA 126-A by inserting after section 67 the following new subdivision:

Commission to Study Oversight, Regulation, and Reporting of Patient Safety and Infectious Disease Prevention and Control Issues

126-A:68 Commission to Study Oversight, Regulation, and Reporting of Patient Safety and Infectious Disease Prevention and Control Issues Established.

I. There is established a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

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

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

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

(c) The director of the division of public health services, department of health and human services, or designee.

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

(e) A representative of the New Hampshire board of dental examiners, appointed by the board.

(f) A representative of the New Hampshire board of medicine, appointed by the board.

(g) A representative from the New Hampshire board of nursing, appointed by the board.

(h) A representative from the New Hampshire board of pharmacy, appointed by the board.

(i) A representative from the New Hampshire board of podiatry, appointed by the board.

(j) A representative from the New Hampshire Foundation for Healthy Communities, appointed by the foundation.

(k) A representative from the New Hampshire Hospital Association, appointed by the association.

(l) A physician from the New Hampshire Medical Society, appointed by the society.

(m) A dentist from the New Hampshire Dental Society, appointed by the society.

(n) A representative from the New Hampshire Ambulatory Surgery Center Association, appointed by the association.

(o) A representative from the New Hampshire Infection Control and Epidemiology Professionals, appointed by that organization.

(p) A representative of a nursing home facility, appointed by the New Hampshire Health Care Association.

(q) Two public members, at least one of whom shall be an independent office-based health care practitioner, appointed by the governor.

(r) An APRN, appointed by the New Hampshire Nurse Practitioner Association.

III. The commission shall be an administratively attached agency, under RSA 21-G:10, to the department of health and human services.

IV. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

V. The commission's study shall include, but not be limited to:

(a) Conducting an assessment of the existing framework for the oversight, regulation, and reporting of patient safety concerns related to infectious disease prevention and control issues among health care delivery settings, focused on, but not limited to, private, unlicensed, and/or unaffiliated health care settings, to help coordinate response to any arising infectious disease prevention and control concerns.

(b) Evaluating credentialing and regulatory oversight to determine unforeseen or hidden gaps which may pose barriers to timely and effective public health response to infectious disease prevention and control concerns in health care settings.

(c) Reviewing coordination of interagency communication relating to any infectious disease prevention and control concern across health care delivery settings including, but not limited to, private, unlicensed, and/or unaffiliated health care settings.

(d) Discussing potential deficits and areas for improvement in the current framework of regulatory oversight with a goal to identify recommended solutions, both legislative and non-legislative.

VI. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 60 days of the effective date of this section. Eleven members of the commission shall constitute a quorum.

VII. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairperson of the health and human services oversight committee established under RSA 126-A:13, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015.

2015-1227h

AMENDED ANALYSIS

This bill establishes a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

This bill is a request of the department of health and human services.

Amendment to SB 60

(2015-1259h)

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

Amend RSA 374-F:4-a, II as inserted by section 1 of the bill by deleting subparagraph (l).

Amendment to SB 70

(2015-1206h)

Proposed by the Committee on Fish and Game and Marine Resources - c

Amend the bill by replacing sections 1-3 with the following:

1 Lobster; Legal Length. Amend RSA 211:27, I to read as follows:

I. No person may transport, buy, sell, give away, or expose for sale, or possess for any purpose, any lobster less than the minimum legal length alive or dead, cooked or uncooked, measuring from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell. The minimum legal length shall be determined in rules adopted by the executive director under RSA 211:62. ***This paragraph shall not apply to uncooked shell-on lobster tails processed onshore in a New Hampshire facility permitted under RSA 211:38-a or a similar facility outside of New Hampshire.***

2 Mutilated Lobsters; Exception. Amend RSA 211:30 to read as follows:

211:30 Mutilated Lobsters. The possession of lobsters, or parts thereof, alive or dead, cooked or uncooked, mutilated in such manner as to make accurate measurements as prescribed in this chapter impossible, shall be prima facie evidence that they are not of required legal length. Provided that this section shall not apply to***:***

I. Hotels, restaurants, or individuals having in possession chopped lobster meat as provided in RSA 211:28 or lobster processed under a lobster tail permit in accordance with RSA 211:38-a.

