



State of
New Hampshire

HOUSE RECORD

Second Year of the 164th General Court Calendar and Journal of the 2016 Session

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Friday, February 5, 2016

No. 7

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

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be **Wednesday, February 10, 2016**, at 10:00 a.m. If necessary, there will also be a House session beginning at 9:00 a.m. on Thursday, February 11th, which is the final day to act on House bills going to a second committee.

I urge members to make every effort to be present at House sessions. Understandably, there will be emergencies and other factors that will preclude attendance from time to time, but please be mindful of the obligation we have to our constituents and fellow members to be present as much as possible. As stated in the New Hampshire Constitution (Part Second, Article 20), "...when less than two-thirds of the Representatives elected shall be present, the assent of two-thirds of those members shall be necessary to render their acts and proceedings valid." Please continue to do your part in keeping attendance as high as possible.

In the event of inclement weather, please check the General Court website and your e-mail for notification of any delayed or postponed sessions. Although hearings cannot be canceled on the day they are set to meet, they can be opened and recessed.

State offices will be closed Monday, February 15th, in observance of Presidents' Day. There will also be no legislative activity scheduled for NH Primary Day, February 9th, the winter break week of February 22-26, and Town Meeting Day, March 8th.

Shawn N. Jasper, Speaker

NOTICE

There will be a meeting of the chairs and vice chairs on **Tuesday, February 9th at 9:00 a.m.** in Rooms 305-307 of the Legislative Office Building.

NOTICE

There will be a Republican caucus on **Wednesday, February 10th at 9:00 a.m.** in Representatives Hall.
Rep. Dick Hinch

NOTICE

There will be a Democratic caucus on **Wednesday, February 10th at 9:00 a.m.** in LOB 306-308.
Rep. Stephen Shurtleff

NOTICE

The House Calendar closes at **3:00 p.m. on Wednesdays for scheduling and notices.** It will close at **10 a.m. on Thursdays for Committee Reports.** Please be sure to do your scheduling in order to meet that deadline.

CLOSES AT NOON ON THURSDAY:

Thursday, February 11, 2016
Thursday, February 18, 2016
Thursday, February 25, 2016

AVAILABLE FRIDAY:

Friday, February 12, 2016
Friday, February 19, 2016
Friday, February 26, 2016

Paul C. Smith, Clerk of the House

2016 HOUSE DEADLINES

Thursday, February 11, 2016	Last day to act on House Bills going to a second committee
Thursday, March 3, 2016	Last day to report House Bills not in a second committee
Thursday, March 10, 2016	Last day to act on House Bills not in a second committee
Thursday, March 17, 2016	Last day to report all House Bills
Thursday, March 24, 2016	*CROSSOVER* Last day to act on all House Bills
Thursday, April 14, 2016	Last day to report Senate Bills going to a second committee
Thursday, April 21, 2016	Last day to act on Senate Bills going to a second committee
Thursday, May 5, 2016	Last day to report all remaining Senate Bills
Thursday, May 12, 2016	Last day to act on all remaining Senate Bills
Thursday, May 19, 2016	Last day to form Committees of Conference
Thursday, May 26, 2016	Last day to sign Committee of Conference reports
Thursday, June 2, 2016	Last day to act on Committee of Conference reports

BILLS LAID ON TABLE

HB 240, prohibiting law enforcement agencies from using a drone to collect evidence. (Pending question: Adopt committee amendment 2015-2499h)

HB 297, protecting individual customer data from disclosure by a public utility. (Pending question: Inexpedient To Legislate)

HB 475, prohibiting the state from engaging in acts of civil forfeiture. (Pending question: Adopt committee amendment 2015-2517h)

HB 1402, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. (Pending question: Inexpedient To Legislate)

HB 1621-FN-L, relative to sanctuary cities. (Pending question: Inexpedient to Legislate)

SB 219-FN, relative to breastfeeding. (Pending question: Adopt committee amendment 2015-2499h)

SCACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government. (Pending question: Inexpedient To Legislate)

WEDNESDAY, FEBRUARY 10

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 1434-FN, relative to out-of-home placements under the child protection act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kimberly Rice for Children and Family Law. This bill as amended reinforces the requirement that the judges provide a written finding to keep a child in out-of-home placement after the preliminary hearing of an abuse and neglect proceeding. The written finding gives the estranged child and parent facts to rebut for reconsideration, de novo hearing, or appeal. This is a further attempt to ensure removal from the home only occurs when necessary **Vote 14-2.**

COMMERCE AND CONSUMER AFFAIRS

HB 1159-FN, relative to sale of tobacco products. **REFER FOR INTERIM STUDY.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill's original intent was to clarify the definition of tobacco products in the state liquor laws. After further discussion we found too many issues with the language in the statutes and determined that we need to recodify our statutes. The committee recommends referring this bill for Interim Study in order to address these inconsistencies and to provide an opportunity to create the right language. **Vote 19-1.**

HB 1182-FN, relative to fees for sales of wine by manufacturers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill, as amended, forms a study committee to find the right balance for applying the tax on wine manufacturers and to bring the reporting requirements in line with federal reporting requirements. Currently, New Hampshire taxes wine sold by manufacturers directly to consumers at 5% of the retail sale price. Reporting for the federal government is based on gallons, not dollars, so the committee hopes to find a more efficient way to combine the tax. This committee's responsibility is to rectify this difference and make it easier for our wine manufacturers to do the reporting. **Vote 18-1.**

HB 1495-FN-LOCAL, relative to insurance incentives to lower costs of health care. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald Flanders for Commerce and Consumer Affairs. The committee determined that, while well intended, this bill is too prescriptive and a government mandate of this kind is not necessary. Insurance carriers already offer their members transparency tools that provide cost and quality information for more than 1,000 health care services. These tools, along with innovative provider networks and health plan designs, are successfully encouraging consumers to make informed decisions and are lowering costs for everyone. This bill also presents a number of operational and administrative problems. The committee determined that this bill would inhibit the innovation that is already taking place and that giving health insurance carriers the flexibility to offer different incentives and programs will better serve the public than a legislative mandate. **Vote 16-2.**

HB 1685-FN, relative to mortgage bankers, brokers, and services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie Sanborn for Commerce and Consumer Affairs. This bill makes several common sense changes in an effort to clean up, organize and clarify regulations related to mortgage servers. It also simplifies the advertising disclosure requirements and removes the requirement for annual reports because the Banking Department now receives quarterly reports through the Nationwide Mortgage Licensing System and Registry (NMLS). The committee amendment restores an exemption for three real estate transactions in a 12 month period, makes a typographical correction and ensures that the maximum penalty for not filing reports remains the same as the current law. **Vote 17-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY**HB 1584-FN**, relative to minimum and maximum sentences for felony convictions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dick Marston for Criminal Justice and Public Safety. This bill as introduced dealt with minimum and maximum sentences for felony convictions. The committee believes that the credit for serving time in county jails in lieu of paying a fine, which has not been updated in 20 years, needs to be addressed. The amendment, which replaces the bill, brings the daily rate from \$50 per day to \$125 per day which more accurately reflects the actual cost of incarceration. The association of counties states that there will be no added cost to the counties and the committee believes that it will also reduce costs to the counties. **Vote 14-0.**

HB 1675-FN-A, relative to the legalization and taxation of marijuana. **INEXPEDIENT TO LEGISLATE.**

Rep. Arthur Barnes for Criminal Justice and Public Safety. This bill would legalize the possession of 2.2 pounds of marijuana for personal use for persons over the age of 18, license wholesale and retail sale of marijuana, and create marijuana retail sales cultivation and testing facilities. It would allow the cultivation of 6 plants for personal use and establish a \$30 per ounce tax on marijuana at the wholesale level. The committee felt that adopting this bill would send the wrong message during the time of an opioid crisis and that the amount legalized is excessive, allowing those under 18 ample ways to obtain this federally illegal drug. **Vote 14-1.**

EDUCATION**HB 1189-FN**, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for Education. In 1807, the NH Legislature granted Dartmouth College a grant of land known as the Second College Grant, and in 1883, the state appropriated and paid Dartmouth the sum of \$10,000. Income from the Second College Grant and the 1883 Fund are to be used for education of indigent NH youth. Both the 1807 and 1883 legislative acts required Dartmouth to annually prepare and submit accounting for the grants to the Governor. Reporting aspects of the legislation did not occur. This bill seeks to correct reporting needs and would impose a \$10,000 fine for each year Dartmouth trustees failed to timely file annual reports and further would set a fund for indigent students within the Department of Education. In light of the recent memorandum of understanding signed by the Charitable Trusts Unit of the NH Department of Justice and Trustees of Dartmouth College addressing and correcting issues noted in the bill, the committee resolves that the bill is no longer necessary given the MOU dated December 10, 2015. **Vote 17-2.**

HB 1351, relative to the laws governing chartered public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. James Grenier for Education. This bill would require all charter schools to comply with the same laws and rules governing regular public schools. The members of the House Education recognized this bill would destroy the concept of charter schools and they would cease to exist. **Vote 19-0.**

HB 1485, relative to private rights of action under the pupil safety and violence prevention act. **INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for Education. This bill grew out of a case of bullying in which the school principal ignored the situation. The proposed remedy, however, would expose the school district to many law suits and massive legal bills. Suits could be brought whenever a parent was not satisfied with the district remedy, or even unaware of the remedy. **Vote 18-2.**

HB 1638-FN-LOCAL, relative to the allocation of lottery revenues to schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Allen Cook for Education. The committee recommends ITL for several reasons: First the lack of clarity in regards to being able to separate the monies of the lottery, which are already pooled into a general fund creating a large deficit in already designated funding. Secondly, it would require private schools to disclose private information and change many of their current operating procedures. Finally, it would require the creation of new staff of the NH Department of Education to handle the dispensing of funds. **Vote 16-2.**

HB 1652-FN-A, establishing a teacher preparation for mathematics education scholarship program. **REFER FOR INTERIM STUDY.**

Rep. Mary Heath for Education. The Education Committee finds unanimously that this bill needs further research, reviews and development. The committee recognizes the difficulty in securing qualified mathematics' educators and that the NH Department of Education lists "Mathematics Educator" on the critical shortage list and has done so for over ten years. The committee also recognizes the need to fully engage the NH University System Teacher Preparation Programs in the design of a plan to increase the numbers of qualified math educators in our schools. Furthermore, after a review of student math scores over the last ten years and the impetus to improve such scores, the committee requests Interim Study with regard to the most effective ways to recruit and attract mathematic teachers and to explore a variety of options from scholarships to loan forgiveness to increase the number of math educators. **Vote 20-0.**

HB 1667-FN-LOCAL, repealing the statutes authorizing the department of education. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Wolf for Education. The NH Department of Education has many roles, such as: the oversight of higher education, standards and certification, school building aid, educational credentialing and career school licensing. This bill would eliminate the DOE's role in each of these areas. **Vote 19-0.**

ENVIRONMENT AND AGRICULTURE

HB 1292, relative to the use of abandoned agricultural property. **OUGHT TO PASS.**

Rep. Michele Peckham for Environment and Agriculture. RSA 674:32-b, the Right to Farm statute, refers to the "disuse" of farmland in two places. This bill simply changes the word "disuse" to "abandonment" in order to protect farmers who, through no fault of their own, let their land fall into disuse for a season because of illness, accident, or generational transfer of the farm. The word "abandonment" implies that the farmer left without an intent to come back to farming. **Vote 17-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1404-FN, relative to certain director positions in the insurance department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill is a request of the Insurance Department and constitutes a housekeeping action, allowing the department to manage several already existing positions in a more efficient manner. This change will enable the department to more effectively and competitively recruit staff replacements in the future. **Vote 15-1.**

HB 1556-FN, relative to Lucky 7 tickets. **REFER FOR INTERIM STUDY.**

Rep. Jeffrey Goley for Executive Departments and Administration. This bill would increase the maximum price for a Lucky 7 ticket from \$.50 to \$1, increase the hours of sales of Lucky 7 tickets, and increase the deal fee. This bill is very similar to HB 1545 which is currently in the Ways and Means Committee, so the sponsor and majority of the ED&A Committee agreed to refer the bill for Interim Study. **Vote 15-1.**

HB 1594-FN, relative to emergency medical services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill amends the regulation of emergency medical care providers so that it is more in line with the regulation of other medical professions. It provides increased safety to patients by requiring a criminal history record check for licensure and expanding the grounds for license revocation. It also allows emergency medical providers to work in all licensed health care facilities in addition to hospitals. **Vote 14-1.**

HB 1671-FN, establishing an office of inspector general. **INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for Executive Departments and Administration. This bill seeks to create an office of Inspector General. This office would be tasked with the initiation of inspections to address fraud and abuse. The office would also be the agency to receive any criminal complaints regarding abuse by government. Sponsors of the bill expressed support for another bill with a similar purpose. The similar bill, HB 1433, establishes an Office of Ombudsman in the Department of State. The committee would like to work further on this concept and therefore believes that HB 1671 is not necessary. **Vote 14-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1373-FN, adding 2 alternative treatment centers under the law governing use of cannabis for therapeutic purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. The medical cannabis law is still in the early implementation stage. The committee felt it was inappropriate at this time to consider changes to the law. Following full implementation and evaluation of the program, recommended changes may be suggested to the medical cannabis council for consideration. **Vote 15-0.**

HB 1520, relative to the membership of the medical review subcommittee. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill is not necessary because the intent to increase the membership of the medical review subcommittee by adding 2 additional physician members was accomplished in SB 576 (Chapter 2, Laws of 2016) which was signed into law in January this year. **Vote 16-0.**

HB 1550-FN, relative to the duties of the ombudsman. **INEXPEDIENT TO LEGISLATE.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. Although well meaning, this bill would expand the duties of the Ombudsman Office of the Department of Health and Human Services to investigate any complaints against the office from not only clients and caregiver, but to any family member. The Office of the Ombudsman is fully-staffed and timely investigates complaints. It was the finding of the committee that this level of involvement was not necessary and would add significant costs to the program. **Vote 18-0.**

HB 1565-FN, relative to transportation companies under the Medicaid managed care program. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald LeBrun for Health, Human Services and Elderly Affairs. It is the opinion of the committee that this bill would be better handled as a contractual issue. This determination came as the result of lengthy debate from numerous presenters. There is no need for legislation. **Vote 15-1.**

HB 1566-FN, relative to out-of-state transportation companies. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. The committee determined that the bill would require the booking of existing medical managed care contracts in potential violation of existing contract law. In addition, the committee heard testimony that prohibiting out-of-state transportation companies from providing services would be in violation of federal law. **Vote 15-1.**

HB 1573-FN, relative to brokers arranging transportation for Medicaid patients. **INEXPEDIENT TO LEGISLATE.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill which gives first priority to in-state transportation companies, is unclear as to which programs it impacts, whether it applies to who gets first priority when contracting with providers, or scheduling transits. Also discriminating against out-of-state providers will institute a violation of medicaid and medicare statutes and could threaten receiving federal matching funds. **Vote 15-1.**

HB 1668-FN, establishing a registry for persons convicted of heroin-related offenses and requiring registration of heroin offenders. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes a registry of persons convicted of heroin-related offenses. The vast majority of testimony spoke against the bill including the NH Department of Safety. The committee felt the bill would create an undo hardship for people trying to reclaim their life through treatment, or rehabilitation. **Vote 15-0.**

JUDICIARY

HB 1574-FN-A, relative to the penalty assessment fund and requiring payment into the penalty assessment for persons performing court-mandated community service. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph Hagan for Judiciary. Under current law, clerks of each court collect penalty assessments and distribute 66.6% to New Hampshire Police Standards and Training (Police Academy) and the remaining 33.3% equally to the Victim's Assistance Fund and Judicial Branch Information Technology Fund, the latter which funds the E-court initiatives. This bill would remove the Judicial Branch Information Technology Fund from the revenue stream of penalty assessments, putting the modernization of the courts at risk. The committee recognized the need for funding police training but not at the expense of modernizing court processes in the computer age. In addition, this bill would have assessed a \$2.00 per hour penalty for community service which the committee felt violated the spirit of assessing service in lieu of fine. **Vote 16-0.**

HB 1581-FN-A, establishing a special marriage officiant license. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill would allow any person to solemnize one marriage for a fee which would go to the Victim's Assistance Fund. The majority of the committee saw no need to expand the authority to perform marriage ceremonies **Vote 11-5.**

HB 1611-FN-LOCAL, allowing a public body or agency to charge a fee for costs of retrieving public records under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for Judiciary. This bill would allow a public body to charge for the cost of retrieving, copying and redacting confidential and other exempt information requested under the Right-to-Know Law. While the majority believes there should be a limit to excessive requests under RSA 91-A, the committee felt public bodies currently have the ability to fend off frivolous requests. The bill as written would create a barrier to government transparency. **Vote 16-1.**

LEGISLATIVE ADMINISTRATION

HB 1531, permitting the legislature to open the state house on weekends. **OUGHT TO PASS.**

Rep. Stephen Shurtleff for Legislative Administration. This bill would allow the New Hampshire Legislature to enter into a memorandum of understanding with a non-profit entity to enable the New Hampshire State House to be open on Saturdays. The memorandum would address issues including security, staffing, hours of operation, and janitorial services. All expenses incurred would be borne by the non-profit entity. The final memorandum must be approved by the Joint Facilities Committee before Saturday openings would be permitted. **Vote 9-0.**

HB 1593-FN-LOCAL, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy Weber for Legislative Administration. The first section of this bill prohibits public bodies and agencies from recovering labor costs for searching and compiling information requested under the Right-to-Know Law. The committee received testimony that these costs are already unrecoverable under the present language, so the change is not needed. The remaining two sections require the public filing of significant information having to do with member spouses, their employment, and their business interests. Representatives are bound by the Legislative Ethics rules and it is important that Representatives' information is available to the public. Committee members believed that spouses of Representatives should retain their privacy. **Vote 9-0.**

PUBLIC WORKS AND HIGHWAYS

HB 1602-FN-A-LOCAL, establishing a road usage fee and making an appropriation therefor. **REFER FOR INTERIM STUDY.**

Rep. Mark McConkey for Public Works and Highways. The bill evolved from a mechanism to create a fair and level playing field for alternative fuel vehicles to ensure owners of these vehicles pay their fair share for using New Hampshire's roads and bridges. While many feel this concept should be adopted the proposed bill evolved into what some consider a way to raise extra revenue for the Department of Transportation. The proposed bill would not only level the playing field for alternative fuel vehicles but would have raised fees on so called high mileage vehicles. The full committee supports a recommendation of Interim Study. **Vote 18-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1291, eliminating the land use board, establishing an advisory board, and requiring approval of federal land acquisitions by the governor, executive council, and general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith Spang for Resources, Recreation and Development. This bill addresses the process by which the federal government acquires land in New Hampshire. The committee felt that adding a vote of the General Court to the approval process that already includes the Governor and Council, the Department of Resources and Economic Development (DRED), and a local municipal vote is excessive. The proposed advisory board of five landowners to review federal land acquisition would not include membership specifically from the area involved. The current process is thorough. DRED evaluates the terms and conditions of acquisitions and adherence to NH statutory limits on the amount of land the federal government can own in the state. The percentage of a municipality's total assessed valuation that the federal government may own is being addressed by another House bill. **Vote 16-0.**