II. Uncooked shell-on lobster tails processed outside of New Hampshire and offered for sale in this state.

3 Lobster Tail Permit; Processing. Amend RSA 211:38-a, I to read as follows:

I. Any person who is licensed to engage in the wholesale trade of marine species in accordance with RSA 211:49-c may engage in the processing of lobster tails after procuring from the executive director a lobster tail permit. The lobster tail permit authorizes the licensee to remove a lobster tail from a legal sized lobster, as defined in RSA 211:27, I and II, and process that ***shell-on*** whole and intact lobster tail. No lobster greater than the maximum legal length as described in RSA 211:27, III shall be used for lobster tail processing. Processing shall only be conducted at the one location or place of business which is listed on the lobster tail permit. All containers in which ***shell-on*** lobster tails are packed to be sold, shipped, or transported must be clearly labeled with the name, address, and permit number of the packer along with a description of the product. [~~The processing and possession of these lobster tails shall be permitted only for distribution outside New Hampshire.~~]

2015-1206h

AMENDED ANALYSIS

This bill allows the processing of uncooked shell-on lobster tails for sale in New Hampshire.

Amendment to SB 80

(2015-1217h)

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

Amend paragraph III of section 2 of the bill by replacing it with the following:

III. Members of the committee shall solicit testimony from, but not limited to, the following:

(a) Londonderry Trailways.

(b) Windham Rail Trails.

(c) The Mascoma River Greenway Coalition.

(d) The New Hampshire Railroad Revitalization Association.

(e) The New Hampshire Horse Council.

(f) The New Hampshire Off Highway Vehicle Association (NHOHVA).

(g) The chief supervisor of the bureau of trails, department of resources and economic development, or designee.

(h) Representatives of the department of transportation.

(i) A representative from the freight railroad industry.

Amendment to SB 97

(2015-1118h)

Proposed by the Committee on Municipal and County Government- c

Amend RSA 149-I:6, I-a as inserted by section 1 of the bill by replacing it with the following:

I-a. In municipalities where stormwater is collected and discharged, the mayor and ***aldermen or town governing body may, with the advice of the planning board and the zoning board of adjustment, adopt such ordinances and bylaws as are required for the proper maintenance and operation of the stormwater system or stormwater utility and any appurtenant structures, and to promote flood control and erosion control, water quality management, ecological preservation, management of annual pollutant load contained in stormwater discharge, and municipal compliance with applicable state and federal stormwater laws and regulations.***

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Duties of the Planning Board. Amend RSA 674:1, II to read as follows:

II. The planning board may:

(a) From time to time report and recommend to the appropriate public officials and public agencies programs for the development of the municipality, programs for the erection of public structures, and programs for municipal improvements. Each program shall include recommendations for its financing. It shall be part of the planning board's duties to consult with and advise public officials and agencies, public utility companies, ***and*** civic, educational, professional, research***,*** and other organizations, and to consult with citizens, for the purposes of protecting or carrying out of the master plan as well as for making recommendations relating to the development of the municipality.

(b) Advise the governing body as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems under RSA 146-I:6, I-a comply with the master plan.

3 Powers of Zoning Board of Adjustment. Amend RSA 674:33, I to read as follows:

I. The zoning board of adjustment shall have the power to:

(a) Hear and decide appeals if it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16[~~; and~~]**.**

(b) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:

(1) The variance will not be contrary to the public interest;

(2) The spirit of the ordinance is observed;

(3) Substantial justice is done;

(4) The values of surrounding properties are not diminished; and

(5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

(A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and

(ii) The proposed use is a reasonable one.

(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it. The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

(c) Advise the governing body as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems under RSA 146-I:6, I-a comply with zoning ordinances.

2015-1118h

AMENDED ANALYSIS

This bill authorizes municipalities to regulate stormwater in order to comply with federal and state laws and regulations.

This bill also authorizes planning boards and zoning boards of adjustment to advise governing bodies as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems comply with the master plan and zoning ordinances, respectively.

Amendment to SB 98

(2015-1113h)

Proposed by the Committee on Municipal and County Government - c

Amend the bill by replacing section 1 with the following:

1 Third Party Review. Amend RSA 676:4-b, I to read as follows:

I. A planning board reviewing a subdivision plat, site plan, or other land use application may require the applicant to reimburse the board for expenses reasonably incurred by obtaining third party review and consultation during the review process, provided that the review and consultation does not substantially replicate a review and consultation obtained by the zoning board of adjustment. ***The applicant may request the planning board choose a different third party consultant and the request may include the name of a preferred consultant. The planning board shall exercise reasonable discretion to determine whether the request is warranted. When such a request is granted by the planning board, the 65-day period for the board's action on an application stated in RSA 676:4, I(c)(1) shall be extended 45 days to provide the board adequate time to identify a different consultant.***

Amendment to SB 108-FN

(2015-1223h)

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

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

1 Health Care Associated Infections; Facilities Added. Amend RSA 151:33 through RSA 151:35 to read as follows:

151:33 Hospitals***, End-Stage Renal Dialysis Centers, Nursing and Other Residential Care Facilities, Assisted Living Residences,*** and Ambulatory Surgical Facilities Required to Report.

I. Any hospital licensed pursuant to this chapter shall maintain a program capable of identifying and tracking infections for the purpose of reporting under this section. ***Nothing in this section shall be construed to mandate or require influenza vaccination for health care personnel and patients/residents.*** Such program shall have the capacity to identify the following elements:

(a) The specific infectious agents or toxins and site of each infection;

(b) The clinical department or unit within the facility where the patient first became infected or was first diagnosed; and

(c) The patient's diagnoses at time of admission and any relevant specific surgical, medical, or diagnostic procedure performed during the current admission.

II.(a) Hospitals shall initially identify, track, and report infections to include:

(1) Central line related bloodstream infections;

(2) [~~Ventilator associated pneumonia~~] ***Catheter associated urinary tract infections***; and

(3) Surgical wound infections.

(b) Hospitals shall also initially identify, track, and report process measures including:

(1) Adherence rates of central line insertion practices;

(2) Surgical antimicrobial prophylaxis; and

(3) Coverage rates of influenza vaccination for health care personnel and patients/residents.

II-a. Any ambulatory surgical facility licensed pursuant to this chapter shall maintain a program capable of identifying and tracing infections for the purpose of reporting under this section. Such program shall have the capacity to identify the following elements:

(a) Surgical wound infections.

(b) Surgical antimicrobial prophylaxis.

(c) Coverage rates of influenza vaccination for health care personnel.

II-b. Any end-stage renal dialysis center licensed pursuant to this chapter shall maintain a program capable of identifying and tracking infections for the purpose of reporting under this section. Such program shall have the capacity to identify the following elements:

(a) Positive blood culture.

(b) Vascular access site infection.

(c) Intravenous antimicrobial start time.

(d) Coverage rates of influenza vaccination for health care personnel.

II-c. Any nursing and residential care facility licensed pursuant to this chapter, or any assisted living residence licensed under RSA 161-J shall maintain a program capable of identifying and tracking the coverage rates of influenza vaccination for health care personnel and patients/residents.

III. Subsequent to the initial requirements identified in [~~paragraph~~] ***paragraphs*** II, ***II-a, or II-b,*** the department shall, from time to time, require the tracking and reporting of other types of infections[~~, including urinary tract infections~~] when reporting protocols are identified by the department, that occur in hospitals***, end-stage renal dialysis centers,*** and ambulatory surgical facilities in consultation with technical advisors who are regionally or nationally-recognized experts in the prevention, identification, and control of [~~hospital~~] ***health care associated*** infections and the reporting of performance data. [~~The department shall make progress reports every 6 months to the oversight committee on health and human services, established in RSA 126-A:13, concerning the development of reporting protocols for tracking of urinary tract infections and shall notify the oversight committee on health and human services when the tracking of urinary tract infections has commenced.~~]

IV. The commissioner of the department shall adopt rules, pursuant to RSA 541-A, for hospital***, end-stage renal dialysis center, nursing and residential care facility, assisted living residence,*** and ambulatory surgical facility identification, tracking, and reporting of infections ***and/or coverage rates of influenza vaccinations as required in this section*** which shall be consistent with the recommendations of recognized centers of expertise in the identification and prevention of infections including, but not limited to the National Health Care Safety Network and the Healthcare Infection Control Practices Advisory Committee of the Centers for Disease Control and Prevention or its successor, the Joint Commission on the Accreditation of Healthcare Organizations, the Centers for Medicare and Medicaid Services, the Hospital Quality Alliance, the National Quality Forum, and the New Hampshire health care quality assurance commission under RSA 151-G.