HB 1536-FN-A, relative to funding for search and rescue operations of the fish and game department, and applying resident fishing licenses to use by the purchaser's family. **INEXPEDIENT TO LEGISLATE.**

Rep. David Russell for Resources, Recreation and Development. The funding for search and rescue operations by the Fish and Game Department comes from boat, snowmobile, and OHRV registrations. If there is a shortfall, the department pays for the remainder using hunting and fishing license revenue. Removing this dedicated source of funding and replacing it with an appropriation from the General Fund was not seen as a stable source of revenue for the program and also loses out on any future revenue growth from increased numbers of registrations. Testimony from the department shows that the Search and Rescue Fund will close without a deficit. Regarding the part of the bill creating a family fishing license, children under 16 already do not need a license to fish. Such a license would also create a challenge for enforcement, requiring conservation officers to verify the marital status of an adult fishing under another person's license. **Vote 17-0.**

HB 1693-FN-LOCAL, abolishing fluoridation in water. **INEXPEDIENT TO LEGISLATE.**

Rep. Paula Francese for Resources, Recreation and Development. This bill would prohibit the introduction of fluoride into drinking water supplies in the state. It contains a number of issues of concern for the committee. Tooth decay is one of the most common chronic diseases among American children. According to the National Center for Health Statistics, one of four children living below the federal poverty level experience untreated tooth decay. The safety and benefits of fluoride are well documented and have been reviewed comprehensively by several scientific and public health organizations. No convincing scientific evidence has been found linking fluoridation with any potential adverse health effect or systemic disorder. With regard to cost, according to the American Dental Association the cost of a lifetime of water fluoridation is less than the cost of a single filling. By preventing tooth decay, community water fluoridation has been shown to save money, both for families and the health care system. SB 449, passed in 2004, established a procedure for voting on the introduction of fluoride into public water supplies at the local level. New Hampshire statutes specify procedures by which supplemental fluoridation of public water supplies can be accomplished. These statutes require that any proposal to fluoridate be subject to a vote and that majority approval is needed to begin fluoridation. Once fluoridation begins, the Department of Environmental Services monitors water supplies to ensure the proper concentration is achieved and maintained. Further, test kits are available for homeowners whose artesian well water contains naturally occurring fluoride. The committee believes that the pros and cons of fluoridation is a subject individuals and families need to discuss with their health care providers and that community water fluoridation is a decision best made at the local level. **Vote 16-2.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 1149, requiring a royalty on the price of natural gas conveyed by pipeline intended for use in a foreign country. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Thomas for Science, Technology and Energy. This bill seeks to compensate property owners directly affected by any pipeline or utility company by charging a royalty on all natural gas specifically exported for use in a foreign country. This would be in addition to any compensation previously given to the landowners by the transmission company. The committee heard testimony that this could be in direct contradiction to the Commerce Clause of the US Constitution on those projects that are interstate. Although a few states do charge royalties on gas production, there is no production within New Hampshire. Pipeline companies do not own the gas; they are merely a transporter of product. Although well intended, additional fees would be passed on to all rate payers. For these reasons, the committee cannot support this bill. **Vote 18-0.**

HB 1337, relative to rules of the public utilities commission on requiring deposits after disconnect notices to customers. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for Science, Technology and Energy. This bill seeks to prohibit a utility from requiring a deposit from a customer who received a disconnect notice. Testimony indicated that current Public Utilities Commission rules permit waivers to low-income customers and allow deposits to be paid in up to three installments. Utility representatives testified that this legislation might make them reluctant to work with customers. Should customers default on their deposits, other ratepayers would be left having to pay for delinquent accounts. The bill also opens the door to limiting deposits for commercial customers. Deposits are a long-standing utility best practice. At least one utility has suspended deposits pending a review of their usefulness. **Vote 19-0.**

SPECIAL COMMITTEE ON PUBLIC EMPLOYEE PENSION PLANS

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank Byron for Special Committee on Public Employee Pension Plans. The bill as amended clarifies the retiree compensation data reporting requirements and penalty assessment criteria applied by the New Hampshire Retirement System (NHRS). The bill clarifies that retirees who receive compensation while serving in an elected capacity are not required to report. The bill further specifies that before a penalty is levied by NHRS a municipality will be afforded an opportunity to show cause why a penalty is not warranted. **Vote 10-0.**

WAYS AND MEANS

HB 1672-FN-A-LOCAL, relative to excess federal matching funds, property tax relief, and general fund appropriations. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Azarian for Ways and Means. The bill, as written, provides for the transfer of any excess above \$100 million in the Revenue Stabilization Reserve Account (Rainy Day Fund) be used for property tax relief for low income NH residents. The bill gave no specifics on how this would be administered and both the Department of Treasury and the Department of Revenue Administration expressed concern with its methodology. **Vote 20-0.**

WEDNESDAY, FEBRUARY 10

REGULAR CALENDAR

EDUCATION

HB 1551-FN-A, establishing the John and Molly Stark scholarship program and making an appropriation therefor. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Gile for the **Majority** of Education. This bill as amended establishes the John and Molly Stark Scholarship program to provide public postsecondary education and training opportunities to every graduate of a NH public secondary school by providing a one half tuition scholarship for a maximum of three years. Applicants must be a New Hampshire resident and shall maintain a 2.75 grade point average. Scholarship recipients shall be required to work in New Hampshire for a minimum of four years after graduation, or shall repay the scholarship amount received in full. **Vote 16-2.**

Rep. Glenn Cordelli for the **Minority** of Education. The minority is concerned with the requirement for the scholarship recipient to work in New Hampshire for four years after graduation. How will recipients be tracked as to their place of employment? Will the Department of Education continue tracking students through college and future employment? In addition, what if the recipient decides to join the military? Would that require a scholarship repayment? The intent is good, but there are problems with the future execution.

HB 1561-FN, relative to freedom of expression on college campuses. **REFER FOR INTERIM STUDY.**

Rep. Ralph Boehm for Education. The committee is in favor of freedom of speech. There are some good aspects to this bill, but there are concerns with sections of the bill that require more study, including cost impacts to the University and Community College System. **Vote 14-3.**

HB 1563-FN-LOCAL, relative to funding for full-day kindergarten pupils. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Heath for the **Majority** of Education. This bill does not mandate, or require school districts to provide full day kindergarten, nor does it require mandatory kindergarten attendance. This bill provides full day kindergarten programs with "Average Daily Membership in Attendance" or ADMA. The Education Committee heard overwhelming testimony in favor of this bill with no one from the public opposing the bill. NH mandates that all NH school districts provide the opportunity for public kindergarten. This bill simply provides full day programs with ADMA and gives those districts making that full day commitment to its five year olds the same benefit it provides in grades 1-12. This bill also offers the same effort within our Public Charter Schools. **Vote 10-9.**

Rep. Terry Wolf for the **Minority** of Education. Many communities in NH offer full-day kindergarten. The minority feels adjustments to the adequacy formula, such as fully funding catastrophic and building aid is a better way to support ALL school districts. There is also concern changing the formula from half-day to full-day kindergarten would create the perception of a mandate and lead to the elimination of successful part-time programs.

HB 1604-FN-A-LOCAL, relative to exceptional student education programs and providing funding therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Wolf for Education. This bill as amended identifies and places into statute specific instructional methods designed to advance students to higher-levels of work once they demonstrate knowledge and skill mastery, rather than advancing based upon seat time in the classroom. For example, all students in a 6th grade classroom do not necessarily belong in a 6th grade math book or program. Some may be below and others may be ready for pre-algebra. How schools structure and organize the delivery of instruction is the key to educational success. This bill references basic instructional methods that once established, will result in higher levels of student achievement. The key to student success revolves around quality instruction and creative delivery models providing a challenging curriculum. This not only applies to gifted students, but to all. Struggling students must receive support prior to their being placed unprepared in the next grade level in an effort to prevent later failure. The bill as amended addresses challenging instructional design, and can be accomplished without the need for additional differentiated aid as the introduced bill had proposed. **Vote 19-2.**

HB 1630-FN-LOCAL, relative to calculating the base cost of an adequate education. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Wolf for Education. The bill as amended addresses policy needs and costs relative to calculating an adequate education. This legislation is a result of subcommittee and full education committee work throughout the summer, fall and to this date. Element priorities within the bill include: (1) working with the Department of Education and the Legislative Budget Assistant to develop an adequacy formula premised upon sound policy and realistic fiscal constraints to include projected data based upon estimated populations for FY18, (2) to increase the base adequacy amount by \$8.00 per pupil and to allocate this modest amount to

professional development to support and enhance quality of instruction. Using preliminary FY17 data, base adequacy for FY18, to include adjustments for CPI, would be \$3640.92, (3) funding to support non proficient third grade students who are not eligible to receive other forms of differentiated aid, (4) reinstatement of fiscal disparity for those municipalities in the lower quartile that have the lowest capacity to raise property tax revenue as long as the municipality's median family income (based upon US Bureau of Census) is less than the state average, (5) fiscal disparity and stabilization based on the 2012 stabilization grant amount received and then annually reducing only the amount of stabilization by 4% as stated in current law, and (6) for each fiscal year following FY17, as currently stated in statute, the education grant is no longer capped. In comparing FY18 adequacy funding for education based upon the State Grant formula in current law to the State Grant based on the proposed bill, the increase is slightly more than \$8M. This bill is projected to be effective for Fiscal Year 2018. The overwhelming majority of the house education committee supports this legislation that reasonably balances policy and appropriation considerations. **Vote 18-1.**

HB 1638-FN-LOCAL, relative to the allocation of lottery revenues to schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Allen Cook for Education. The committee recommends ITL for several reasons: First the lack of clarity in regards to being able to separate the monies of the lottery, which are already pooled into a general fund creating a large deficit in already designated funding. Secondly, it would require private schools to disclose private information and change many of their current operating procedures. Finally, it would require the creation of new staff of the NH Department of Education to handle the dispensing of funds. **Vote 16-2.**

HB 1644-FN, relative to screening and treatment for dyslexia and related disorders and establishing a reading specialist in the department of education. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Balcom for the **Majority** of Education. The majority of the committee felt that the early identification of dyslexia was important enough to pass this bill. Testimony from parents, educators, practitioners and students provided evidence that current policies within our NH school districts are allowing students to lose valuable years of learning before being identified their dyslexia. The coordinator of DOE is necessary to oversee training of evaluators and successful implementation of this process. **Vote 11-8.**

Rep. Ralph Boehm for the **Minority** of Education. This bill provides a new designated reading specialist at the Department of Education to assist students with dyslexia and related disorders. The bill further states that a student's school district shall provide best practices and support services for any student who is identified as having characteristics that are associated with dyslexia risk factors. Within grades 1-3, many schools currently administer screening assessments such as DIBELS and use test results to develop appropriate instruction. Students identified as possibly having a specific learning disability such as dyslexia, should be referred for a more thorough evaluation by trained special education specialists and if the student is determined to have dyslexia, a special education IEP is developed. Although all members of the education committee recognize the importance of providing early intervention instruction in reading, language or math for students diagnosed with dyslexia, there is a process currently in place to do this in accordance with established special education law. Lastly, children from birth to age five having learning disabilities are provided services through the Department of Health and Human Services. The exception is preschool special education that is administered by the New Hampshire Department of Education. This bill is duplicative of current programming and if the Department identifies the need for a reading specialist as a staffing priority, then the position should be designated to improve the quality of reading and language instruction for all students.

ELECTION LAW

HB 1564-FN-A, establishing an independent redistricting commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. William Gannon for the **Majority** of Election Law. Under this bill, an independent commission would be appointed to create redistricting plans and recommend them to the Legislature. The Legislature would not be able to amend the first and second plans developed by the commission, though it could reject them. If two plans are rejected by the Legislature, a third plan would be adopted using the usual legislative process. The process outlined by this bill is cumbersome and the timeframes are completely unrealistic. The majority does not see a need to change the current process for developing redistricting plans for state offices in New Hampshire. **Vote 11-8.**

Rep. Wayne Moynihan for the **Minority** of Election Law. This bill is a proactive proposal intended to get the NH House onto the task of preparing for the next round of legislative redistricting, after the census of 2020. It is generally acknowledged that the process and the result of the last NH Redistricting Committee, after the census of 2010, was problematic, involving lawsuits by cities, towns, and legislators. The redistricting process undertaken after the 2000 census was followed up by time consuming, expensive, and contentious legal battles. It is reported that 80% of the population does not trust the process whereby legislators are in

control of the process that determines the boundaries of the legislative districts in which they run for election. Other states have begun to study and adopt independent redistricting commissions, and the U. S. Supreme Court has recently found that such a plan is valid and constitutional. The committee minority believes it is wise policy and in the best interest of the citizens of the state to now begin the study, discussion, and design of an independent commission to manage the upcoming redistricting.

ENVIRONMENT AND AGRICULTURE

HB 1674-FN, requiring the labeling of genetically engineered foods. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John O'Connor for the **Majority** of Environment and Agriculture. This bill, which the House has previously rejected, once again attempts to require food manufacturers, grocery retailers, and our farmers and farmers markets to label products that may have been produced or grown using genetic engineering - a process that has been in existence for over 30 years and has been deemed to be safe by the most respected and widely recognized academic, scientific and medical organizations, such as the American Medical Association, the American Association for the Advancement of Science, the National Academy of Sciences, the US Department of Agriculture, and the World Health Organization, among others. The passage of this bill would put the New Hampshire in conflict with other states that are attempting to implement similar laws but with different provisions. Studies have shown that this conflict would result in increased costs and penalties to our businesses and consumers. Currently each state that has brought forward a bill such as this has found itself embroiled in litigation costing millions in an attempt to prove its constitutionality. In addition, this bill adds severe penalties to our businesses of up to \$1,000 per day for incorrect labeling. The fiscal note states that 1) personnel costs for Department of Health and Human Services enforcement will be \$100,000 to \$200,000 per year; 2) the Attorney General will be required to make rules, conduct civil investigations and mandate civil action, the costs of which are not included in the fiscal note; and 3) the 16 self-inspecting towns in the state will be required to conduct enforcement and civil action on their own, with no state support. What is the solution? The US Food and Drug Administration (FDA) has recently released labeling guidance for foods that have or have not been derived from genetically engineered plants. The Campbell Soup Company just announced they will be using the FDA labeling guidance as a marketing tool. Currently, companies are free to voluntarily label and market their product as "organic," and/or have third party certification to label their products "GMO-free." Finally, with the advent of modern technology, by midsummer the major food companies will be releasing the new "SmartLabel," so when a consumer scans a product on the grocery store shelf with a smart phone or with an in-store scanner, more information about the product than what is on the label will be instantly available to the consumer, including whether or not it contains genetically engineered ingredients. For these reasons, the bipartisan majority of the committee strongly opposes this bill. **Vote 12-7.**

Rep. Peter Bixby for the **Minority** of Environment and Agriculture. This bill is fundamentally about the right to know. Preliminary court decisions on the Vermont labeling law suggest that the federal court accepts that there is a compelling state interest in the people's right to know how their food is produced. The Jew who follows the law of Kilayim, separation of species, established in Leviticus, has a right to know if species have been mixed in his food. The person with digestive disorders who wants to be extra cautious with her food has a right to know. The person who is not convinced the federal government has done its due diligence in safety testing has a right to know and is justified in that doubt. In 1992, notwithstanding the advice of the agency's scientists, the head of the Food and Drug Administration (FDA) determined that foods produced with genetic engineering were substantially equivalent to natural foods and were legally "Generally Recognized as Safe" (GRAS). Since that time, the US Department of Agriculture's oversight of GMO foods has been limited to assessing pest and disease risks. The FDA's role is even smaller. All safety assessments are optional and done by choice by the companies that produce the GMOs. The optional review process, in which the biotech companies send the safety data they choose to the FDA in exchange for a letter saying they did so, has all the weight of a rubber stamp. The record of biotechnology corporations in protecting public health is not without lapses. Long after Agent Orange was determined to have long-term health consequences for veterans exposed in Vietnam, Monsanto went out of its way to avoid responsibility. They repeated the pattern with incidents of dioxin contamination in Nitro, West Virginia and PCB contamination in Anniston, Alabama. Similarly, DuPont had a decades-long practice of covering up health issues with C-8, an ingredient in Teflon. While publicly accessible trait-by-trait, third party, safety testing would be preferable, labeling food with "produced with genetic engineering" is a remedy within our purview as a state. We should do the best we can by providing this to our citizens.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1416-FN, relative to funding for state criminal background checks. **INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for Executive Departments and Administration. The measure would have authorized the Department of Safety (DOS) to set "reasonable" fees for state criminal background checks. Some people saw this as a new gun tax. Although, there was some discussion in the hearing on what reasonable fees would be,

there was no definitive conclusion. Dealers testified that there would be serious logistical issues with collecting any fee. They wondered if it would be applied per phone call, per firearm, or per transaction. There were also questions about who would retain the data on those who made payments as this data would create a list of gun owners in NH, something that the gun owners strongly objected to. To help explain the process, the current system treats hand guns and long guns differently. Hand gun purchases are run through the State Police for a check while long guns (rifles and shotguns) are run through the federal database. Currently, the National Instant Criminal Background Check System is a free service from the Federal Government and many felt that there was no reason to charge a fee for this same service in state. The proponents of the measure argued that the current system has a more up to date database and there was value to keeping this service in state, however they were seeking to reduce the delays in processing these transactions. With the exception of the sponsors and the DOS, everyone else testifying on this measure opposed this bill and the new fees that would have been set by the department. In addition, there were several hundred emails received opposing the measure and the vast majority of those in attendance to the hearing opposed this bill. **Vote 11-4.**

HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Mark Proulx for Executive Departments and Administration. This bill was at the request of the Department of Administrative Services. The department would like to add three part-time positions in response to the loss of a number of positions over the years. This will allow them to better provide the services that are required of the department. **Vote 13-3.**

HB 1699-FN-A-LOCAL, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services personnel and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill establishes a position of licensed alcohol and drug counselor in the Department of Safety, Bureau of Emergency Medical Services. This individual will be charged with developing a statewide plan to train fire and emergency medical services personnel. As part of this legislature's commitment to addressing the heroin and opioid crisis claiming an increasing number of lives in the state of NH, the intent of this bill is to empower those on the front lines of this crisis to intervene in the most effective manner possible. With proper training, it is envisioned that those called to resuscitate an overdose patient have a critical window of opportunity to encourage that patient to take the first step towards rehabilitation. The original bill was amended to remove the pilot program of placing LADC's in three cities within the state as there is not currently a clear consensus on the organizational structure or operational aspects of the pilot program. The committee felt that time will permit stakeholders in this issue to work on a shared vision of a potential pilot program that will be of optimal value in addressing the heroin and opioid crisis. **Vote 12-3.**

FISH AND GAME AND MARINE RESOURCES

HB 1524-FN-A, repealing fish and game department authority to establish fees by administrative rulemaking. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard McNamara for the **Majority** of Fish and Game and Marine Resources. The majority of the committee felt that the Fish and Game Department, which has recently been given the authority to set fees, be provided the opportunity to make the new system work before making major changes to the law. **Vote 9-2.**

Rep. James Spillane for the **Minority** of Fish and Game and Marine Resources. This bill would rectify the unfortunate situation that occurred last year when the authority to set hunting and fishing license fees was granted to the Fish and Game Department by means of an amendment that the Senate attached to a House bill that dealt with an entirely different issue. The Legislature has been successfully setting fees for the entire history of the Fish and Game Department and that oversight should be returned by passage of this bill. The amendment that the minority wishes to propose fixes a few issues with currently set fees.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1557-FN, relative to alcohol and drug treatment programs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Schmidt for the **Majority** of Health, Human Services and Elderly Affairs. The amendment to HB 1557-FN requires the legislative budget assistant office to evaluate the "feasibility" of calculating and using cost effectiveness in evaluating new and existing state programs. The majority of the committee recognizes that this approach would result in a paradigm shift of how the allocation of finite state dollars would be used for authorized programs. This bill does no more than establish a pathway to determine the feasibility and potential resources required to accomplish this methodology. Presently, program effectiveness, if it's measured at all, is based on transactional metrics such as number of clients served, or number of bridges required. These metrics are interesting, but provide no assurance that monies are well spent. **Vote 11-7.**

Rep. Lucy Weber for the **Minority** of Health, Human Services and Elderly Affairs. The original title of this bill was “an act relative to alcohol and drug treatment programs”. The bill has been transformed into a direction to the legislative budget assistant to evaluate the feasibility of calculating and using cost effectiveness methods throughout all state programs. The minority is concerned that the amendment differs so much from the original bill that it is a non-germane amendment requiring a new hearing under House Rule 45 (b). In addition, the minority does not understand why a statute is required instead of having the appropriate authority simply direct, or authorize the legislative budget assistant to study this issue.