V. Each hospital***, end-stage renal dialysis center, nursing and residential care facility, assisted living residence,*** and ambulatory surgical facility shall regularly report to the department hospital***, end-stage renal dialysis center, nursing and residential care facility, assisted living residence,*** and ambulatory surgical facility acquired infections and the infection data it has collected ***and/or coverage rates of influenza vaccinations as required in this section***. Such reporting shall be done in the manner directed by the department in accordance with rules adopted pursuant to RSA 541-A. The commissioner shall establish data collection and analytical methodologies that meet accepted standards for validity and reliability. In no case shall the frequency of reporting be required to be more frequently than once every 3 months, and reports shall be submitted not more than 60 days after the close of the reporting period.

151:34 Statewide Database Required.

I. The department shall [~~establish~~] ***maintain*** a statewide database of all reported infection information ***and/or coverage rates of influenza vaccinations as required in RSA 151:33*** for the purpose of monitoring quality improvement and infection control activities in hospitals***, end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** and ambulatory surgical facilities. The database shall be organized so that consumers, hospitals, ***end-stage renal dialysis centers, nursing and***

other residential care facilities, assisted living residences, ambulatory surgical facilities, health care professionals, purchasers, and payers may compare individual hospital***, end-stage renal dialysis center, nursing and other residential care facility, assisted living residence,*** and ambulatory surgical facility experience with that of other individual hospitals***, end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** and ambulatory surgical facilities as well as regional and statewide averages and, where available, national data.

II.(a) Subject to subparagraph [~~(c)~~] ***(b)***, on or before August 1 of each year, provided that the data collection and analytical methodologies meet accepted standards for validity and reliability, the commissioner shall report on the department's web site infection rates [~~both exclusive and inclusive of adjustments for potential differences in risk factors~~] for each reporting hospital***, end-stage renal dialysis center, nursing and other residential care facility, assisted living facility,*** and ambulatory surgical facility, an analysis of trends in the prevention and control of infection rates ***and coverage rates of influenza vaccinations as required in RSA 151:33*** in hospitals***, end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** and ambulatory surgical facilities across the state, regional and, if available, national comparisons for the purpose of comparing individual hospital***, end-stage renal dialysis center, nursing and other residential care facility, assisted living facility,*** and ambulatory surgical facility performance, and a narrative describing lessons for safety and quality improvement that can be learned from leadership hospitals and programs.

[~~(b) The commissioner shall consult with technical advisors who have regionally or nationally acknowledged expertise in the prevention and control of infections and infectious diseases in order to develop the adjustment for potential differences in risk factors to be used for public reporting.~~

~~(c)(1)~~] ***(b)*** [~~Within 180 days of the effective date of this section, the~~] ***The*** department shall [~~establish~~] ***maintain*** an infection reporting system capable of receiving electronically transmitted reports from hospitals***, end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** and ambulatory surgical facilities. [~~Whether or not the department has established such a reporting system, hospitals,~~] ***End-stage renal dialysis centers, nursing and other residential care facilities, and assisted living residences***[~~, and ambulatory surgical facilities~~] shall begin to submit reports as required by this section within 6 months of the effective date of this section.

[~~(2) The first 6 months of data submission under this section shall be considered the "pilot phase" of the statewide infection reporting system. The purpose of the pilot phase is to ensure, by various means, the completeness and accuracy of infection reporting by hospitals.~~

~~(3) No later than 60 days after the conclusion of the pilot phase, the commissioner shall issue a report to hospitals and to the oversight committee on health and human services assessing the overall accuracy of the data submitted in the pilot phase and provide guidance for improving the accuracy of infection reporting.~~

~~(4) After the pilot phase is completed, all data submitted under this section and compiled in the statewide infection database established under this section and all public reports derived therefrom shall include hospital and ambulatory surgical facility identifiers.~~

~~(5) The first public report required pursuant to subparagraph (4) shall be made not later than 7 months after the completion date of the pilot phase.~~]

III. To assure the accuracy of the self-reported hospital***, end-stage renal dialysis center,*** and ambulatory surgical facility infection data and to assure that public reporting fairly reflects what actually is occurring in each hospital***, end-stage renal dialysis center,*** and ambulatory surgical facility, the department shall [~~make a quarterly report to the oversight committee on health and human services on its infection rate data. If the commissioner is not satisfied with the overall accuracy of the data submitted, the commissioner shall~~] validate the results and the methodology used to collect and analyze the data. [~~The commissioner shall notify the oversight committee on health and human services relative to the validation of such data. After notification to the oversight committee, the commissioner may release such information to the public.~~] If[~~, however,~~] the commissioner concludes that he or she is unable to adequately validate the data, the commissioner shall notify the oversight committee on health and human services of that fact and the reasons therefor and, in that case, the commissioner shall not be required to include hospital***, end-stage renal dialysis center, nursing and other residential care facility, assisted living residence,*** and ambulatory surgical facility identifiers in the information released to the public.

IV. In addition to the department's reporting responsibilities under this section, the department shall beginning in 2012 make a biennial report to the oversight committee on health and human services and the house and senate ways and means committees on or before August 1, regarding the health care associated infections program costs, the amount of federal funding received for the program, and the amount of fees paid by hospitals***, end-stage renal dialysis centers,*** and ambulatory surgical centers to support the program.

151:35 Limitation. Notwithstanding any provision of law to the contrary, hospitals***, end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** or ambulatory surgical facilities may provide, and the department may collect under this subdivision, any data or patient

identifiers as set forth in the protocols and specifications published and periodically amended by the National Healthcare Safety Network; provided that an individual patient's name, street address, city or town, telephone number, and social security number shall not be included in any data collected.

2 Health Care Associated Infections; Payments. Amend the section heading and paragraph I of RSA 151:36 to read as follows:

151:36 Payment by Hospitals***, End-Stage Renal Dialysis Centers,*** and Ambulatory Surgical Centers.

I. The department shall assess a fee to hospitals***, end-stage renal dialysis centers,*** and ambulatory surgical centers that are required to report under RSA 151:33 to support the program's approved operating budget.

(a) The hospitals' portion shall be proportional to the number of measures reported by all hospitals in the state.

(b) The ambulatory surgical centers' portion shall be proportional to the total number of measures reported by ambulatory surgical centers in the state.

(c) The end-stage renal dialysis centers' portion shall be proportional to the total number of measures reported by end-stage renal dialysis centers in the state.

3 New Paragraph; Heath Care Associated Infections. Amend RSA 151:36 by inserting after paragraph III the following new paragraph:

III-a. There shall be proportional fee categories based on the range of patient visits annually at an end-stage renal dialysis center, which shall equal the total amount of payment that is required by all end-stage renal dialysis centers. Of that base amount as stated in subparagraph I(c), each end-stage renal dialysis center required to report shall pay a fee based on the appropriate category for that end-stage renal dialysis center.

4 Health Care Associated Infections. Amend RSA 151:36, V to read as follows:

V. There is hereby established the health care associated infections fund. The fund shall be composed of fees collected in accordance with RSA 151:36, I-[~~III~~] ***III-a*** and shall be used to carry out the provisions of this subdivision. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this subdivision.

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

2015-1223h

AMENDED ANALYSIS

This bill makes certain changes to the law governing the reporting of health care associated infections.

This bill is a request of the department of health and human services.

Amendment to SB 125-FN

(2015-1198h)

Proposed by the Committee on Executive Departments and Administration - r

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

1 Findings. The general court finds that mold in a residential structure can constitute a significant health threat for the inhabitants. Homeowners who hire a professional to assess a mold problem or remediate such mold problem need assurance that the job will be done correctly. Failure to remediate a mold problem correctly not only is a waste of the homeowner's money but may also result in serious health issues if the mold is not removed correctly or at all. This consumer protection proposal gives homeowners a method to protect their health and the health of their families by assuring a level of competence in those they hire to assess or remediate a mold problem.

2 New Chapter; Mold Remediation. Amend RSA by inserting after chapter 310-B the following new chapter:

CHAPTER 310-C

MOLD ASSESSMENT OR REMEDIATION

310-C:1 Definitions. In this chapter:

I. "Administrator" means the administrator of the joint board established in RSA 310-A:1-a.

II. "Mold assessment" means:

(a) An inspection, investigation, or survey of a dwelling or other structure to provide information to the owner regarding presence, identification, or evaluation of mold;

(b) The development of a mold remediation specification or protocol; or

(c) The collection of a mold sample for analysis.

III. "Mold assessment license" means a license obtained from the administrator that permits an individual to assess mold problems in a residential setting for a fee.

IV. "Mold remediation" means the removal, cleaning, sanitizing, demolition, or treatment of mold or mold-contaminated matter, live or dead, in a specific location after a mold assessment.

V. "Mold remediation license" means a license obtained from the administrator that permits an individual to remediate mold problems in a residential setting for a fee.