HB 1619-FN, relative to the use of naran. **REFER FOR INTERIM STUDY.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. The committee felt that this potentially significant legislation required further study. The utilization of recovery coaches in the process of treatment for an overdose is pertinent to comprehensive plans. Hospitals expressed an interest, but have significant questions that need to be clarified. Other questions revolved around certification and training requirements. There is a unanimous agreement that further study could provide an enhanced piece of legislation. **Vote 18-0.**

HB 1695-FN, establishing an office of health services planning and review within the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. The bill, as amended, facilitates the gathering of data on all aspects of the health care system including cost, financing, quality, patient safety, system performance and efficiency. The data is collected through a memorandum of understanding between the department of health and human services, the insurance department and the attorney general's office. For the most part, this is data that is already being collected through the three agencies. A web site is to be established in the department of health and human services to allow all stakeholders and members of the public access to this data to aid in health care planning decisions. In addition, a health care data council is created to monitor the data thus collected and assess the effect on patient safety, cost, quality access and performance. The counsel is charged with aiding the commissioner of DHHS to create a 10 year health care plan for the state. The council is charged with reviewing and evaluating best practices and efficiencies as to quality and cost of care. The council will make a report on November 1, 2016, and annually thereafter. The bill sets up a fund to be used for costs of implementing the bill, but there is no funding mechanism included in the bill and no appropriation is being sought. **Vote 18-0.**

HB 1696-FN, requesting a modification of the New Hampshire health protection program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for the **Majority** of Health, Human Services and Elderly Affairs. This bill reauthorizes the New Hampshire Health Protection Program for 2017 and 2018. The NHHPP developed in 2014 was for residents not qualifying for Medicaid and not qualified for subsidies on the Health Insurance Exchange. Also known as expanded Medicaid. The program allows 47,000 low income residents and neighbors' better access to healthcare leading to improved healthcare outcomes. Testimony from individuals as well as hospitals, community health centers; insurance carriers, business, the NH Municipal Association and others overwhelmingly supported the bill. There are multiple economic benefits including the infusion of hundreds of millions of dollars of federal funding, providing fiscal stability to hospitals and other healthcare providers and finally helping to provide a healthier workforce. The program provides a robust substance abuse benefit, a much needed service to fight the opioid epidemic. With this legislation there are no new taxes and no use of general funds. Voluntary contributions by Insurance carriers and hospitals will make the special purpose trust whole. Any deficiency in the trust and the NHHPP ceases to operate as well as no risk for taxpayers. New enrollees will be expected to work if they are able. This bill is well crafted and represents a bipartisan effort to help a vulnerable portion of New Hampshire residents. **Vote 17-1.**

Rep. Joanne Ward for the **Minority** of Health, Human Services and Elderly Affairs. If a deal sounds too good to be true, it generally is. The federal funds will roll in and the hospitals will chip in and the state will come out even. So what is the problem? There are no guarantees that either party will fulfill their obligations. Of course the hospitals will chip in to pay for the expansion. Uncompensated care is down significantly since this program was expanded and they receive reimbursement for emergency visits. It is a win-win for hospitals and community health care centers because of the reimbursement rates. There is less uncompensated care in the emergency rooms, but that is not to say there are less visits. There is no incentive for preventative care. Yes, there are deductibles of 8 or 25 dollars for inappropriate uses of the emergency room. Is this small amount really a disincentive? It is a win-win for hospitals and community health care centers. And we have to rely on the federal government to grant us a waiver. to provide a waiver for this to happen. How can the state deny 47,000 people health insurance if it is working so well, how many of those previously had health care but shifted to medicaid insurance because it is less expensive, how many of our incarcerated have been shifted to this program. How sad is it that the ACA, which was intended to fix this problem, didn't. How sad is it that our citizens on medicare need supplemental insurance to pay for their care, how sad is that our citizens on medicaid are denied treatment by some providers, and how sad are the deductibles and premiums that

many of us pay for private insurance. Wouldn't it be great if the state would pay for all of this. The Federal Government has proven that the ACA is a failed expensive health care solution. So should the taxpayers of the state be on the hook to pay for the failure? Medicaid expansion is private insurance, it is an expansion of a failed government program. This expansion will cover able-bodied young people who can get insurance on the exchange if they work for it. This is not medicaid, it is very different, it shifts costs to the privately insured. Medicaid is intended for un-insured children, elderly, disabled and less fortunate. This expansion may merely shift costs to the insured through higher deductibles and premiums.

JUDICIARY

HB 1560-FN, relative to abortion procedures. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Linda Kenison for the **Majority** of Judiciary. This bill seeks to add a new section to New Hampshire RSA 132 (Protection for Maternity and Infancy) which would prohibit the most common method of second-trimester pre-viability abortion to the ten percent (10%) of women who make a difficult decision to terminate their pregnancy. The medical term for this safe procedure is called non-intact D&E (Dilation and Evacuation). Across the country, this procedure is performed on the ten percent of women, ninety-five percent (95%) of the time. Other jurisdictions, as recently as January 22, 2016, have held nearly identical statutory language which banned this very type of D&E, likely unconstitutional. *Nauser v. Kansas*, Court of Appeals of the State of Kansas (2016). The appellate court refused to overrule the lower court's injunction which kept the law from taking effect, reasoning that the statute violated the Kansas Constitution's Bill of Rights and the United States Constitution's 14th Amendment. Similarly, the United States Supreme Court determined this to be a safe alternative to the Partial-Birth Abortion Ban Act of 2003 (a federal statute regulating abortion procedures.) *Gonzales v. Carhart*, 550 US 127 (2007). The Gonzales court also recognized long-standing law which prohibits an undue interference for the State on a woman's right to terminate their pregnancy prior to viability. *Roe v. Wade*, 410 US 113 (1973). This bill, if passed, will likely force New Hampshire into costly and unnecessary litigation. In addition to the constitutional issues, the bill's language is discriminatory and disregards the individual rights of women New Hampshire citizens. The bill allows a court to determine whether the identity of the women should be disclosed in "every civil criminal, or administrative proceeding," regardless of her consent to such disclosure. It further allows only a "married" father of the unborn to bring an action for civil damages, yet does not provide the right to an unmarried father or same-sex spouse. This bill also criminalizes health care providers for practicing medicine in a manner they determine is medically sound and is in the best interest of their patients. This bill imposes criminal penalties, including a class A felony for physicians and other medical providers who perform this procedure. We are trusted with the responsibility to pass laws for all the citizens of New Hampshire. This bill, as worded, falls short of our responsibility and violates the laws of the State of New Hampshire and United States Constitution. **Vote 9-7.**

Rep. Kurt Wuelper for the **Minority** of Judiciary. The minority believes the dismemberment abortion procedure known as Dilation and Evacuation [D&E] is so monstrous it should be illegal. No baby should ever be subjected to being physically torn limb-from-limb, which is precisely what the D&E does. Our Constitution forbids "cruel and unusual" punishment for crimes. We apply this principle even to those who have committed crimes so serious they have received the death penalty. We believe the pre-born child, having committed no crime, deserves similar mercy. Even more, our State should do all it can to protect every baby from such a torturous procedure. We believe the Supreme Court would follow the same logic it used to uphold the Partial Birth Abortion ban and uphold the D&E ban.

HB 1627-FN, relative to the protection of infants born alive. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Paul Berch for the **Majority** of Judiciary. There are existing laws, both Federal and State, that extend protections to infants born alive. This bill seeks to go beyond these laws to allow criminal prosecutions of doctors who are believed to have exceeded vague concepts relating to evidence of life, medically necessary or reasonable care, without defining these terms. A bipartisan majority of the committee felt this bill impermissibly interferes with medical professionals trying to provide the best medical care that they can. This legislation would require doctors to employ extraordinary resuscitation measures for pre-viable fetuses who are born as a result of early (pre-term) labor or abortion – even where there is no chance of viability or ultimate survival. The requirements of this bill deviate from the medical standard of care and interfere with the ability of physicians to work during a time of pregnancy loss or termination. New Hampshire currently has some of the lowest abortion rates and the best maternal health outcomes in the country, yet we heard testimony that this legislation would threaten the state's top neonatologists and fetal medicine specialists with prosecution and subject doctors and families to an invasive level of government interference. **Vote 9-7.**

Rep. Kurt Wuelper for the **Minority** of Judiciary. The minority believes that every baby born alive deserves nourishment and "medically appropriate and reasonable" care, even if that baby is born alive accidentally after an abortion procedure. Further, it is the role of the Legislature to define crimes and establish penalties

for crimes. This bill is similar to the Federal Born Alive Protection Act and requires any such baby receive such care and makes failure to provide that care a crime. With criminal cases from other states documenting that hundreds of these babies have been killed (or allowed to die with no care given), we believe our state needs to clearly identify such wanton disregard for living babies a serious crime.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 1641-FN-LOCAL, relative to requiring prevailing wages on state-funded public works projects. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leon Rideout for the **Majority** of Labor, Industrial and Rehabilitative Services. The majority of the committee felt that despite testimony that this would level the playing field it would do the opposite. The majority felt that the administrative burdens would hinder a small company from bidding on a state funded project which will hinder competition. The NH Department of Administrative Services testified that passing this bill would require them to hire 6 new employees to properly administer the provisions. The approximate cost will be \$2.6 million annually. Other states that have instituted a prevailing wage law have experienced an approximate 10% increase in construction costs which would add even more strain to the NH Department of Transportation's already stretched budget, resulting in fewer projects completed. The majority was also troubled that the often cited study in testimony was a national study not a study of the NH market, therefore the study's assumption could not be accurately applied to NH. **Vote 10-6.**

Rep. Andrew White for the **Minority** of Labor, Industrial and Rehabilitative Services. This bill would put more money from taxpayer-funded public construction projects into the hands of our NH workers and businesses. It would do so without increasing project costs, by preventing unscrupulous out-of-state contractors from underbidding NH-based workers and contractors. Without this law, we are shipping New Hampshire's jobs and taxpayer money out-of-state and failing to rebuild and enhance our own New Hampshire economy. Credible research shows that passing a prevailing wage law will not only direct more public dollars to our own NH workers and businesses, but also ensure construction workers on these projects receive healthcare benefits and competitive pay. The result would be the creation of at least 1,700 new jobs, nearly \$300 million in increased economic activity, and over \$7 million in new state and local tax revenues. Understanding that passing this bill would be a win for New Hampshire workers, the state, and all taxpayers, the minority voted against the motion of Inexpedient to Legislate and urge you to do the same.

PUBLIC WORKS AND HIGHWAYS

HB 1568-FN-A, relative to prepaid road tolls for certain alternative energy vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin Tilton for Public Works and Highways. This bill as amended establishes a road toll at the time of registration for vehicles powered solely by electricity. The annual toll will be equal to the amount of the state portion of the registration fee. This reestablishes a requirement that existed in NH from 1981 until 2001. The amendment and amended bill applies only to those vehicles powered solely by electricity. Currently all vehicles using the NH State highways except those powered by electricity share in the highway maintenance costs through the gas tax or other methods. **Vote 15-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1298, relative to damage to private property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. This bill, as amended, addresses the process by which landowners may seek to recover damages caused by illegal dumping and release of pollutants caused by OHRV's and snowmobiles while traveling on an owner's property. Current statute does not provide adequate guidance to the courts, the Department of Environmental Services, or municipalities on how a landowner may recover costs for cleanup when an incident occurs, nor does it provide sufficient deterrents to prevent such activity. When an incident occurs, the bill would allow a landowner to commence a right of action for the cost of cleanup and such damages that may result from any discharges of the damaging pollutants. Additionally, a penalty of up to 3 times actual damages could be imposed and the recovery of attorney's fees incurred by the owner could be ordered. **Vote 17-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 1412-FN, relative to duties of the public utilities commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Vose for the **Majority** of Science, Technology and Energy. This bill would have expanded the responsibilities of the Public Utilities Commission (PUC) to perform economic, environmental and social analyses as part of its investigations into utility regulation. The bill's fiscal note estimated that these expanded

responsibilities would increase the agency's costs by \$2.7 to \$3.2 million. The prime sponsor presented an amendment at the public hearing that reduced the bill to merely asking the PUC to make judgments about the "public good". During questioning, the terms "public good" and "public interest" were determined to be synonymous. Since statute already directs the PUC to judge whether regulatory actions are in the public interest, the need for this legislation is not apparent. **Vote 15-5.**

Rep. William Baber for the **Minority** of Science, Technology and Energy. The modest intent of this bill is to extend the scope of consideration in the Public Utilities Commission's (PUC) decision processes to include the concept of "public interest" in all of their decisions given that the state is experiencing a rapid transformation in the sources and transmission of energy. Allowing the PUC to consider all factors that may impact the economy, jobs, and the environment is clearly in the best interest of the state. The minority believes the amendment will eliminate the need for a fiscal note and allows more discretion by the PUC.

HB 1553-FN, transferring the administration of the telecommunications accounting unit. **OUGHT TO PASS.** Rep. Marjorie Shepardson for Science, Technology and Energy. This bill transfers the statewide telecommunications accounting unit from the Department of Safety to the Department of Information Technology. Over the past several years, we have transitioned to a nearly total dependence on digital technologies in communications, making the Department of Information Technology a more fitting place for these functions to reside. It should make billing more efficient and reduce one employee position. The fiscal note states this bill will decrease state expenditures. **Vote 19-0.**

HB 1622-FN, relative to radioactive waste and establishing a nuclear waste storage fee. **MAJORITY: IN-EXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert Vadney for the **Majority** of Science, Technology and Energy. This bill strongly discourages the storage of nuclear waste at Seabrook Station by placing a high annual fee (\$500,000) on each cask of such waste stored on site. Investigation showed there are fourteen casks already on site that would result in an annual charge of \$7 million to Seabrook Station, money that would surely be raised from customers. Passing such costs on to ratepayers would increase what are already being considered intolerably high electricity bills in the state. Although removing the spent fuel waste from Seabrook may be an admirable goal, it is a situation Seabrook Station cannot control as the federal government has not yet provided a location or mechanism to properly dispose of such waste as required under federal law. Existing state statute (RSA 125:77-b) specifically allows interim on-site storage of nuclear fuel and spent fuel at Seabrook. Until the Federal government provides a more permanent solution for long term storage or disposal, the Seabrook spent fuel waste will remain at Seabrook and there is little to nothing we can do to change that situation. In addition, RSA 125:77-b prohibits the disposal of any radioactive waste in the state, thereby making the 9 pages of the bill that would regulate the siting of a disposal site in the state unnecessary. Further, it should be noted, Seabrook's highly reliable 1,200 megawatts of carbon free electricity are critical to powering our New England electrical grid. Tinkering with it at this time could prove foolhardy. **Vote 13-6.**

Rep. David Borden for the **Minority** of Science, Technology and Energy. In January 1986, the US Department of Energy announced that it had identified a 78 square mile area centered in Hillsborough, NH as a potential site for burial of the nation's high level radioactive waste. That year, 137 towns passed warrant articles opposing the proposed waste site and the Legislature passed the High Level Radioactive Waste Act. The act was signed into law by Governor Sununu. The law was repealed as part of the trailer bill in 2011. This bill reestablishes the law and ensures that no new high level radioactive waste site areas are created in our state. The amendment proposed by the minority eliminates the fees which could be assessed by the bill.