VI. "Third party certification" means a certification approved by a national non-profit organization whose programs are accredited by ANSI (American National Standards Institute), CESB (Council of Engineering and

Scientific Specialty Boards), NCCA (National Commission for Certifying Agencies), or any other accrediting body that operates in compliance with the ISO (International Organization for Standardization) standard for accrediting organizations. Certifications are credentials of industry knowledge granted to individuals by a certification body for a limited time. The individual shall not own the designation; the designation shall be owned by the certifying body. Certification holders shall meet certain requirements set by third party certification organizations in order to be recertified.

310-C:2 Mold Remediation Certification.

I. No person shall perform residential mold assessment or remediation services for remuneration unless that person possesses a valid national third party certification for mold assessment or mold remediation and a valid mold assessment or mold remediation license for the state of New Hampshire or such person is working under the direct supervision of a person possessing a valid national third party certification for mold remediation and a valid mold remediation license for the state of New Hampshire.

II. The administrator shall establish a license for persons engaging in mold assessment and a license for persons engaging in mold remediation. The administrator shall establish a fee for licensure in order to cover the cost of administering the licensing program.

III. All licenses shall expire on the last day of the month of the licensee's birth in the second year following the year of issuance. The administrator shall cause notification of the impending license expiration to be sent to each licensee at least one month prior to the expiration of the license. If the renewal fee is not submitted within 12 months after the expiration date, the licensee's name shall be removed from current status, and application for reinstatement shall be required to return to current status. The administrator shall charge a reinstatement fee consisting of 20 percent of the renewal fee.

IV. Any person who offers mold assessment or mold remediation services for a fee but does not comply with this chapter or rules adopted under this chapter shall be guilty of a violation and fined $150.

V. Any professional hired for remuneration by a homeowner, in which the primary work contracted for is neither mold assessment nor mold remediation, shall be exempt from this chapter.

VI. Any person holding a current New Hampshire pesticide applicator registration certificate under RSA 430:33 shall be exempt from the licensing requirements of this chapter.

310-C:3 Rulemaking. The administrator of the joint board shall adopt rules pursuant to RSA 541-A, relative to:

I. The application procedure for a license to practice under this chapter;

II. How a license to practice under this chapter shall be renewed or reinstated; and

III. The establishment of all fees required under this chapter.

3 New Paragraph; Administration of the Joint Board. Amend RSA 310-A:1-a by inserting after paragraph IV the following new paragraph:

V. The regulation and licensure for mold assessment and mold remediation services under RSA 310-C.

4 Effective Date. This act shall take effect January 1, 2016.

Amendment to SB 133-FN

(2015-1192h)

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

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

1 New Paragraph; Development of a Comprehensive Health Care Information System. Amend RSA 420-G:11-a by inserting after paragraph II the following new paragraph:

III. The department shall make available to the public a public use data set for purposes of facilitating transparency in health care costs.

2 New Section; Advisory Organizations; Required Activity. Amend RSA 412 by inserting after section 37-a the following new section:

412:37-b Advisory Organizations; Required Activity. The commissioner shall consult with workers' compensation advisory organizations, workers' compensation carriers, and third party administrators or self-insureds regarding the most effective options for including workers' compensation medical claims data in the New Hampshire comprehensive health information system, as defined under RSA 420-G:11-a. The commissioner shall make a report with recommendations on options for including workers' compensation medical claims data in the New Hampshire comprehensive health information system on or before December 1, 2015 to the speaker of the house of representatives, the president of the senate, the governor. and the chairpersons of the house and senate committees having jurisdiction over health and human services.

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

2015-1192h

AMENDED ANALYSIS

This bill requires the insurance commissioner to consult with certain groups and organizations and to make a report by December 2015 to the legislature and the governor with recommendations on options for including workers' compensation data in the New Hampshire comprehensive health information system.