SPECIAL COMMITTEE ON PUBLIC EMPLOYEE PENSION PLANS

HB 1673-FN-LOCAL, establishing a cash balance plan within the state retirement system. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Neal Kurk for the **Majority** of Special Committee on Public Employee Pension Plans. This legislation, with the amendment, would enact a cash balance defined benefit pension plan for all new State employees hired on and after July 1, 2016. It does not change, or in any way affect, the current traditional defined benefit retirement plan for all current State and political subdivision employees, and it would only apply to employees of political subdivisions if and when that subdivision's governing body voted to adopt the plan. Under a cash balance plan, the employer guarantees a minimum return on each employee's retirement account regardless of the investment return on the pension plan's investments. If the pension plan earns a rate of return greater than the guaranteed minimum return, the employer and employee share the benefits of those excess investment earnings. Under this cash balance plan, an employee's retirement is funded in the first instance by annual contributions made by both the employer and employee - identical in amount to the contributions of employers and employees under NH's current defined benefit plan. The value of each employee account increases annually by an "interest credit rate" based on the federal mid-term bond rate, but with a guaranteed minimum of 5%. In addition, the retirement system Board of Trustees may vote to pay an additional dividend

to all participating employees up to a maximum total of 66.7% of the total investment earnings of the retirement trust fund (including the total interest credits already paid to the employees' accounts) over any five year rolling period. All contributions, interest credits and dividends compound annually until the employee either retires or withdraws the accumulated benefits from the plan. An employee in the cash balance plan fully vests in five years, and the account is 100% portable. Under the plan, at retirement an employee can elect to receive a 2.5% COLA as part of his final retirement benefit (to be paid for out of the member's total retirement account), and may receive up to 50% of his final retirement benefit as a lump sum. Generally speaking, the cash balance plan will be administered and invested the same way as the current plan. The primary difference between NH's current defined benefit plan and this cash balance defined benefit plan is in the method of calculating the value of the final retirement account. Under the current plan, that value is based upon an employee's years of service and his average earnings in the final years before retirement. Under this bill, that value is based upon the amount of contributions, interest credits and dividends credited to the employee's account, compounded over the employee's years of service and final retirement date. This creates somewhat greater uncertainty in the cash balance defined benefit plan in that the employee could get somewhat less in the cash balance plan than in the current plan; but that employee could also get more – perhaps significantly more, under the cash balance plan. The intent behind this cash balance defined benefit plan is to provide employee retirement benefits that are essentially the same as the retirement benefits under the current NH plan, assuming the markets generate the same rate of return over future decades that they have generated over the past six or so decades. The current NH Retirement plan is underfunded by approximately \$4 billion. A plan was put into place in 2007 to pay down that unfunded amortized actuarial liability (UAAL) over 25 years. This cash balance plan continues that robust amortization plan by contributing to the amortization schedule for every new State employee over the remaining years of that schedule. In addition, this cash balance defined benefit plan will substantially reduce the possibility that the UAAL will grow larger over time. By its very nature, a cash balance defined benefit plan is funded on a pay-as-you-go basis. This is amply demonstrated by the cash balance plan adopted by Nebraska in 2003 – the plan this legislation was closely modeled after. That plan has been very successful during both economic good times and the great recession. It was fully funded at 104% at the end of 2015, and employees have seen their accounts grow on average more than 7.90% per year over those twelve years. **Vote 7-6.**

Rep. Jeffrey Goley for the **Minority** of Special Committee on Public Employee Pension Plans. The committee only had two weeks between the public hearing and the executive session and was not able to get answers on numerous concerns we had about the legislation. One of the main concerns was - what percentage of an employee's income would be replaced at the time of retirement under a cash balance plan? The minority of the committee believes that a retiree under this plan may have their benefits significantly reduced. While the sponsor has stated that his intent is to establish a plan that would produce a level of income replacement that is similar to the current defined benefit plan, the fact is that there have been no solid calculations produced to show that this bill would do that. There was also a legal consideration brought forward by the NH Retirement System. Staff noted that the employer contribution credit as determined by RSA 100-A:16 may violate the definitely determinable rule under the Internal Revenue Code Section 401(a). Another main factor in recommending Interim Study is that both the NH Municipal Association and the NH School Board Association testified that they would like to wait until the Decennial Retirement Commission begins its work in 2017, where the discussion on a cash balance plan could be thoroughly vetted and explored.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1130, requiring school districts to permit placement of a memorial honoring those who have died during military service. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for the **Majority** of State-Federal Relations and Veterans Affairs. This bill as amended gives the school district the authority to permit a placement of a memorial honoring an alumnus who was killed while in the military serving our country. There is no cost to the state or any municipality for the design, manufacturing, installation or maintenance of the memorial. The decision to place the memorial must be agreeable to the school board of the school that the military person has attended.

Vote 7-4.

Rep. Robert Theberge for the **Minority** of State-Federal Relations and Veterans Affairs. This bill requires school districts to permit placement of a memorial honoring those who died during military service. The amendment still mandates school districts to permit the placement of memorials. The legislature has a long-stated belief in using local control at the local level and not mandating actions. To date, there has never been any school district within the state which has denied the placement of memorials honoring veterans. School districts have always worked with veteran organizations and non-profits for the placement of such memorial.

TRANSPORTATION

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherman Packard for Transportation. For almost ten years NH has said it will not participate in what is referred to as Real ID. This law was passed by Congress in 2005. The concept was taken from the 911 Commission report. It stated the federal government should set standards for the issuance of birth certificates and sources of identification such as drivers' licenses. It was feared by many that this would turn into a national identification card data base. That fear has been averted. Developing a NH compliant drivers' license does not create a national ID card, a federal data base of driver license information or new federal access to state data. This bill will allow NH citizens to voluntarily obtain a real ID compliant license. This bill is completely opt-in. The deadlines have been set by Homeland Security. Many federal buildings are not now accessible with a NH license. Provisions governing the boarding of aircraft will take effect January 2018. If we do not act in a responsible manner hundreds of thousands of our citizens will be greatly affected. If we do not act we will be forcing our citizens to obtain a passport causing some families great financial difficulty. In NH if you wish to have your picture and Social Security number removed from the Department of Safety data base after you receive your license you may. To opt-in for a Real ID license you must agree to leave those two items retained in the NH system. If you choose not to have a Real ID license you will still be able to have those two items removed. Your license will be marked non compliant for federal purposes if you do not have a Real ID license. Though some feel that we should continue to refuse to participate in Real ID, we were elected to govern in the best interests of the citizens of the State of NH. Preventing our constituents from having the option of obtaining a Real ID license is unfair and unnecessary. This bill is completely voluntary. No one is being forced or asked to obtain a Real ID license. We are only giving them the ability to make an informed decision on participating or not participating in Real ID. The amendment sends a strong statement of dissatisfaction with Real ID. Unless this law is changed federally it is our responsibility to give our constituents the option. **Vote 16-2.**

COMMERCE AND CONSUMER AFFAIRS

HB 1184-FN, relative to license fees for domestic wine manufacturers. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Abel for Commerce and Consumer Affairs. The bill sought to modify the license fee schedule for domestic (New Hampshire) wine manufacturers to increase the number of cases of wine that could be produced at the minimum annual license fee of \$100, from 1,000 to 10,000 cases per year. However, testimony revealed that wine manufacturers already enjoy the lowest licensing fees of all classes of alcoholic beverages. They pay less than one-half of the lowest license fees required for manufacturers of beer, liquor, and rectifiers. The Legislative Budget Assistant determined that this legislation, as introduced, creates a negative impact on state revenues in each of the fiscal years 2015 through 2020. A bi-partisan committee majority concluded that wine manufacturers already receive encouragement to grow their industry from current license fees and the present schedule should be preserved as is. **Vote 15-4.**

HB 1207-FN, exempting wine sample fees from the meals and rooms tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Hunt for the **Majority** of Commerce and Consumer Affairs. Last year, legislation passed enabling beer, wine and distilled liquor manufacturers to charge for samples, which they had never been able to do before. Everyone understood at the time that any charge for samples would be susceptible to the Rooms and Meals tax. This is similar to brew pubs, who not only pay the beer tax, but also the Rooms and Meals tax when serving customers. The committee felt it would be unfair to exempt sampling when everybody else has to collect the tax. If the beverage and liquor manufacturers continue to give the samples away for free as they have in the past, then there would be no tax. **Vote 14-5.**

Rep. Pamela Tucker for the **Minority** of Commerce and Consumer Affairs. This bill eliminates the taxation of wine samples. A sample is designed to entice the buyer into a larger purchase and create more sales and tax revenue. Our wine manufacturers, who already pay a tax on the wine produced, whether sold or sampled at a nominal cost, have to collect a tax on the small samples they pour. This creates more reporting and increases the cost of doing business. The minority felt that the double taxation on wine samples creates a disincentive for their sale and will not create the additional revenue the sample was intended to produce.

HB 1368-FN, requiring firearms owners to have liability insurance. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill attempts to mandate that anyone who owns or purchases a firearm shall obtain a liability insurance policy. A majority of the committee felt that the bill should be found Inexpedient to Legislate because the mandated insurance is not currently available and, if it were, it would disproportionately affect those who are economically disadvantaged. This bill would create a de facto gun ban and self defense ban on the poor. The committee received an overwhelming number of emails and personal testimony in opposition to this bill. The committee also noted that the state of New Hampshire does not require liability insurance to own or operate a motor vehicle upon a public way. **Vote 20-1.**

HB 1444-FN-A, relative to the rate of the insurance premium tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Donald Flanders for the **Majority** of Commerce and Consumer Affairs. This bill proposes a .75% tax increase on insurance companies. Currently, insurance companies pay a tax of 1.25% of premiums or the Business Enterprise Tax (BET) and Business Profit Tax (BPT), whichever is higher. They also contribute about \$15 million a year to pay the cost of the Insurance Department and the Labor Department's Worker Compensation Division. The premium tax rate was lowered after considerable discussion and deliberation in 2006 as an economic development initiative. It has helped create about 1,000 New Hampshire jobs and insurance employment should continue to increase. Raising the tax would not be helpful to our economy. **Vote 11-7.**

Rep. Edward Butler for the **Minority** of Commerce and Consumer Affairs. The reduction in insurance premium tax when instituted in 2006 was projected to increase jobs and economic activity in our state. Some projected as many as 3,400 new jobs would be created with an over \$60 million increase to personal incomes. When the reduction was passed, there was also a requirement to produce an annual report on the number of jobs created through this initiative. Those reports have not shown the job increases projected. Indeed testimony was given that only 9 jobs had been reported recently. That statement was vehemently challenged. There are clearly strong opinions on both sides of whether this premium tax reduction has had its intended result. The minority believes that now is the time to get better, more comprehensive, data about the impact of this change on the state's economy.

HB 1590-FN-A-LOCAL, relative to the regulation and taxation of short-term rental businesses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. As most House members know, since about 2008 there has been an explosion of short-term rentals of residential properties being promoted through website platforms. Some of the platforms that help owners rent their properties are AirBNB, HomeAway, Flipkey, Pillow, VRBO, Beyond Stays, and Guesty, among others. Though these operators offer overnight accommodations and other services similar to traditional lodging businesses (which pay the state Rooms and Meals tax and comply with public health and safety regulations) many, if not most, do not apply for a Rooms and Meals tax license. In fact current law requires that any short-term rental is subject to the Rooms and Meals tax (RSA 78-A). This legislation will require that all residential short-term rental operators include their Rooms and Meals tax license number in all advertisements which will, of course, include online listings. This will give the Department of Revenue Administration another mechanism to determine if those using these website platforms are paying the required taxes. It may also serve to encourage neighbors who do pay this tax, to question neighbors who also provide short-term rentals who are not. **Vote 15-4.**

HB 1647-FN, repealing laws regulating hawkers and peddlers and itinerant vendors. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bart Fromuth for the **Majority** of Commerce and Consumer Affairs. This bill repeals laws regulating hawkers, peddlers and itinerant vendors at the state level. The majority of the committee feels that these laws, one originally adopted in 1897 and the other in 1931, have outlived their utility and purpose. Over the years, so many exemptions had been written into the laws that it was difficult for the committee to discern who might still be subject to their requirements. As an example, the exemptions include: charities, religious groups, home goods sales political organizations, and any person conducting business in any industry or trade association show. Further, it seemed as though many of the state's remaining licensees had availed themselves of the licenses mistakenly due to the confusion surrounding the exemptions. We also heard testimony from a former police officer and license holder that the licenses were no longer necessary. **Vote 10-9.**

Rep. Edward Butler for the **Minority** of Commerce and Consumer Affairs. No town official or citizen has come to their elected state representatives and said that these laws present a problem. In the committee hearings we heard from the Secretary of State's office that they are useful and necessary. We heard from a town police chief and a representative of the State Police, representing the concerns of several towns, that these statutes give towns the basis upon which to create their own local ordinances relative to hawkers and peddlers; and that they make it possible for them to do the necessary background checks on those applying for these licenses. The minority believes that until those finding these laws useful come to us to request a change, that the laws should continue to offer the basis for protection of our citizens from unscrupulous door-to-door peddlers.

CRIMINAL JUSTICE AND PUBLIC SAFETY**HB 1694-FN-A-LOCAL**, relative to the legalization and regulation of marijuana. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Dick Marston for the **Majority** of Criminal Justice and Public Safety. This bill would have legalized possession of marijuana for persons over the age of 21 and legalized the cultivation of up to 6 plants, of which 3 could be adult plants which could produce up to 3 pounds. After hearing testimony on the practices in other states, the sponsors indicated that it would be a much needed source of revenue for the State of NH. The committee also heard testimony from many sources, including the proponents of legalization, that

marijuana is not a harmless drug. The majority of the committee believes that legalizing marijuana and allowing the cultivation of up to 6 plants would not prevent persons under the age of 21 from obtaining the drug from either legal or illicit means. The committee feels that in light of the ongoing opioid crisis and the information given to the task force about how a young man went from marijuana use to prescription drugs and on to heroin addiction, that now is not the time to legalize a drug that is illegal under federal statutes. The committee further believes that relying on the sale and taxation of a federally illegal drug is not the NH way to address the state's fiscal needs. **Vote 11-4.**

Rep. Geoffrey Hirsch for the **Minority** of Criminal Justice and Public Safety. The minority believes that this bill is a well-crafted piece of legislation providing adult NH citizens over the age of 21 with a controlled, tested, labeled, and less harmful alternative to alcohol - without turning users into criminals. 58% of Americans nationally and 60% of NH citizens support the legalization of recreational marijuana sold and taxed like alcohol (WMUR Poll 7/15). This bill is modeled after the best practices adopted in states currently regulating marijuana successfully in accordance with public health and safety. Passage of this bill will, by the most conservative estimates, divert hundreds of millions of dollars from the illicit drug market to a regulated market. Regulations in this bill protect the consumer without minimizing marijuana's risks. Resulting jobs created in NH will range from agriculture to manufacturing to laboratories to retail sales. Tax provisions in this bill will provide the State of NH with much needed revenue. Recreational marijuana is currently legal in 4 states and Washington DC. According to USA Today, 11 states -- most notably Vermont, Maine, Massachusetts, Rhode Island, and Connecticut -- will likely adopt legalization of marijuana this year or next. NH could soon be surrounded by states that have ended the prohibition of marijuana for adult use. Supporters of this bill are not blind to NH's, indeed the nation's, crisis with opiates and related deaths. But consider this: according to the US CDC, in 2015 over 17,000 people died from illicit drug overdoses (heroin, cocaine, etc.); over 25,000 people died from overdoses of prescription drugs; over 50,000 people died from alcohol related diseases and overdoses. During that same period 0 people died from an overdose of cannabis. In numerous reputable studies, gateway drug assertions have been shown to be unwarranted. The message this legislation brings to citizens of all ages is that we will no longer tolerate marijuana coming from the hands of callous drug dealers who tempt customers into more dangerous substances (as happens now). Rather, NH will provide tested, regulated, and labeled marijuana products adults can understand and trust. The message is that legislators can be responsive to public opinion, responsible in their actions, and reasonable in their laws.

FRIDAY, FEBRUARY 5

COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k), Room 102, LOB

10:00 a.m. Subcommittee meeting.

NEW HAMPSHIRE FILM AND TELEVISION COMMISSION (RSA 21-K:23), Department of Cultural Resources, 19 Pillsbury Street, Concord.

10:00 a.m. Regular meeting.

MONDAY, FEBRUARY 8

ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA:188-E:10-b), Room 101, LOB

10:00 a.m. Regular meeting.

FINANCE - DIVISION I, Room 212, LOB

10:00 a.m. Work session on **SB 155-FN-A**, (New Title) establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

10:15 a.m. Work session on **HB 636-FN**, relative to forfeiture of property.

10:45 a.m. Work session on **HB 1428-FN-A-L**, making appropriations to the department of environmental services for the purpose of funding eligible and completed drinking water and wastewater projects under the state aid grant program.

11:30 a.m. Work session on **HB 1591-FN-A**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services; **HB 1592-FN**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17 - I:1, CHAPTER 451:1), Room 100, SH

1:00 p.m. Regular meeting.

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

1:30 p.m. Regular meeting.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. **HB 1304**, relative to town maintenance of a road designated as a highway to summer cottages.
- 10:20 a.m. **HB 1392-L**, relative to notice of land use violations and court costs in cases brought by a municipality.
- 10:40 a.m. **HB 1395**, relative to municipal electronic records.
- 11:00 a.m. **HB 1401**, relative to public libraries.
- 1:00 p.m. **HB 1180-L**, relative to the authority of towns to issue bonds for the expansion of Internet service.
- 1:20 p.m. **HB 1219-FN-L**, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.
- 1:40 p.m. **HB 1336-FN-L**, relative to interest on abatements of taxes.
- 2:00 p.m. **HB 1359**, relative to the tax credit for service-connected disability.

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), Room 205, LOB

- 10:00 a.m. Regular meeting.

WEDNESDAY, FEBRUARY 10**ELECTION LAW, Room 308, LOB**

- 8:30 a.m. Subcommittee work session on **HB 1482**, establishing a committee to study improving the statewide voter registration database.

RESOURCES, RECREATION AND DEVELOPMENT, Room 104, LOB

- 8:30 a.m. Work session on **HB 1589-FN**, prohibiting the transportation of exotic aquatic weeds.

THURSDAY, FEBRUARY 11**COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB**

- 1:15 p.m. **HB 1160-FN**, relative to licensing spas and salons to serve alcoholic beverages.
- 1:30 p.m. **HB 1188**, relative to the brew pub license.
- 1:45 p.m. **HB 1152**, relative to the definition of specialty beer.
- 2:00 p.m. **HB 1206**, relative to limited credits.
- 2:15 p.m. **HB 1540-FN**, relative to direct shipments of beer.
- 2:30 p.m. **HB 1211**, relative to requirements for certain alcoholic beverage licenses.
- 2:45 p.m. **HB 1329**, relative to prohibited sales of alcoholic beverages.

COMMISSION ON RURAL AFFAIRS (RSA 9-A:5), Heritage Commons, Samuel Read Hall, Highland Street, Plymouth State University, Plymouth

- 10:00 a.m. Regular meeting.

EDUCATION, Room 207, LOB

- 1:00 p.m. **HB 1274**, establishing a committee to study the efficacy of changes in the community college system of New Hampshire.
- 1:40 p.m. Full committee work session on **HB 1274**, establishing a committee to study the efficacy of changes in the community college system of New Hampshire; **HB 1303**, relative to withdrawal from a cooperative school district; **HB 1364**, relative to the membership of the cooperative school district budget committee; **HB 1283**, relative to school notification of a change in placement. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE - DIVISION II, Room 209, LOB

- 1:00 p.m. Work session on **HB 280**, (New Title) authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans.

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

- 9:00 a.m. Subcommittee work session on **HB 1681-FN**, relative to hypodermic syringes and needles containing trace amounts of controlled drugs.
- 1:15 p.m. **HB 1209**, relative to consultations under the telemedicine law.
- 2:15 p.m. **HB 1210**, relative to prescriptions for controlled drugs by telemedicine.
- 3:15 p.m. **HB 1324**, relative to membership of the oversight committee on health and human services. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13), Room 104, LOB

- 1:00 p.m. Subcommittee work session on food services performance audit review.

JUDICIARY, Room 208, LOB

- 1:00 p.m. **HR 17**, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of Governor Maggie Hassan.
- 1:30 p.m. **HR 18**, directing the house judiciary committee to investigate former superior court justices Robert Morrill and James O'Neill and retired Grafton county superior court clerk Robert Muh for violations of law and constitutions.
- 2:00 p.m. **HR 19**, authorizing and directing the house judiciary committee to investigate whether cause exists for the impeachment of the 5 executive councilors.
- 2:30 p.m. **HB 1399-FN**, requiring licensure of outpatient abortion clinics.
- 3:30 p.m. **HB 1570-FN**, repealing the law governing access to reproductive health care facilities.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 1:00 p.m. **HB 1523**, relative to government construction contracts.
- 1:45 p.m. **HB 1341**, relative to employee payments to unions.
- 2:30 p.m. **HB 1322**, relative to reports to the public employee labor relations board.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 3:00 p.m. Executive session on **HB 1278**, requiring payment of lawful money to employees; **HB 1346**, relative to minimum wage for tipped employees; **HB 1376**, relative to temporary workers; **HB 1476**, relative to prohibitions on the employment of youth.
- 3:30 p.m. Work session on **HB 1512**, relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation.

LEGISLATIVE ADMINISTRATION, Room 303, LOB

- 1:00 p.m. **HB 1441-FN**, requiring business impact notes for proposed legislation.
- 1:20 p.m. **HCACR 18**, relating to compensation of legislators. Providing that members of the general court shall receive \$2,500 per year.
- 1:40 p.m. **HB 1432-FN**, including the legislature as a public employer under the public employee labor relations act.
- 2:00 p.m. **HB 1103**, requiring a report on the avails and income of a tract of land granted by the state to Dartmouth College.
- 2:20 p.m. **HB 1486**, relative to membership of the state house bicentennial commission.
- 2:30 p.m. **HCR 12**, urging support of the 65/25 initiative in New Hampshire.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 9:00 am Subcommittee work session on **HB 1293**, relative to the procedure for charter amendments.
- 1:00 p.m. Executive session on **HB 1112**, relative to subdivision of land; **HB 1202**, relative to applications submitted to a planning board; **HB 1203**, relative to voting on variances.
HB 1244-L, relative to municipal cemeteries; **HB 1259**, relative to liability for third party review of site plans; **HB 1293**, relative to the procedure for charter amendments; **HB 1296**, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers; **HB 1380**, relative to duties of police commissions; **HB 1585-FN**, relative to competitive bidding in Carroll county.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 1:00 p.m. Executive session on **HB 1147**, requiring a report on federal landholdings within the state and establishing a moratorium on federal land acquisitions; **HB 1170**, relative to special permits for OHRV operation in Jericho Mountain State Park; **HB 1172**, relative to corrective action implementation of audit findings concerning Cannon Mountain; **HB 1299**, relative to the frequency of background checks for camp employees; **HB 1332**, adding a member to the aquatic resources compensatory mitigation site selection committee; **HB 1461**, relative to the definition of and criteria for protection instream flow; **HB 1517**, relative to temporary seasonal docks; **HB 1589-FN**, prohibiting the transportation of exotic aquatic weeds; **HB 1595-FN**, relative to the rivers management and protection program.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 1:00 p.m. **HB 1483**, relative to community renewable energy.
- 2:00 p.m. **HB 1367**, relative to the public utility commission's authority to implement measures to increase the reliability, cost effectiveness, efficiency, or resiliency of the electrical grid.

WAYS AND MEANS, Room 202, LOB

- 1:00 p.m. Work session on **HB 1572-FN**, establishing a broadband deployment tax credit incentive program against the business profits tax and the business enterprise tax; **HB 1650**, relative to limits in table stakes poker.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 2:00 p.m. Executive session on **HB 1258-FN**, establishing exemptions from the business profits tax and business enterprise tax for new businesses in New Hampshire; **HB 1422-FN**, creating an exemption from the business profits tax for new businesses in New Hampshire; **HB 1254-FN-L**, providing an exemption from the business profits tax and the business enterprise tax for certain manufacturing businesses; **HB 1689**, relative to operator requirements under the meals and rooms tax; **HB 1192-FN**, repealing the education tax credit; **HB 1443-FN**, relative to the reasonable compensation deduction from gross business profits under the business profits tax and requiring the department of revenue administration to prepare draft rules relative to auditing; **HB 1538-FN-A**, relative to revising the business enterprise tax as a business flat tax, reducing the rate of the interest and dividends tax, repealing certain taxes, and establishing a commission to recommend statutory changes for the implementation of this new tax structure; **HB 1360-FN**, establishing a credit against business profits taxes for media production expenditures in New Hampshire.

FRIDAY, FEBRUARY 12**BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 307, LOB**

- 1:00 p.m. Regular meeting.

COMMISSION ON HISTORIC BURYING GROUNDS (RSA 227-C:12-a), Room 102, LOB

- 10:00 a.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. **HB 1492**, regarding individual privacy when law enforcement agencies use body-worn cameras.
10:45 a.m. **HB 1546-FN**, permitting the audio recording of a public servant performing a public function.
11:15 a.m. **HB 1113**, requiring a performance audit of the sex offender treatment program in the department of corrections.
1:00 p.m. **HB 1426-FN**, relative to earned time credits for prisoners participating in rehabilitative or educational programming.
2:00 p.m. **HB 1369**, requiring judges to grant earned time credits when a prisoner has substantially reduced the threat he or she poses to the public.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

- 9:30 a.m. **HB 1637-FN**, relative to school attendance in towns with no public schools.
10:30 a.m. **HB 1372**, permitting a child with a disability to use audio or video recording devices in the classroom.
11:00 a.m. **HB 1484**, relative to the election of members of the state board of education.
11:30 a.m. **HB 1431**, relative to academic freedom and whistleblower protection.

FISCAL COMMITTEE, Rooms 210-211, LOB

- 10:00 a.m. Regular meeting.
10:30 a.m. Audits: State of New Hampshire Health and Human Services Bureau of Developmental Services Unspent Appropriations Performance Audit Report February 2016.
The Unique College Investing Plan Annual Report, September 30, 2015.
The Fidelity Advisor 529 Plan Annual Report, September 30, 2015.
2015 Comprehensive Annual Financial Report, New Hampshire State Liquor Commission.
State of New Hampshire Department of Environmental Services, Water Division, Annual Financial Report, State Revolving Fund for the Fiscal Year ended June 30, 2015.

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

- 11:00 a.m. Regular meeting.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 9:30 a.m. Executive session on **HB 1112**, relative to subdivision of land; **HB 1202**, relative to applications submitted to a planning board; **HB 1203**, relative to voting on variances.
HB 1244-L, relative to municipal cemeteries; **HB 1259**, relative to liability for third party review of site plans.

- 1:00 p.m. Executive session on **HB 1293**, relative to the procedure for charter amendments; **HB 1296**, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers; **HB 1380**, relative to duties of police commissions; **HB 1585-FN**, relative to competitive bidding in Carroll county.

NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R:1), Room 308, LOB

10:00 a.m. Regular meeting.

SCIENCE, TECHNOLOGY AND ENERGY, Rooms 302 - 304, LOB

- 10:00 a.m. **HB 1116**, relative to net metering.
 1:00 p.m. **HB 1275**, relative to net energy metering capacity.
 2:00 p.m. Executive session on **HB 1374**, relative to rebates to ratepayers from the renewable energy fund; **HB 1479**, establishing a broadband study committee; **HB 1502**, establishing a committee to study odor emissions from landfills; **HB 1659**, relative to the implementation of the clean power state implementation plan.

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

9:30 a.m. Regular meeting.

SUNDAY, FEBRUARY 14

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1), New Hampshire Technical Institute, MacRury Hall, Conference Room 136, Concord

1:00 p.m. Regular meeting.

MONDAY, FEBRUARY 15

NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a), New Hampshire Veterans Home, Tarr South Conference Room, 139 Winter Street, Tilton

9:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 16

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

1:00 p.m. Regular meeting.

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. Executive session on **HB 1236**, relative to hearings on modifications of parental rights and responsibilities; **HB 1237**, establishing a committee to study the establishment of a default conflict management and resolution system for parents and children; **HB 1279**, relative to grounds for termination of parental rights; **HB 1280**, relative to grounds for modification of parental rights and responsibilities.
 1:00 p.m. **HB 1248**, relative to the waiver of counsel in juvenile delinquency proceedings.
 1:45 p.m. **HB 1250**, relative to medical neglect of children.
 2:30 p.m. **HB 1165**, changing "incapacitated" to "vulnerable" in the adult protective services laws.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 10:00 a.m. **HB 1409**, relative to life, accident, and health insurance.
 10:15 a.m. **HB 1340**, relative to producer licensing.
 10:30 a.m. **HB 1403**, relative to reinsurance.
 10:45 a.m. **HB 1410**, relative to motor vehicle coverage.
 11:00 a.m. **HB 1450**, relative to risk-based capital for insurers.
 11:15 a.m. **HB 1459**, relative to commercial coverage.
 11:30 a.m. **HB 1339**, relative to the corporate governance annual disclosure act.
 1:15 p.m. **HB 1194**, relative to medical benefits under motor vehicle insurance.
 2:00 p.m. **HB 1342**, prohibiting the use of certain information to underwrite insurance.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 9:30 a.m. **HB 1632-FN**, establishing a criminal penalty for providing a firearm to a person prohibited from possessing a firearm.
 10:30 a.m. **HB 1645**, relative to carrying a pistol or revolver without a license.

11:00 a.m. **HB 1135**, relative to physical force in defense of a person.

1:00 p.m. **HB 1415**, relative to escape from official custody.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

9:30 a.m. Executive session on **HB 1120**, relative to teacher qualifications at charter schools; **HB 1121**, relative to the academic areas that comprise the statewide assessment; **HB 1205**, including libraries that provide children's programming in the definition of drug-free school zone; **HB 1229**, prohibiting the inclusion of statewide assessment results in a student's transcript without consent; **HB 1232**, relative to visits to schools by non-academic government or private organizations; **HB 1240**, relative to alternatives to the statewide assessment; **HB 1283**, relative to school notification of a change in placement; **HB 1300**, relative to the content of patriotic exercises in public schools; **HB 1338**, relative to student exemption from the statewide assessment; **HB 1365**, requiring public schools to observe New Hampshire constitution day; **HB 1393**, requiring the department of education to report statewide assessment results for school districts receiving certain state aid; **HB 1456**, relative to chartered public school boards; **HB 1458**, relative to social media policies for educational institutions.

ELECTION LAW, Room 308, LOB

12:00 p.m. Subcommittee work session on **HB 1378**, relative to disabled voters requiring assistance.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. **HB 1615-FN**, regulating the transfer of dogs from out of state.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

1:00 p.m. Executive session on **HB 1514**, relative to the application of nitrogen and phosphorus content fertilizers; **HB 1466**, relative to labeling requirements for certain homestead food operations; **HB 1354**, establishing a committee to study livestock and meat inspection; **HB 1355**, relative to poultry producers exempted from meat inspection requirements; **HB 1528-FN**, relative to standards for aerobic septic systems.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. **HB 1588**, relative to employment restrictions on former executive branch commissioners, and repealing certain prohibitions on employment of state employees.

10:30 a.m. **HB 1142**, relative to employee compensation at certain hospitals.

11:00 a.m. **HB 1122**, relative to limitations on supervisory positions in state employment.

11:30 a.m. **HB 1128**, proclaiming the second week in September as Patriot Week.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE - DIVISION I, Room 212, LOB

10:00 a.m. Work session on **SB 155-FN-A**, (New Title) establishing the Financial Resources Mortgage (FRM) victims' contribution recovery fund for victims of the FRM fraud and continually appropriating a special fund.

10:45 a.m. Work session on **HB 1428-FN-A-L**, making appropriations to the department of environmental services for the purpose of funding eligible and completed drinking water and wastewater projects under the state aid grant program.

11:30 a.m. Work session on **HB 1591-FN-A**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services; **HB 1592-FN**, relative to the health care premium contribution for retired state employees who are over 65 years of age, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1), Room 201, LOB

1:30 p.m. Regular meeting

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. Continued public hearing on **HB 1349**, relative to the location of the Merrimack county superior court.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 1156**, relative to interference with traffic devices.
- 10:30 a.m. **HB 1257**, relative to revocation or suspension of a driver's license because of physical impairment.
- 11:00 a.m. **HB 1302**, relative to driver's license requirements for operation of a mixed use school bus.
- 11:30 a.m. **HB 1469**, relative to the restriction of drivers' licenses for nonpayment of child support.
- 1:00 p.m. **HB 1161**, relative to the traffic safety commission.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 2:00 p.m. Continued executive session on **HB 1154-FN**, authorizing and regulating the use of license plate scanning devices.
- 2:30 p.m. Executive session on **HB 1131**, relative to vehicles formerly used as ambulances; **HB 1132**, relative to carrying a rifle or shotgun in certain vehicles; **HB 1358**, regulating engine idling of certain vehicles; **HB 1405**, repealing the prohibition on after market tinted glass in motor vehicles; **HB 1151**, relative to after market tinting on side windows; **HB 1157**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving; **HB 1158**, relative to an exemption from the prohibition on the use of mobile electronic devices while driving.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. **HB 1198-FN-L**, relative to the valuation of poles and conduits owned by telephone utilities.
- 1:00 p.m. Continued hearing on **HB 1101**, prohibiting charges to New Hampshire residents for the construction of high pressure gas pipelines.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 2:00 p.m. Full committee work session on **HB 1101**, prohibiting charges to New Hampshire residents for the construction of high pressure gas pipelines.

WEDNESDAY, FEBRUARY 17**FINANCE - DIVISION I, Room 212, LOB**

- 10:00 a.m. Work session on **HB 626-FN-A**, authorizing energy infrastructure development and designating energy infrastructure corridors.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 9:30 a.m. Full committee work session on **HB 2016**, relative to the state 10-year transportation improvement program.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

THURSDAY, FEBRUARY 18**COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB**

- 10:00 a.m. **HB 1316**, relative to hospital rates for self-pay patients.
- 10:15 a.m. **HB 1608-FN**, relative to uniform prior authorization forms.
- 10:30 a.m. **HB 1437**, relative to health insurance fraud and abuse reporting.
- 11:00 a.m. **HB 1478**, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments.
- 1:15 p.m. **HB 1601**, relative to certain continuing care communities.
- 2:00 p.m. **HB 1264**, relative to carnival or amusement ride inspections.

COMMISSION ON POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D), Walker Building, Room 100, 21 South Fruit Street, Concord

- 2:30 p.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 9:00 a.m. **HB 1235**, relative to stalking.
- 9:30 a.m. **HB 1586-FN**, prohibiting the impersonation of an emergency medical technician or firefighter.
- 10:00 a.m. **HB 1549-FN**, requiring the department of safety to establish a database cataloging certain law enforcement activities.
- 11:00 a.m. **HB 1597-FN**, relative to preservation of biological material in a criminal investigation for DNA testing.
- 1:00 p.m. **HB 1435**, relative to enforcement of the prohibition on the use of mobile electronic devices while driving.

- 2:00 p.m. **HB 1603-FN**, requiring the registration of drug dealers.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

- 9:30 a.m. Executive session on **HB 1137**, relative to the adoption of school administrative unit budgets; **HB 1145**, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3; **HB 1225**, permitting high school students who are members of the armed forces to wear their uniforms at graduation; **HB 1231**, relative to school district policy regarding objectionable course material; **HB 1239**, relative to certain terminology in the education statutes; **HB 1323**, relative to nonrenewal of a teacher's contract; **HB 1366**, relative to the definition of educational competencies; **HB 1371**, establishing a committee to study education savings accounts for families of special needs students; **HB 1372**, permitting a child with a disability to use audio or video recording devices in the classroom; **HB 1379**, amending the requirement to use English in schools; **HB 1408-FN**, relative to a school building inventory; **HB 1411**, making civics mandatory in public schools.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 9:30 a.m. Executive session on pending legislation.

FRIDAY, FEBRUARY 19

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

- 9:00 a.m. Continued meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 9:00 a.m. **HB 1692-FN**, revising the procedures relating to parole violation and parole revocation.
10:00 a.m. **HB 1261**, relative to multiple indictments in criminal prosecutions.
11:00 a.m. **HB 1287**, repealing a provision of the harassment statute.
1:00 p.m. **HB 1448**, relative to contact between a plaintiff and defendant subject to a protective order.
2:00 p.m. **HB 1474**, requiring the collection of data relative to firearm related deaths and injuries.
3:00 p.m. **HB 1552-FN**, extending the penalty of death to acts of terrorism and civil rights offenses.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1), Rooms 301 – 303, LOB

- 9:30 a.m. Regular meeting.

SPECIAL COMMITTEE ON PUBLIC EMPLOYEE PENSION PLANS, Room 202, LOB

- 10:00 a.m. Work session on **HB 1449-FN**, relative to additional temporary supplemental allowances for retired members of the retirement system; **HB 1489**, establishing a committee to study the rates of employer contributions in the retirement system.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MONDAY, FEBRUARY 22

COMMISSION TO STUDY ISSUES RELATING TO STUDENTS RECEIVING SPECIAL EDUCATION SERVICES WHILE ATTENDING A CHARTERED PUBLIC SCHOOL (RSA 186-C:30), Room 207, LOB

- 9:00 a.m. Regular meeting.

MONDAY, FEBRUARY 29

COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k), Room 102, LOB

- 10:00 a.m. Regular meeting.

COMMISSION TO STUDY THE ECONOMIC IMPACT OF THE ARTS AND CULTURE IN NEW HAMPSHIRE (RSA 19-A:14) Room 303, LOB

- 2:00 p.m. Regular meeting.

COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILDLIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30), Room 307, LOB

- 11:00 a.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. **HB 1525-FN**, relative to the circumstances that constitute indecent exposure and lewdness.

1:00 p.m. **HB 1547-FN**, prohibiting bestiality.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

**NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H),
New Hampshire Higher Education Assistance Foundation, 4 Barrell Court, Concord**

9:00 a.m. Quarterly meeting. Please note, there will be no Investment Committee meeting.

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

1:30 p.m. Regular meeting.

SPECIAL COMMITTEE ON PUBLIC EMPLOYEE PENSION PLANS, Room 202, LOB

10:00 a.m. Work session on **HB 1449-FN**, relative to additional temporary supplemental allowances for retired members of the retirement system; **HB 1489**, establishing a committee to study the rates of employer contributions in the retirement system.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TUESDAY, MARCH 1

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. **HB 1153**, prohibiting a political subdivision from adopting residency restrictions on sex offenders.

9:45 a.m. **HB 1343**, prohibiting the retroactive application of the sex offender registry.

10:30 a.m. **HB 1318**, relative to sex offender registration.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 205, LOB

9:30 a.m. Executive session on **HB 1201**, relative to withdrawal from a cooperative school district; **HB 1274**, establishing a committee to study the efficacy of changes in the community college system of New Hampshire; **HB 1303**, relative to withdrawal from a cooperative school district; **HB 1364**, relative to the membership of the cooperative school district budget committee; **HB 1414**, repealing the home education advisory council; **HB 1431**, relative to academic freedom and whistleblower protection; **HB 1457**, establishing a code of professional ethics for New Hampshire teachers; **HB 1484**, relative to the election of members of the state board of education; **HB 1497**, relative to the limits on disclosure of information used on college entrance exams; **HB 1558-FN**, requiring the university system of New Hampshire to examine the disposition of children in state custody; **HB 1612-FN**, relative to the age for purposes of compulsory education; **HB 1637-FN**, relative to school attendance in towns with no public schools.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The **Belknap** County Delegation will meeting scheduled for February 8th has been rescheduled for **Tuesday, February 16th at 7:00 p.m.** at the Belknap County complex for review of the county budget.

Rep. Franklin T. Tilton, Chairman
Belknap County Convention

COUNTY DELEGATION NOTICE

The **Coös** County Delegation will hold a public meeting to review/approve the fourth quarter 2015 financials. The meeting is scheduled for **Friday, February 19th at 10:00 a.m.** and will be held at the state facilities complex in Lancaster.