Amendment to SB 148

(2015-1226h)

Proposed by the Committee on Environment and Agriculture - c

Amend RSA 143:22 as inserted by section 1 of the bill by replacing it with the following:

143:22 Certificate Required; Labeling; Records. No person[~~, firm, or corporation~~] ***or facility*** shall [~~operate an establishment for the processing~~] ***process*** or [~~packing of~~] ***pack*** shellfish either shucked or in the shell until [~~he has been granted~~] a certificate ***has been granted*** by the department of health and human services. A certificate shall be issued to any [~~establishment~~] ***facility*** which has complied with the rules of the commissioner of the department of health and human services relative thereto. All certificates issued under this section shall expire on [~~December~~] ***March*** 31 next following the date of issuance. All containers of shellfish shall bear identification in accordance with rules adopted by the commissioner of the department of health and human services. An accurate daily record shall be kept by all [~~establishments~~] certified ***facilities*** listing the [~~names~~] ***name*** and [~~addresses~~] ***location*** of [~~all persons from whom lots of shellfish are received, the location of the source of each lot, and the names and addresses of all persons to whom lots are shipped or sold~~] ***the dealer, the date and time of the activity that the record reflects, the signature or initials of the person performing the operation, and the identity of the product and the production code***. [~~Such~~] ***Processing and other information shall be entered on records at the time that it is observed. All*** records shall be [~~kept on file for 60 days and~~] ***retained at the facility for at least one year after the date the records were prepared in the case of refrigerated products and for at least 2 years after the date the records were prepared in the case of frozen products. Records that relate to the general adequacy of equipment or processes being used by a processor, including the results of scientific studies and evaluations shall be retained at the facility for at least 2 years after their applicability to the product being produced at the facility. All records*** shall be open to inspection [~~at any time during business hours~~] by agents of the department ***at any time***.

Amendment to SB 151

(2015-1263h)

Proposed by the Committee on Education - c

Amend RSA 198:38, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) For the purpose of calculating ADMA, each pupil who is home educated in compliance with RSA 193-A and who is enrolled in a school board approved public high school academic course shall count as an additional 0.15 pupil for each such academic course taken in a public high school. In this subparagraph, "public high school" shall have the same meaning as "high school" as defined in RSA 194:23.

Amendment to SB 161

(2015-1179h)

Proposed by the Committee on Executive Departments and Administration - c

Amend the introductory paragraph of RSA 126-M:3, I as inserted by section 3 of the bill by replacing it with the following:

I. There is hereby established a wellness and primary prevention council which shall consist of 18 members as follows:

Amend RSA 126-M:4, II-a as inserted by section 5 of the bill by replacing it with the following:

II-a. Developing standards of quality to be met to receive the designation as a family resource center of quality. An advisory group shall assist the council in assessing compliance with the standards of quality. The advisory group shall consist of council members and professionals in delivery of services associated with family resource centers. Final decisions of compliance with the criteria set forth by the council and the designation of family resource centers of quality shall be made by the council, in conjunction with the department of health and human services.

Amendment to SB 250

(2015-1134h)

Proposed by the Committee on Executive Departments and Administration - c

Amend the bill by replacing section 2 with the following:

2 Duties of the Executive Branch Ethics Committee. Amend RSA 21-G:30, II to read as follows:

II. ***A quorum of 4 members shall be required for all actions of the committee.*** All actions of the committee shall require an affirmative vote of 4 or more members of the committee before becoming effective, except that a vote to summarily dismiss a complaint shall be ***by*** unanimous ***vote of all members present***, and a vote [~~to dismiss a complaint after only an internal review and no investigation shall be by an affirmative vote of no less than 5 members of the committee and a vote~~] pursuant to RSA 21-G:31, VII shall require

only a majority of the members present and voting. The committee shall request to meet with the legislative ethics committee established under RSA 14-B at least twice yearly to facilitate uniformity in the interpretation of statutory provisions.

Amendment to SB 265-FN

(2015-1222h)

Proposed by the Committee on Education - c

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

1 New Chapter; Achieving a Better Life Experience (ABLE) Savings Account Program. Amend RSA by inserting after chapter 195-I the following new chapter:

CHAPTER 195-J

ACHIEVING A BETTER LIFE EXPERIENCE (ABLE) SAVINGS ACCOUNT PROGRAM

195-J:1 Definitions. In this chapter:

I. "Achieving a Better Life Experience Act of 2014" means the federal Achieving a Better Life Experience (ABLE) Act of 2014 which allows individuals with disabilities to establish tax-free 529-A savings accounts to save for medical, housing, transportation, employment training, education and other quality of life expenses.

II. "Commission" means the New Hampshire Achieving a Better Life Experience (ABLE) savings account program advisory commission.

III. "Savings plan" means any plan administered as the New Hampshire ABLE savings account program.

195-J:2 Achieving a Better Life Experience (ABLE) Savings Account Program.