The **Coös** County Delegation will hold a public meeting to review and vote on the 2016 annual budget. The meeting is scheduled for **Friday, March 11th**. The meeting will take place at the nursing hospital located in West Stewartstown and will begin promptly at **10:00 a.m.**

Rep. Robert L. Théberge
Coös Delegation Co-Chairman

COUNTY DELEGATION NOTICE

The **Grafton** County Executive Committee will meet on **Monday, February 1st at 10:00 a.m.** at the Grafton County Administration Building, 3855 Dartmouth College Highway, North Haverhill, NH.

Rep. George Sykes, Chair
Grafton County Delegation

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive Committee will meet on **Friday, February 19th at 9:30 a.m.** in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood to review subcommittee recommendations.

The **Rockingham** County Delegation will meet on **Tuesday, March 1st at 6:00 p.m.** in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood to adopt the 2016 County budget. The executive committee will meet at 5:30 p.m. in the commissioners' conference room. A storm date is set for Thursday, March 3rd at 6:00 p.m.

The **Rockingham** County Executive Committee will meet on **Friday, March 4th at 9:30 a.m.** in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood to open bids and select a suitable qualified entity to conduct a performance audit of the Rockingham County Finance Department.

Rep. David A. Welch, Clerk
Rockingham County Delegation

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB 218, HB 549, HB 585, HB 626, HB 636, HB 661, HB 1622, HB 1641, HB 1666, HB 1670, HB 1671, HB 1673, HB 1691, HB 1692, HB 1693, HB 1694, HB 1696, HB 1697.

Paul C. Smith, Clerk of the House

When the House Clerk's Office is aware of House Members who are hospitalized or homebound by serious illness, we will publish a list of names and addresses as requested. Colleagues who so desire may send cards and greetings to Rep. Susan Emerson, c/o General Delivery, Walter Reed Army Medical Center 8901 Wisconsin Avenue, Bethesda, MD, 20889.

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.

Participants in the National Grange Legislative Fly – In will be at the State House on **Friday, February 5th** for most of the day. Any Legislators that are also Grange members are welcome to join the out of state participants who are learning first-hand about our First in the Nation Primary and about New Hampshire State Government.

Rep. Bob Haefner

The NH Optometric Association hosts its "Eye-Opener" breakfast on **Wednesday, February 10th** in the State House Cafeteria. Legislators and staff are invited to stop by anytime **from 8:00 - 9:30 a.m.** to enjoy a hot breakfast, speak with local doctors of optometry, learn about eye health, the practice of optometry, and how the state regulates the profession of optometry.

Reps. Dick Hinch and Stephen Shurtleff

There will be an ecumenical Ash Wednesday service at St. Paul's Church in Concord on **Wednesday, February 10th at 7:30 a.m.** This is a multi-denominational service, sponsored in part by the NH Council of Churches. A light reception will follow the service. Members and staff are encouraged to attend. Following the open of the House session on the 10th, the Rector of St. Paul's and our House Chaplain, Rev. Kate Atkinson, will be available in the anteroom of the chamber for anyone wishing to receive the imposition of ashes.

Rep. Robert Elliot

Members of the Legislative Sportsmen's Caucus are invited to lunch on **Wednesday, February 10th at 12:00 p.m.** at the Upham Walker House. There will be a presentation from the Wildlife Heritage Foundation of NH. Come and hear about how this non profit organization has partnered with Fish and Game and has awarded nearly \$1.2 million in secured grants to Fish and Game since 2008. Lunch will be provided.

Reps. Gene Chandler and Jeff Goley

Spark NH, the Governor-appointed Early Childhood Advisory Council, invites legislators to attend a luncheon and hear a presentation on early childhood. A Framework for Action for New Hampshire's Young Children will also be announced. Please join us on **Thursday, February 11th from 12:00 – 1:00 p.m.** in the Legislative Office Building Room 210. Lunch will be provided.

Rep. Mary Jane Wallner

Northeast Delta Dental cordially invites all members and staff of the New Hampshire House to its 17th Annual Legislative Reception to be held **Tuesday, February 16th from 4:00 - 6:30 p.m.** at its corporate office at One Delta Drive in Concord. Please RSVP to Kathleen Gleason at kgleason@nedelta.com or 223-1317.

Reps. Richard Hinch and Stephen Shurtleff

The New Hampshire Fiscal Policy Institute 2016 conference, *Making Ends Meet: Enhancing Economic Security, Fostering Shared Prosperity*, will be held **Friday, February 19th** at the Grappone Conference Center in Concord, NH. The event will be held from **8:30 a.m. to 3:00 p.m.** Continental breakfast and lunch will be provided. New Hampshire has one of the higher costs of living in the nation, leaving many working families to face a substantial gap between what they earn and what they must spend on essentials - from housing and groceries to health care and child care. NHFPI's 3rd annual policy conference will examine what it really takes to make ends meet in the Granite State and explore some of the key elements of a broader strategy for easing the difficulties facing working families - a strategy that aims both to boost wages and salaries and to bring the cost of basic necessities within closer reach. General registration fees: \$35 through January 8th; \$45 after January 8th. Preregistration is required by Friday, February 5th. A limited number of scholarships for complimentary conference registrations are available for current members of the NH Legislature; see website for details. Learn more and register: <http://www.nhfp.org/news-events/policy-conference-2016>

Rep. Stephen Shurtleff

The House Republican Alliance will meet **Tuesdays at 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 2016. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes. Note that large groups are divided into smaller groups for tours.

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

Virginia J. Drew, Director

Deborah Rivers, Public Information Administrator

DATE	TIME	GROUP	Group#/Grade
Feb. 5	9:00/10:30	Peter Woodbury School – Bedford	60/4
Feb. 5	9:30	Institute of Politics	16/HS
Feb. 5	1:30	National Grange	25/adults
Feb. 8	9:00/10:30	Peter Woodbury School – Bedford	60/4
Feb. 9	9:15	Broken Ground School – Concord	48/4
Feb. 10	10:00/11:30 SH/HM	Hooksett Memorial School	90/4
Feb. 10	9:15	Broken Ground School – Concord	48/4
Feb. 10	12:30	Greater Concord Leadership	24/adults
Feb. 11	9:15	Broken Ground School – Concord	48/4
Feb. 11	10:00/11:30 SH/HM	Hooksett Memorial School	75/4
Feb. 11	10:30	Hollis Montessori School	15
Feb. 12	10:00/11:30	Stratham Memorial School	60/4
Feb. 12	10:30	Surry Village Charter School	21/3&4
Feb. 16	9:45	Dondero Elementary School – Portsmouth	49/4
Feb. 16	12:15	Presentation of Mary – Hudson	53/4

DATE	TIME	GROUP	Group#/Grade
Feb. 17	9:45	New Franklin School – Portsmouth	38/4
Feb. 17	10:00	Taylor Retirement Community – Laconia	15/Srs
Feb. 18	9:30/11:00 SH/HM	Maple Avenue Elementary School – Goffstown	133/4
Feb. 22	10:00	Girl Scout Troop 12813- Northfield	10
Feb. 19	10:00/11:30	Stratham Memorial School	60/4
Feb. 25	8:30	Rivier University-Public Health Students	12/COL
Feb. 26	9:30	Cub Scouts – Pack 290 Manchester	20/2
Feb. 26	10:30	Boy Scouts – Pack 610 Pelham	8/8
Feb. 26	2:00	Brain Injury Association & Gov Disability Com.	15/adults
March 2	9:30	Little Harbor School – Portsmouth	72/4
March 3	9:30	Gilsum STEAM Academy	49/k-6
March 3	10:30	Barnstead Elementary School	48/4
March 8	8:30/9:45	Belmont High School	100/HS
March 8	12:00	Woodland Heights – Laconia	56/4
March 8	1:00	NH Bankers	
March 9	9:00	St. Benedict Academy – Manchester	24/4
March 9	9:00	UNH Social Work Policy class	50/col
March 10	9:45	Deerfield Community School	42/4
March 10	10:00	The Well School – Peterborough	11/4
March 10	11:00	North Hampton School	40/4
March 11	9:30/11:00 SH/HM	Ernest P. Barka School – Derry	115/4
March 11	2:30	AmeriCorps	150
March 14	10:00	Tuftonboro School	18/4
March 15	9:00	Mount St. Mary Academy – Manchester	29/4
March 15	10:00	Sant Bani School	10/4
March 16	9:30/10:45	Richards School – Newport	60/4
March 17	10:00/11:15	Charlotte Ave. School – Nashua	88/4
March 18	9:45	Mount Lebanon School – Lebanon	45/4

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 1130

(2016-0406)

Proposed by the Majority of the Committee on State-Federal Relations and Veterans Affairs - r
Amend RSA 189:18-a as inserted by section 1 by replacing it with the following:

189:18-a Memorials on School Property. Each school district shall permit the placement of a memorial plaque in a suitable location, or other memorial as agreeable to the school board, at a district high school in honor of an alumnus of a junior high school or high school in the district who died during military service, provided that the cost for design, manufacture, installation, or maintenance of the memorial shall not be a charge to the state or any municipality.

Amendment to HB 1182-FN

(2016-0260h)

Proposed by the Committee on Commerce and Consumer Affairs - c

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

AN ACT establishing a committee to study fees for sales of wine by manufacturers.

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

1 Committee Established. There is established a committee to study fees for sales of wine by manufacturers.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study fees for sales of wine by manufacturers. The committee's study shall include an examination of federal reporting requirements for wine manufacturers licensed in New Hampshire. The committee shall determine what fee would be revenue neutral if New Hampshire switched from

the current percentage of sales fee to a per gallon fee for wine manufacturers. The committee shall solicit input from the liquor commission, other state agencies, and private businesses as deemed relevant to the committee.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

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

2016-0260h

AMENDED ANALYSIS

This bill establishes a committee to study fees for sales of wine by manufacturers.

Floor Amendment to HB 1189-FN

(2016-0237h)

Proposed by Rep. R. Cushing - c

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

1 History and Intent. In 1807, in response to a petition by Dartmouth college president John Wheelock to the legislature for assistance to save the college from ruin, the legislature approved a grant to Dartmouth, a tract of land 6 miles square, commonly known as the college grant, for the sole purpose of using the avails and income from said land to assist in the education of New Hampshire's indigent youth. The act established that the members of the executive council, the president of the senate, the speaker of the house of representatives, and the chief justice of the Superior Court (now known as the Supreme Court) should be ex officio trustees of the college with respect to the grant, and declared that the trustees, in the application of the avails of the grant be in any future time responsible to and subject to the direction of the legislature for the faithful discharge of their trust duties. In 1883, the legislature approved an appropriation of \$10,000 to be paid to Dartmouth to be held in a perpetual fund, the income of which was to be used to pay the tuition of indigent New Hampshire students. The 1883 act directed Dartmouth to prepare and transmit an annual report to the governor on the use of the funds. Dartmouth has acknowledged that it has never fully implemented the trustee and reporting portions of the legislation establishing the college grant and the 1883 perpetual fund. It is the intent of the legislature by this act to direct Dartmouth to use the avails and income from the college grant for the sole purpose of assisting youth who are indigent to obtain an education and to foster transparency and accountability for the grants of the legislature to Dartmouth college intended to educate indigent students from New Hampshire, by requiring an annual report by Dartmouth on the use of the avails and income from the college grant and on the use of the income from the 1883 perpetual fund.

2 Aid to Dartmouth College in Furnishing Tuition for Indigent Students From New Hampshire. Amend 1883; 116:2 and 116:3 to read as follows:

Sect. 2. Said sums when paid shall be at once securely invested, and shall constitute a fund, the income whereof shall be forever used in paying the tuition at said college of indigent students whose domicile at the time of entering college was within this state. And said trustees shall keep a true account of all money so received and paid out, and ~~[transmit]~~ **prepare and submit** annually a ~~[copy]~~ **report** of the same to ~~[his Excellency]~~ the governor of the state, **the speaker of the house of representatives, the senate president,** and the ~~[governor shall cause a reasonable number of said copies to be printed and distributed to the]~~ members of the legislature at each biennial session.

Sect. 3. Any young man **or woman** applying therefor to the president or a trustee of the college, shall be entitled to have his **or her** tuition paid in whole or in part from the income of the aforesaid fund, provided he **or she** possesses the following qualifications and answers the following conditions, namely:

1. Pecuniary inability to pay the expenses of a college course.
2. Legal domicile within this state at the time of making the application.
3. The qualification as to scholarship required for admission to college and continuance therein.

4. Good moral character, good mental endowment, and a suitable desire to benefit himself **or herself** and the community by securing a good education.

And the foregoing facts shall be carefully inquired into in such way as the trustees may direct, and a certificate thereof filed with the records of the trustees before any such applicant shall be admitted to share in the benefits of said fund. But no greater sum shall ever be paid for the tuition of any such person than the established rate of tuition for other students.

3 An Act Granting a Certain Quantity of Land to Dartmouth College; Report Required. Amend 1807, 54 to read as follows:

Whereas, the promotion of knowledge among all classes of people is highly necessary for the security of their equal rights as citizens, and for their prosperity as a nation – and whereas the establishment of Dartmouth College has under Divine Providence been signally useful in diffusing science in the various professions, academies and schools throughout this state; and considering the situation of that seminary as favorable to the acquirement of science, the cultivation of good habits, and procuring a public education in all the higher branches of literature at small expense – And whereas from the documents and statements laid before the Legislature, it abundantly appears that its important purposes cannot be subserved without the particular patronage of the State, and that without legislative aid it must inevitably decline, and be finally reduced to ruin – Therefore, to give countenance and encouragement to that laudable institution, and to render it still more useful in all future times in promoting literature among mankind, and especially among the inhabitants of this State, more particularly by being better enabled to educate the sons *and daughters* of the more needy and indigent citizens.

Be it enacted by the Senate and House of Representatives in General Court convened, That a tract of land amounting to six miles square be granted to the Trustees of said College, to be located within one year from the passing of this Act by the Trustees recognized in this Bill, with the approbation of the Governor and Council of this State and the same may be located in one body, not interfering with any grants, of land heretofore made by the Legislature or Government of the said State; which said land amounting to six miles square, shall be to the Trustees of said College and their Successors to held by them forever without alienation, and the avails and incomes of said land shall be applied wholly and exclusively to assist the education of the youths who shall be indigent, and to alleviate the expenses of the members of families in this State, whose necessitous circumstances will render it impossible for them to defray the expenses of an education at said Seminary without such assistance. The Trustees in the application of the avails of said granted premises to be in any future time responsible to and subject to the direction of the Legislature for the faithful discharge of their trust relative thereto. ***The Trustees shall prepare an annual report detailing the income and uses of the avails and incomes of said land in that year and shall submit a copy of the report to the governor of the state, the speaker of the house of representatives, the senate president, and the members of the legislature at each biennial session.***

And be it further enacted, that the members of the Council, the President of the Senate, the Speaker of the House of Representatives and the Chief Justice of the [Superior] ***Supreme*** Court shall hereafter ex officio be members of the board of Trustees of said College in respect of this and any future grant to said College which may be made by this State—

Provided, nevertheless That no settler shall be disturbed or molested by said Trustees in any settlement or improvement he may have made at the time of the passing of this act.

4 New Section; Director of Charitable Trusts; Reports Required. Amend RSA 7 by inserting after section 28-a the following new section:

7:28-b Trustees of Dartmouth College; Reports Required.

I. To provide transparency and accountability, the trustees of Dartmouth college shall, in accordance with RSA 7:28, II, submit to the director of charitable trusts a copy of the report required pursuant to 1883; 116:2 relative to an indigent student fund known as the 1883 State Fund, and a copy of the report required pursuant to 1807, 54, relative to a tract of land granted to Dartmouth college known as the Second College Grant. The report shall be in a form acceptable to the director of charitable trusts and shall be available for public inspection and copying pursuant to RSA 91-A. The first report shall be filed contemporaneously with the college's annual financial report no later than the due date of the college's next annual report in May of 2016, and annually thereafter.

II. The reporting requirement regarding the 1883 State Fund and the Second College Grant set forth in paragraph I shall remain in effect until modified or terminated by the general court.

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

2016-0237h AMENDED ANALYSIS

This bill:

I. Amends an 1883 act entitled “An act to Aid Dartmouth College in Furnishing Tuition for Indigent Students From New Hampshire” by requiring the trustees of Dartmouth college to prepare a report of the annual account of the fund to assist indigent students and submit a copy of the report to the governor, the speaker of the house of representatives, senate president, and members of the legislature.

II. Amends an 1807 law entitled “An Act granting a certain tract of land to Dartmouth college” by inserting an annual reporting requirement detailing the uses of income derived from the use of a tract of land granted by the state to Dartmouth college.

III. Requires the trustees of Dartmouth college to annually submit a copy of the reports required pursuant to the 1883 and 1807 laws to the department of justice, charitable trusts unit.

**Amendment to HB 1298
(2016-0228h)**

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

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

1 New Chapter; Landowner's Right of Action. Amend RSA by inserting after chapter 149-O the following new chapter:

CHAPTER 149-P
LANDOWNER'S RIGHT OF ACTION

149-P:1 Landowner's Right of Action.

I. It is hereby declared to be in the public interest to encourage the preservation and conservation of the land, water, forest, agricultural, and wildlife resources of this state. It is also declared to be in the public interest to discourage and provide means for preventing the spoliation of such resources from the effects of illegal dumping, and to create rights in landowners to provide the means for obtaining such objectives. It is the intention of this chapter to create a landowner's right of action in support of these purposes.

II. Notwithstanding any rules adopted by the department of environmental services, any ordinance adopted by a municipality, or any provision of law, any person, as defined in RSA 147-A:2, XII, who without authorization, intentionally, recklessly, or negligently discharges, spills, releases, pollutes, disposes, dumps, leaks, injects, or places oil, gasoline, diesel fuel, fuel oil, motor oil, automotive oil, gasoline ethers, offensive matter, hazardous waste, waste, refuse, or solid waste as those terms are defined in RSA 146-A through 146-O, upon the land of another, shall be liable to the owner of the land.

III. Upon such discharge occurring, the owner of the land may:

- (a) Commence an action for the cost of cleanup and any such damages as may result from the discharge;
- b) Seek injunctive relief enjoining any activity described in paragraph II, if such activity is imminent or likely;
- (c) a court order requiring the person causing the discharge to contain, clean up, and remediate the discharge at such person's expense;
- (d) Obtain multiple damages against the person causing the discharge of up to 3 times actual damages, based upon the degree of culpability, as determined by the trier of fact;
- (e) Obtain reasonable attorneys' fees and professional fees associated with the containment, cleanup, and remediation, and the seeking and obtaining relief and damages;
- (f) Require the person causing the discharge to provide a bond, or other assurances sufficient to cover the costs of containment, cleanup, and remediation, upon a showing by the owner that there is a reasonable likelihood of a judgment; and
- (g) Obtain an attachment, prejudgment attachment, or trustee process in accordance with RSA 511, RSA 511-A and RSA 512.

IV.(a) This chapter shall only apply to discharges that are made directly upon the landowner's land and shall not apply to those discharges that originate from the land of another, including without limitation, discharges from any above ground or underground storage tank. However, this chapter shall not otherwise limit any other rights afforded a landowner for such discharges originating from the land of another.

(b) For the purposes of this chapter, a landowner shall include any owner holding an entire, joint, fractional, mortgage, or other ownership interest in the land, but any separate claims made by more than one such owner shall be consolidated into a single action.

(c) This chapter shall not apply to or benefit any owner holding an interest in the land making claim against any other owner holding an interest in the same land.

(d) This chapter shall not apply to a discharge on a landowner's land, when the discharge results from a motor vehicle involved in a motor vehicle accident not originating on the landowner's land.

(e) The rights and benefits conferred upon a landowner under this chapter shall not apply to any claim or claims against the state and its subdivisions.

2 Penalties; OHRV/Operator Responsibilities; Roads Included. Amend RSA 215-A:19, I(a)(1) to read as follows:

(1) To the owner of any lands where trees, shrubs, **roads**, or other property have been damaged as a result of travel over ~~their~~ **the owner's** premises by such vehicles.

3 New Subparagraph; Penalties; OHRV/Operator Responsibilities; Damage to Private Property. Amend RSA 215-A:19, V by inserting after subparagraph (e) the following new subparagraph:

(f) The use of the OHRV has resulted in damage to private property.

4 New Paragraph; Penalties; OHRV/Operator Responsibilities. Amend RSA 215-A:19 by inserting after paragraph IX the following new paragraph:

X. In addition to any other penalty or obligation imposed, the owner of any lands which have been damaged in violation of this chapter may bring an action to recover such damages, in the superior court for the county in which the lands are located, against any person who is responsible and accountable under subparagraph I(a). In bringing such action, the owner shall be entitled to:

(a) The cost of clean-up and restoration to the prior condition of the lands.
 (b) Multiple damages of up to 3 times actual damages, based upon the recklessness or severity of the conduct, as determined by the trier of fact.

(c) Reasonable attorney's fees necessary to the action.

5 Damage to Land; Snowmobile Operator Responsibilities. Amend RSA 215-C:34, I(a)(1) to read as follows:

(1) To the owner of any lands where trees, shrubs, or other property have been damaged as a result of travel over [his or her] **the owner's** premises by such vehicles.

6 New Subparagraph; Damage to Property; Snowmobile Operator Responsibilities. Amend RSA 215-C:34, V by inserting after subparagraph (e) the following new subparagraph:

(f) The use of the snowmobile has resulted in damage to public or private property.

7 New Paragraph; Damage to Property; Snowmobile Operator Responsibilities. Amend RSA 215-C:34 by inserting after paragraph VIII the following new paragraph:

IX. In addition to any other penalty or obligation imposed, the owner of any lands which have been damaged in violation of this chapter may bring an action to recover such damages, in the superior court for the county in which the lands are located, against any person who is responsible and accountable under subparagraph I(a). In bringing such action, the owner shall be entitled to:

(a) The cost of clean-up and restoration to the prior condition of the lands;

(b) Multiple damages of up to 3 times actual damages, based upon the level of culpability of the conduct, as determined by the trier of fact; and

(c) Reasonable attorney's fees.

8 Effective Date. This act shall take effect January 1, 2017.

2016-0228h
 AMENDED ANALYSIS

This bill:

I. Creates a cause of action for a landowner whose land is damaged by pollution.

II. Creates a cause of action for a landowner whose land is damaged by OHRV.

III. Creates a cause of action for a landowner whose land is damaged by snowmobile use.

Amendment to HB 1352-FN

(2016-0250h)

Proposed by the Committee on Special Committee on Public Employee Pension Plans - c

Amend the bill by replacing section 1 with the following:

1 Retirement System; Compensation Data Reporting; Penalty. Amend RSA 100-A:16, VII to read as follows:

VII.(a) Every employer shall report to the retirement system monthly, in a format provided by the retirement system, all compensation paid by the employer to retired members of the retirement system, including the name of, and the total hours worked, for each retired member of the retirement system, except that an employer shall not include in the report the compensation and hours worked by a retiree for serving as an elected state official or as an elected official of a political subdivision **in either a group I or group II position.**

(b) Notwithstanding any other provision of law, employers ~~[shall]~~ **may** be subject to a penalty of **up to** \$25 per day for non-compliance with the data reporting requirements of subparagraph (a), including data that was not timely remitted or data that cannot be processed at the times designated by the board of trustees due to data reporting errors by the employer. ~~[The board may abate all or any part of the penalty upon]~~ **Before a penalty is assessed, the board shall notify the employer in writing of the noncompliance, identifying the reasons for the finding of noncompliance, and shall request the employer to explain to the board in writing within 30 days of the notification how the noncompliance occurred. Upon expiration of the 30 day period, the board may impose all or a portion of the penalty provided for in this paragraph, unless there is** a showing that the employer did not willfully, intentionally, through gross negligence, or through a pattern of negligence fail to file the data as required.

2016-0250h
 AMENDED ANALYSIS

This bill requires the retirement system board of trustees to give employers notice and an opportunity to explain before the penalty for retirement system employer noncompliance with the data reporting requirements may be assessed.

Amendment to HB 1404-FN

(2016-0079h)

Proposed by the Committee on Executive Departments and Administration - c

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

1 Insurance Department; Department Positions. Amend RSA 400-A:6, VII to read as follows:

VII. The commissioner shall appoint, as the commissioner's assistants, **a director of examinations, a life, accident and health director, a life, accident and health actuary, a health policy legal counsel,**

a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, ***a property and casualty director, a property and casualty actuary***, an assistant property and casualty actuary, ***a workers' compensation analyst***, a compliance and enforcement counsel, ***a communications director***, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The ***director of examinations, life, accident and health director, life, accident and health actuary, health policy legal counsel***, health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, ***property and casualty director, property and casualty actuary***, assistant property and casualty actuary, ***workers' compensation analyst***, compliance and enforcement counsel, ***communications director***, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

2 Insurance Department; Department Positions. RSA 400-A:6, VII is repealed and reenacted to read as follows:

VII. The commissioner shall appoint, as the commissioner's assistants, a director of examinations, a life accident and health director, a life, accident and health actuary, a health policy legal counsel, a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, a property and casualty director, a property and casualty actuary, an assistant property and casualty actuary, a workers' compensation analyst, a compliance and enforcement counsel, a financial examination supervisor, a communications director, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The director of examinations, life, accident and health director, life, accident and health actuary, health policy legal counsel, health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, property and casualty director, property and casualty actuary, assistant property and casualty actuary, workers' compensation analyst, compliance and enforcement counsel, communications director, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

Amendment to HB 1412-FN

(2016-0007h)

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

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

1 Public Utilities Commission; Commission as Arbiter. Amend RSA 363:17-a to read as follows:

363:17-a Commission as Arbiter. The commission shall be the arbiter between the interests of the customer and the interests of the regulated utilities as provided by this title and all powers and duties provided to the commission by RSA 363 or any other provisions of this title shall be exercised in a manner consistent with the provisions of this section. ***Nothing in this section shall be construed as limiting the commission's authority to consider the public good in exercising its powers and duties.***

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

2016-0007h

AMENDED ANALYSIS

This bill clarifies the authority of the public utilities commission to consider the public good in exercising its powers and duties.

Amendment to HB 1434-FN

(2016-0225h)

Proposed by the Committee on Children and Family Law - c

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

1 Statement of Findings. The general court finds that the relationship between children and their parents is so fundamental to the wellbeing of society that unwarranted interference in that relationship is a harm to children, parents, and society as a whole. Furthermore, the failure to enumerate offenses is a violation of the Constitution of the State of New Hampshire Part 1, Article 15.

2 New Paragraphs; Child's Welfare and Findings Regarding Removal. Amend RSA 169-C:6-b by inserting after paragraph II the following new paragraphs:

III. If the court orders that a child be removed from his or her home at the preliminary hearing under RSA 169-C:15, the adjudicatory hearing under RSA 169-C:18, the dispositional hearing under RSA 169-C:19, or the final hearing under RSA 169-C:21, the court order for removal shall include specific written findings regarding the need for the out-of-home placement. The order shall enumerate specific instances of abuse or neglect, include a general description of incidents and dates where available, and summarize the evidence the court relied upon in ordering the placement.

IV. If the removal order does not comply with the requirements of paragraph III, the judge shall make a written finding to justify the out-of-home placement.

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

2016-0225h
AMENDED ANALYSIS

This bill requires an order to remove a child from his or her home under the child protection act to include written findings with regard to the need for the out-of-home placement.

**Amendment to HB 1524-FN-A
(2016-0151h)**

Proposed by the Minority of the Committee on Fish and Game and Marine Resources - r

Amend the bill by replacing section 5 with the following:

5 Fish and Game; Bow and Arrow; License Fee. RSA 208:5, I is repealed and reenacted to read as follows:

I. Any resident 16 years of age or older, upon the payment of \$31, or any nonresident 16 years of age or older, upon the payment of a fee of \$82, shall be issued an archery license.

Amend the bill by replacing section 7 with the following:

7 Fish and Game; Special Deer Permits. Amend RSA 208:5-b to read as follows:

208:5-b Special Deer Permits. The executive director may issue special deer permits to a person licensed with the applicable license to hunt issued under RSA 214, RSA 208:5, or RSA 208:5-a. The executive director shall adopt rules pursuant to RSA 541-A relative to fixing the number and sex limitations for wild deer and any other conditions governing the location, method, and manner of taking as well as the issuance and fee for special deer permits. ***The executive director may charge a fee not to exceed \$25 for all applications for special deer permits.***

Amend the bill by replacing sections 9-12 with the following:

9 Fish and Game; Fishing Tournaments. Amend RSA 211:16-b to read as follows:

211:16-b Fishing Tournaments.

I. No person shall promote or operate any fishing tournament in the waters under the jurisdiction of this state without first procuring a special permit from the executive director to do so. ***The fee for a permit issued under this section is \$25 for tournaments occurring in 2016 and \$49 for tournaments occurring in 2017 and each subsequent year, except as follows:***

(a) The fee for a catch, measure, and release bass fishing tournament shall be \$10, beginning with tournaments occurring in 2017.

(b) There shall be no fee for any New Hampshire Interscholastic Athletic Association (NHIAA) bass fishing tournaments.

II. The executive director shall adopt rules, pursuant to RSA 541-A, relative to definitions, [fees,] conditions, requirements for waivers, including waivers of the fee, qualifications, and all other criteria relating to the operation of a fishing tournament on any waters of the state.

10 Fish and Game; Lobster and Crab. Amend RSA 211:18, III-a to read as follows:

III-a. The [executive director shall set the fee pursuant to RSA 206:10, I for the following lobster and crab license types] ***following fees shall apply to lobster and crab license types*** issued under this section:

- (a) Resident commercial lobster and crab license; ***\$350.***
- (b) Nonresident commercial lobster and crab license; ***\$600.***
- (c) Resident limited commercial lobster and crab license; ***\$200.***
- (d) Nonresident limited commercial lobster and crab license; ***\$400.***
- (e) Resident part-time commercial lobster and crab license; ***\$125.***
- (f) Nonresident part-time commercial lobster and crab license; ***\$350.***
- (g) Recreational lobster and crab license; ***\$40.***

11 Fish and Game; Lobster Helper's License. Amend RSA 211:20 to read as follows:

211:20 Helper's License. Any person licensed under the provisions of RSA 211:18 may get a helper's license which entitles the person to have the help of a person in the taking of lobsters or crabs. The helper's license may be transferred to any one helper employed by the licensee, but may not be transferred to a person who previously had a lobster license which is under suspension. A helper may assist, set, or haul pots or traps or any other device used in the taking of lobsters and crabs only in the presence of and aboard the boat of a person licensed under the provisions of RSA 211:18, and who holds a valid helper's license. ***The fee for a helper's license is \$20.*** The executive director shall adopt rules pursuant to RSA 541-A relative to the [fee for a helper's license and the] terms and restrictions of a helper's license to comply with lobster trap limits established under the Atlantic States Marine Fisheries Commission management plan for American lobster relative to reduced fishing effort.

12 Fish and Game; Lobster Retail Dealer. RSA 211:39, II is repealed and reenacted to read as follows:

II.(a) A fee of \$50 shall be charged for a license issued to a resident retail dealer selling lobsters, lobster meat, or crabs.

(b) A fee of \$75 shall be charged for a license issued to a nonresident retail dealer selling lobsters, lobster meat, or crabs.

(c) The fees prescribed in subparagraphs (a) and (b) shall be charged for each license obtained by a retail dealer.

Amend the bill by replacing section 14 with the following:

14 Fish and Game; Nonresident Wholesaler License. Amend RSA 211:49-aa, I, to read as follows:

I. Any person, firm, or corporation who does not qualify as a resident under RSA 207:1 or RSA 211:43 and who is engaged in a wholesale trade in any marine species shall first procure a valid license from the executive director to do so in this state. The license shall entitle the licensee to buy, sell, process, and transport any marine species in wholesale trade within the state and to ship any marine species within and outside the state. A separate extra facility license shall be required for each market, store, vehicle, or facility where such marine species are bought or sold at wholesale. A nonresident wholesale license shall not be required by a person properly licensed pursuant to RSA 211:49-a. The fees for an annual license ~~and~~ **shall be \$260 and \$100** for each extra facility license ~~shall be set by the executive director pursuant to RSA 206:10, I.~~ A copy of the license shall be carried in each vehicle and displayed at all facilities.

Amend the bill by replacing section 16 with the following:

16 Fish and Game; Resident Wholesaler License. Amend RSA 211:49-c, I to read as follows:

I. Any person, firm, or corporation engaged in a wholesale trade in any marine species shall first procure from the executive director a license to do so. Said license shall entitle the licensee to buy, sell, process, and transport any marine species in wholesale trade within the state and to ship any marine species within and outside the state. A separate extra facility license shall be required for each market, store, vehicle, or facility where such marine species are bought or sold at wholesale. A resident wholesaler license shall not be required by a person properly licensed pursuant to RSA 211:49-b. The fees for an annual license ~~and~~ **shall be \$130 and \$75** for each extra facility license ~~shall be set by the executive director pursuant to RSA 206:10, I.~~ A copy of the license shall be carried in each vehicle and displayed at all facilities.

Amend the bill by replacing section 24 with the following:

24 Fish and Game; License Applications and Fees. RSA 214:9 is repealed and reenacted to read as follows:

214:9 Application; Fees. The applicant shall fill out and subscribe to a blank to be furnished by the executive director and pay the agent the following fees, and the agent fee as provided in RSA 214-A:4:

I. If the applicant is a resident of this state and wishes to hunt, \$31, and the agent shall thereupon issue a resident hunting license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport wild birds and wild animals under the restrictions of this title.

II. If the applicant is a resident of this state and wishes to fish, \$43, and the agent shall thereupon issue a resident fishing license, which shall entitle the licensee to kill, take and transport all species of freshwater fish, under the restrictions of this title.

II-a. [Repealed.]

II-b. If the applicant is a resident of this state and wishes to fish for one day, \$8, and the agent shall thereupon issue a one-day resident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, for said time only, under the restrictions of this title.

III. If the applicant is a resident of this state and wishes to hunt and fish, \$54, and the agent shall thereupon issue a resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish under the restrictions of this title.

IV. If the applicant is a resident of this state and wishes to take fur-bearing animals and coyote by the use of traps, \$35, and the department shall thereupon issue a trapping license, which shall entitle the licensee to take fur-bearing animals and coyote by the use of traps and sell and transport them under the restrictions of this title.

V. If the applicant is a resident under 16 years of age and wishes to take fur-bearing animals and coyote by the use of traps when not accompanied by a licensed trapper 18 years of age or over, \$5.50, and the agent shall thereupon issue a resident minor's trapping license, which shall entitle the licensee to take fur-bearing animals and coyote by the use of traps and sell and transport them under the restrictions of this title.

VI. If the applicant is a nonresident, 16 years of age or older, and wishes to hunt, \$112, and the agent shall thereupon issue a nonresident hunting license which shall entitle the licensee to hunt, shoot, kill and take, except by the use of traps, and to transport wild birds and wild animals under the restrictions of this title.

VI-a. If the applicant is a nonresident and wishes to hunt and fish, \$149, and the agent shall thereupon issue a nonresident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish under the restrictions of this title.

VII. [Repealed.]

VII-a. If the applicant is a nonresident and wishes to take small game as defined in RSA 207:1, XXVI, \$52, and the agent shall thereupon issue a nonresident small game license which shall entitle the licensee to hunt, shoot or take small game; provided, however, this license shall not authorize the taking of fur-bearing animals as defined in RSA 207:1, VIII.

VII-b. If the applicant is a nonresident and wishes to take small game as defined in RSA 207:1, XXVI, for 3 consecutive days, \$24, and the agent shall thereupon issue a 3-day nonresident small game license which shall entitle the licensee to hunt, shoot, or take small game; provided, however, this license shall not authorize the taking of fur-bearing animals as defined in RSA 207:1, VIII.

VIII. If the applicant is a nonresident, 16 years of age or older, and wishes to take any species of freshwater fish, \$61, and the agent shall thereupon issue a nonresident fishing license which shall entitle the licensee to kill, take and transport all species of freshwater fish under the restrictions of this title, provided that:

(a) [Repealed.]

(b) If the applicant wishes to take said fish for 7 consecutive days, \$33, and the agent shall thereupon issue a 7-day nonresident fishing license for said time only under the restrictions of this title;

(c) If the applicant wishes to take said fish for 3 consecutive days, \$26, and the agent shall thereupon issue a 3-day nonresident fishing license for said time only under the restrictions of this title; and

(d) [Repealed.]

(e) If the applicant wishes to take said fish for one day, \$13, and the agent shall thereupon issue a one-day nonresident fishing license for said time only under the restrictions of this title.

VIII-a. [Repealed.]

VIII-b. [Repealed.]

IX. If the applicant is a nonresident and wishes to take fur-bearing animals and coyotes by the use of traps, the nonresident shall pay \$300. If the applicant's state or province does not permit nonresident trappers, said applicant shall be denied a nonresident license in this state.

X.(a) If the applicant wishes to hunt pheasants, the agent shall thereupon issue a pheasant license or stamp which shall entitle the licensee to hunt, shoot, kill and take, except by the use of traps, pheasants during the open season.

(b) The fee for such license or stamp shall be determined by the executive director pursuant to RSA 541-A.

XI. If the applicant is a resident and wishes to hunt wild turkeys, \$15, and if the applicant is a nonresident and wishes to hunt wild turkeys, \$30, and the fish and game department shall thereupon issue a wild turkey license or permit which shall entitle the licensee to hunt, shoot, kill and take turkey, except by the use of traps.

XII. If the applicant wishes to hunt migratory waterfowl, \$10, and the agent shall thereupon issue a state migratory waterfowl license which shall entitle the licensee to hunt, shoot, kill, and take migratory waterfowl during such time and in such manner and numbers as may be allowed under RSA 209:6.

XIII.(a) Any recognized summer camp or educational facility operated within the state may apply to the executive director of the fish and game department for a group fishing license that may be utilized by individual campers or students while participating in camp or school approved activities. The fee for the license shall be \$25, and the definitions, requirements for participation, and criteria for obtaining the license shall be determined by the executive director pursuant to rules adopted under RSA 541-A.

(b) [Repealed.]