I. The commission shall establish, implement, and administer a qualified ABLE savings account program as established in the Achieving a Better Life Experience Act of 2014, in accordance with provisions of section 529A of the United States Internal Revenue Code of 1986, as amended, and may enter into such contracts as the commission deems necessary to achieve this purpose, subject to the approval of the governor and council.

II. The commission shall adopt rules relative to the administration, management, promotion, and marketing of the qualified ABLE program and ensure that the qualified ABLE program complies with section 529A of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the qualified ABLE program.

195-J:3 Advisory Commission Established; Reports.

I.(a) There is established the New Hampshire Achieving a Better Life Experience (ABLE) savings account program advisory commission which shall ensure the proper administration and management of the savings plan. The advisory commission shall ensure that the savings plan complies with the requirements of section 529A of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the savings plan. The commission shall consist of the following members:

(1) The state treasurer, or designee.

(2) One member of the house of representatives, appointed by the speaker of the house of representatives.

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

(4) The governor, or designee.

(5) The attorney general, or designee

(6) The commissioner of the department of health and human services, or designee,

(7) One public member, who shall have business experience, appointed by the governor.

(8) One member representing the Governor's Commission on Disability, appointed by the commission.

(9) One member of representing the New Hampshire Council on Developmental Disabilities, appointed by the council.

(10) One member representing Granite State Independent Living, appointed by Granite State Independent Living.

(11) One member representing the New Hampshire Bar Association, appointed by the association.

(b) Except for the members appointed under subparagraphs (a)(1)-(4), members shall be appointed for 2-year terms.

II. Members of the commission shall serve without compensation, except that legislative members shall receive mileage at the legislative rate.

III. The commission shall keep written records of all its proceedings.

IV. No member of the commission shall have any personal interest in the gains or profits of any investment made by the commission; nor shall any member of the commission, directly or indirectly, for such member or as an agent, in any manner use the same except to make such current and necessary payments as are authorized by the commission; nor shall any member of the commission become an endorser or surety, or in any manner an obligor, for money loaned to or borrowed from the commission.

V. Members of the commission shall be held harmless from either criminal or civil liability for any decisions made or services rendered under the provisions of this chapter.

VI.(a) The state treasurer shall make quarterly reports regarding the status of the savings plan to the commission.

(b)(1) At least annually, the commission shall issue to each participant, a statement which shall include the participant's beginning balance, contributions, and earnings credited to their account during the previous fiscal year.

(2) At least annually, the commission shall make a report regarding the status of the savings program to each participant in the savings plan and to the state library.

195-J:4 ABLE Savings Plan.

I.(a) The commission shall, as needed, issue requests for proposals to evaluate and determine the vehicle for investments of the savings plan and its administration.

(b) The commission shall consider and, if appropriate, give preference to proposals best meeting the following criteria:

(1) Ability to administer financial programs with individual account maintenance and reporting.

(2) Ability to develop and administer an investment program of a nature similar to the objectives of the ABLE savings plan.

(3) Ability to augment the ABLE savings plan with other programs or informational services considered beneficial by the commission.

(c) The final selection of the vehicle for investments and its administration shall be made by the commission.

II. The commission shall determine and make recommendations regarding the use of personnel in the treasurer's office with costs for such administrative support to be funded from the savings plan.

III. The savings plan shall be on a "cash only" basis, and shall include provisions for automatic deductions.

IV. The savings plan shall be established in such form as shall be determined by the commission and may be established as a trust to be declared by the state treasurer. The savings plan or such trust may be divided into multiple investment portfolios. If so divided, and if distinct records are maintained for any such portfolio and the assets associated with any such portfolio are accounted for separately from the other assets of the trust, then the debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with respect to a particular portfolio shall be enforceable against the assets of such portfolio only, and not against the assets of the trust generally.

195-J:5 Funds Exempt From Interest and Dividends Tax. Income and distributions from any qualified ABLE program as defined in the Internal Revenue Code of 1986, as amended, shall be exempt from the interest and dividends tax pursuant to RSA 77:4-e, provided that distributions from the plan which are subject to federal income tax shall be subject to the interest and dividends tax pursuant to RSA 77 on the accrued income portion of the savings plan distribution.

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

2015-1222h

AMENDED ANALYSIS

This bill establishes the New Hampshire Achieving a Better Life Experience (ABLE) savings account program.