XIV. [Repealed.]

XV. If the applicant wishes to take wild animals, excluding fish and marine species, or wild birds, \$2.50, and the agent shall thereupon issue a wildlife habitat stamp or license as provided in RSA 214:1-f. For any year in which a stamp is issued, the agent shall be entitled to retain \$.50 of the \$2.50 fee for each wildlife habitat stamp sold and all stamps sold at the department headquarters or any subagency thereof shall retain the same \$.50 fee which, notwithstanding RSA 214:1-f, V, shall be credited to the general fish and game fund. Notwithstanding any other provision of law, there shall be no agent fee for a wildlife habitat license issued pursuant to RSA 214:1-f.

XVI.(a) If the applicant is 16 years of age or older and wishes to take, possess, or transport finfish from coastal and estuarine waters under the restrictions of this title, the applicant shall pay the fee according to the schedule in subparagraph (e), and the agent shall thereupon issue a recreational saltwater license which shall entitle the licensee to take, possess, or transport finfish from coastal and estuarine waters, under the restrictions of this title, provided that any person participating in a recreational saltwater fishing opportunity on a for-hire vessel, which is licensed under subparagraph (b), shall be exempt from the license requirement of this subparagraph.

(b) A resident or nonresident owner or operator of a for-hire vessel who wishes to provide recreational saltwater fishing opportunities for persons taking finfish from coastal and estuarine waters, shall pay a fee for each charter boat and each party boat according to the schedule in subparagraph (e), which shall entitle the owner or operator of the licensed for-hire vessel to take, possess, or transport finfish from coastal and estuarine waters, under the restrictions of this title.

(c) A nonresident holding a valid recreational saltwater license or a for-hire charter or party boat saltwater license from Maine or Massachusetts, shall be allowed to take, possess, or transport finfish from New Hampshire coastal and estuarine waters, provided that the state in which such person purchased a recre-

ational saltwater license or in which the for-hire vessel is registered allows an angler with a New Hampshire recreational saltwater license or a saltwater for-hire vessel with a for-hire license from New Hampshire to recreationally take, possess, or transport finfish in that state's coastal and estuarine waters.

(d) In this paragraph:

(1) "Coastal and estuarine waters" means all waters within the rise and fall of the tide, and water below any fishway or dam which is normally the dividing line between tide water and fresh water, or below any tidal bound which has been legally established in streams flowing into the sea under the jurisdiction of the state.

(2) "For-hire vessel" means a party boat, charter boat, dive boat, head boat, or other boat hired by persons to engage in recreational saltwater fishing opportunities.

(3) "Recreational saltwater fishing" means taking of any marine finfish, by any means for personal use only and which are not sold.

(4) "Charter boat" means a vessel less than 100 gross tons (90.8 metric tons) that meets the requirements of the U.S. Coast Guard to carry 6 or fewer passengers for hire.

(5) "Party boat" or "head boat" means a vessel that holds a valid Certificate of Inspection issued by the U.S. Coast Guard to carry passengers for hire.

(e) The following fees shall apply:

(1) \$10 for resident and nonresident individuals.

(2) \$50 for charter boats and other for-hire vessels, except party boats.

(3) \$100 for party boats.

(f) The executive director shall adopt rules under RSA 541-A on the further definitions, criteria, and requirements for obtaining the licenses under this paragraph.

Amend the bill by replacing section 29 with the following:

29 Fish and Game; Guide License. RSA 215:4 is repealed and reenacted to read as follows:
215:4 Fee for License.

I. Except as provided in RSA 215:5, II, every resident applicant for a license as a guide to hunt shall pay to the executive director therefor the sum of \$100.

II. Except as provided in RSA 215:5, II, every resident applicant for a license as a guide to fish shall pay to the executive director therefor the sum of \$100.

III. Every nonresident applicant for a license as a guide to hunt shall pay to the executive director therefor the sum of \$100.

IV. Every nonresident applicant for a license as a guide to fish shall pay to the executive director therefor the sum of \$100.

2016-0151h

AMENDED ANALYSIS

This bill removes rulemaking authority for fees for licenses and permits issued by the fish and game department which was added by 2015, 186 (HB 212).

Amendment to HB 1551-FN-A

(2016-0182h)

Proposed by the Majority of the Committee on Education - r

Amend RSA 21-N:8-c, III as inserted by section 2 of the bill by replacing it with the following:

III. Applicants who are selected to receive a scholarship under this program shall maintain a 2.75 grade point average and meet such other criteria as may be established in this section. Applicants selected shall receive a 1/2 tuition scholarship for the applicable tuition and fees, reduced by the amount of any other scholarship aid they may receive. The scholarship shall be for a maximum of 3 years. Scholarship recipients shall be required to work in the state of New Hampshire for a minimum of 4 years after graduation or shall repay the scholarship amount received in full.

Amendment to HB 1557-FN

(2016-0326)

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs - r

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

AN ACT relative to cost effectiveness of programs implemented within state agencies.

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

1 Office of Legislative Budget Assistant; Cost Effectiveness of Programs Within State Agencies.

I. The legislative budget assistant, in collaboration with the department of administrative services and such other organizations as he or she may wish to consult, shall evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs. The process for determining cost effectiveness shall include, but not be limited to, the following steps:

(a) Systematically assessing all high-quality studies from the United States and elsewhere to identify policy options that have been tried and tested and found to achieve improvements in outcomes.

(b) Determining how much it would cost to produce the results found in subparagraph (a) in this state, determining the value of the benefits from such an improved outcome, and calculating the net present value thereof.

(c) Assessing the risk in the estimates to determine the probability that a particular policy options benefits will outweigh its costs.

(d) Ranking programs in state agencies based on value and risk.

II. The department of administrative services and each state agency shall furnish to the legislative budget assistant information, excluding information otherwise confidential under law, he or she may request in the course of carrying out the duties under this section in a mutually agreeable and compatible format.

III. The legislative budget assistant shall make an initial report by November 1, 2016, on the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs. If the legislative budget assistant determines that calculating cost effectiveness is feasible, he or she shall make a final report on or before November 1, 2017, including recommendations for legislation, to the commissioner of administrative services, the chairpersons of the house and senate finance committees, the speaker of the house of representatives, the president of the senate, the state library, and the governor.

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

2016-0326h

AMENDED ANALYSIS

This bill requires the office of the legislative budget assistant to evaluate the feasibility of calculating and using cost effectiveness in evaluating new and existing state programs.

Amendment to HB 1568-FN-A

(2016-0335h)

Proposed by the Committee on Public Works and Highways - r

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

AN ACT relative to prepaid road tolls for electric vehicles.

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

1 New Section; Electric Vehicle Defined. Amend RSA 259 by inserting after section 27 the following new section:

259:27-a Electric Vehicles. "Electric vehicle" shall mean a vehicle powered solely by electricity.

2 New Paragraph; Alternate Energy; Road Tolls. Amend RSA 260:52 by inserting after paragraph XVIII the following new paragraph:

XIX. Each person registering an electric vehicle shall be required to prepay road toll fees at the time of registration of the vehicle. The toll for a full 12-month year shall be equal to the state registration fee under RSA 261:141 for a full year. The toll for a period of less than a full year shall be prorated in the same manner as vehicle registrations are prorated under RSA 261:141. Any person who shall drive or cause to be driven a motor vehicle in violation of the provisions of this paragraph shall be guilty of a violation.

3 Effective Date. This act shall take effect January 1, 2017.

20016-0335h

AMENDED ANALYSIS

This bill establishes prepaid road tolls for electric vehicles.

Amendment to HB 1584-FN

(2016-0100)

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

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

AN ACT relative to the discharge of a person committed for nonpayment of a fine.

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

1 Discharge of Person Committed in Default of Payment of Fine. Amend RSA 618:8 and 618:9 to read as follows:

618:8 At End of Term, or on Payment of Balance. Any person sentenced conditionally to pay a fine or to be imprisoned for a term shall be discharged at the expiration of the term, and may be discharged at any time on payment of the balance of the fine, after deducting [~~\$50~~] **\$125** for each day such person has been imprisoned under the sentence.

618:9 Committal for Nonpayment; Term. Whenever a person is committed to a county correctional facility in default of payment of a fine imposed by a justice of a superior court or a district court, he or she shall be

discharged from custody by the superintendent thereof at the expiration of a number of days after the date of his or her commitment equal to one day for each [\$50] **\$125** of the fine so imposed. The superintendent shall keep a record of all discharges made under the provisions of this section.

2 Effective Date. This act shall take effect January 1, 2017.

2016-0100h

AMENDED ANALYSIS

The bill increases the daily amount deducted for a person who is committed for nonpayment of a fine.

Amendment to HB 1590-FN-A-LOCAL

(2016-0287h)

Proposed by the Committee on Commerce and Consumer Affairs - r

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

1 New Subdivision; Regulation of Short-Term Rental Businesses. Amend RSA 353 by inserting after section 10 the following new subdivision:

Regulation of Short-Term Rental Businesses

353:11 Definition. In this subdivision, "short-term rental business" means any person or entity which offers or advertises the rental of one or more rooms in a residential unit for occupancy for tourist or transient use.

353:12 Advertisements. Any advertisement by a short-term rental business for printing, display, publication, distribution, or broadcast offering a short-term rental shall clearly and conspicuously display the meals and rooms license number of the operator. A first-time violation of the provisions of this section may result in a warning from the department of revenue administration that the operator's license may be revoked, suspended, or denied. Subsequent violations of the provisions of this paragraph may constitute sufficient cause for revocation, suspension, or denial of license.

2 Effective Date. This act shall take effect January 1, 2017.

2016-0287h

AMENDED ANALYSIS

This bill requires advertisements by short-term rental businesses to display the meals and rooms license number of the operator.

Amendment to HB 1594-FN

(2016-0192h)

Proposed by the Committee on Executive Departments and Administration - c

Amend the bill by inserting after section 6 the following and renumbering the original section 7 to read as 8, respectively:

7 Emergency Medical Services; Definitions. Amend RSA 153-A:2, XI to read as follows:

XI. "Facility" means a hospital as defined in RSA 151:2, I(a) **and (d)**.

Amendment to HB 1604-FN-A-LOCAL

(2016-0160h)

Proposed by the Committee on Education - r

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

AN ACT relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

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

1 Statewide Education Improvement and Assessment Program; Statement of Purpose. Amend RSA 193-C:1, III to read as follows:

III. Widespread participation in the establishment of a statewide education improvement and assessment program is essential. Consultation with educators at all levels, business people, government officials, community representatives, and parents must occur in the development of educational standards. In turn, widespread dissemination of those standards, once established, must occur. Teachers, administrators, and school board members must be fully apprised of these state-developed standards. They must, in turn, communicate these expectations to students and parents, and find and implement **instructional** methods to enable students to acquire and apply the requisite knowledge and skills. ***Implemented instructional methods designed to enable students to acquire and apply the requisite knowledge and skills shall include but not be limited to:***

(a) Advancing students to higher level work once they demonstrate knowledge and skill and mastery of competency, rather than advancing based upon seat time in the classroom.

(b) Providing support to struggling students before they advance in an effort to prevent later failure.

(c) Keeping all students on pace to graduate and to ensure those below level make progress.

(d) Promoting innovative learning that has meaning to students, cuts across multiple curriculum areas, and includes varied learning pathways.

(e) Graduating students with deeper college and career ready skills.

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

2016-0160h

AMENDED ANALYSIS

This bill specifies instructional methods designed to enable students to acquire and apply requisite knowledge and skills.

Floor Amendment to HB 1604-FN-A-LOCAL

(2016-0409)

Proposed by Rep. R. Ladd - r

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

AN ACT relative to instructional methods to enable students to acquire and apply requisite knowledge and skills.

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

1 Statewide Education Improvement and Assessment Program; Statement of Purpose. Amend RSA 193-C:1, III to read as follows:

III. Widespread participation in the establishment of a statewide education improvement and assessment program is essential. Consultation with educators at all levels, business people, government officials, community representatives, and parents must occur in the development of educational standards. In turn, widespread dissemination of those standards, once established, must occur. Teachers, administrators, and school board members must be fully apprised of these state-developed standards. They must, in turn, communicate these expectations to students and parents, and find and implement ***instructional*** methods to enable students to acquire and apply the requisite knowledge and skills. ***Implement instructional methods designed to enable students to acquire and apply the requisite knowledge and skills shall include but not be limited to:***

(a) Advancing students to higher level work once they demonstrate knowledge and skill and mastery of competency, rather than advancing based upon seat time in the classroom.

(b) Providing support to struggling students before they advance in an effort to prevent later failure.

(c) Keeping all students on the path to graduate and to ensure those below level make progress.

(d) Promoting innovative learning that has meaning to students, cuts across multiple curriculum areas, and includes varied learning pathways.

(e) Graduating students with deeper college and career ready skills.

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

2016-0409h

AMENDED ANALYSIS

This bill specifies instructional methods designed to enable students to acquire and apply requisite knowledge and skills.

Amendment to HB 1616-FN

(2016-0123h)

Proposed by the Committee on Transportation - r

Amend the bill by replacing section 1 with the following:

1 Prohibition Against Participation in National Identification System. Amend 2007, 243:1, I-II as amended by 2010, 372:1 to read as follows:

I. The general court finds that the public policy established by Congress in the Real ID Act of 2005, Public Law 109-13, is contrary and repugnant to Articles 1 through 10 of the New Hampshire constitution as well as Amendments 4 through 10 of the Constitution for the United States of America. Therefore, ***except to the extent provided in RSA 260:21-a, RSA 260:21-b, RSA 263:14-b, and RSA 263:14-c***, the state of New Hampshire shall not participate in any driver's license program pursuant to the Real ID Act of 2005 or in any national identification card system that may follow therefrom, including PASS ID.

II. ***Except to the extent provided in RSA 260:21-a, RSA 260:21-b, RSA 263:14-b, and RSA 263:14-c***, the department of safety shall not amend procedures for applying for a driver's license [under RSA 263] or an identification card [under RSA 260:21] in order to comply with the goals or standards set forth in the Real ID Act of 2005 or in any national identification card system that may follow therefrom, including PASS ID, or in any rules or regulations promulgated thereunder, or in any requirements adopted by the American Association of Motor Vehicle Administrators for such purposes.

Amend RSA 260:21-a, IX as inserted by section 8 of the bill to read as follows:

IX. The director shall keep a record of the cards issued, and each card shall contain a random identification number specifically assigned to the person to whom the card was issued.

Amend RSA 260:21-b, IX as inserted by section 8 of the bill to read as follows:

IX. The director shall keep a record of the cards issued, and each card shall contain a random identification number specifically assigned to the person to whom the card was issued.

Amend the bill by inserting after section 14 the following and renumbering the original sections 15-16 to read as 16-17, respectively:

15 Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a to read as follows:

260:14-a Provision for Federal Identification Database Prohibited.

I. The department shall not provide a complete, or substantially complete or mirrored, extract of motor vehicle records that contain personally identifiable information from any file or database to the federal government or to any agent or agency of, or contractor engaged by, the federal government for the purpose of creating or enhancing a federal identification database.

II. *In support of the department's participation in the enhanced driver's license program, the interface to the cognizant federal authority shall be implemented to provide a specific response at the time a New Hampshire enhanced driver's license holder presents that license at a border crossing. The department shall not provide the full set of driver information to the cognizant federal authority at the time of license issuance.*

Amendment to HB 1622-FN

(2016-0165h)

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

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

AN ACT relative to radioactive waste.

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

1 History and Intent. In January 1986, the United States Department of Energy announced that it had identified a 78-square mile area centered in Hillsborough, New Hampshire as a potential site for burial of the nation's high level radioactive waste. In response to the announcement that the large granite formation known as the "Cardigan Pluton" might become the waste site for highly toxic radioactive spent fuel from the nation's nuclear reactors, state and local officials mobilized to oppose the project and prevent that area of our state from becoming what the federal government referred to as a "National Sacrifice Area." Citizens at town meetings in 137 towns passed warrant articles opposing the proposed waste site. The legislature enacted RSA 125-G, the high level radioactive waste act, which formally established state policy in opposition to the siting of a high-level radioactive waste facility in the state and established legislation to fight any efforts by the federal Department of Energy to use eminent domain to take property to build a nuclear waste site in New Hampshire. In 2011, the legislature included in the trailer bill to the budget a section that repealed the 1986 high level radioactive waste act. It is the intent of this act to reaffirm New Hampshire's unyielding opposition to any effort of the federal government to site a nuclear waste site anywhere in the state, and to reenact the high-level radioactive waste act.

2 New Chapter. Amend RSA by inserting after chapter 125-S the following new chapter:

CHAPTER 125-T

HIGH-LEVEL RADIOACTIVE WASTE ACT

125-T:1 Statement Of Policy. The legislature opposes the siting of a high-level radioactive waste facility in the state of New Hampshire and finds that the northeast is an unsafe and hydrogeologically and geologically inappropriate area in which to locate a site for the permanent disposal of high-level radioactive waste. The legislature further finds that it is in the best interests of the state to establish procedures to provide advocacy for the people of the state before the federal government and for a maximum of public participation in the assessment process in order to assure that the federal Department of Energy will consider the unique features of the state and the needs of the people of the state when assessing the state as a potentially suitable location for the long-term or temporary storage or permanent disposal of high-level radioactive waste.

125-T:2 Definitions. In this chapter:

I. "Consultation" means the sharing of information on planned nuclear waste programs and activities and the right of others to review, comment, and offer recommendations on such activities.

II. "Densely populated area" means any area in which more than 500 people are located within the proposed control area of a proposed site of a permanent repository for the disposal of radioactive waste.

III. "Federal Department of Energy" means the United States Department of Energy or any successor agency, including its contractors or subcontractors, which is assigned responsibility for the long-term or temporary storage or permanent disposal of high-level radioactive waste or any waste not classified as low-level radioactive waste by the Nuclear Regulatory Commission.

IV. "High-level radioactive waste" means:

- (a) Irradiated reactor fuel;
- (b) Liquid wastes resulting from the operation of the first cycle solvent extraction system, or equivalent, and the concentrated wastes from subsequent extraction cycles, or equivalent, in a facility for reprocessing irradiated reactor fuel;
- (c) Solids into which such liquid wastes have been converted;
- (d) Other highly radioactive material that the Nuclear Regulatory Commission, consistent with existing law, has determined by rule requires permanent isolation; and
- (e) Any nuclear waste not classified as low-level radioactive waste by the Nuclear Regulatory Commission.

V. "Office" means the office of energy and planning.

VI. "Nuclear" means high-level radioactive.

VII. "State radiation control agency" means the department of health and human services.

125-T:3 Office of Energy and Planning.

I. The office of energy and planning shall serve as the initial agency in this state to be contacted by the federal Department of Energy or any other federal agency on any matter related to the long-term or temporary storage or permanent disposal of high-level radioactive waste.

II. The office shall serve as the initial agency in this state to receive any report, study, document, information or notification of proposed plans from the federal Department of Energy or any other federal agency on any matter related to the long-term or temporary storage or permanent disposal of high-level radioactive waste. Notification of proposed plans includes notification of proposals to conduct field work, on-site evaluation, on-site testing, or any other related studies, or any activities involving federal presence in New Hampshire related to the long-term or temporary storage or permanent disposal of high-level radioactive waste.

III. The office shall disseminate or arrange with the federal Department of Energy or other federal agency to disseminate in a timely manner information received under paragraph II to appropriate state agencies, appropriate local units of government, and interested citizen groups and citizens.

IV. The office shall respond to contacts made under paragraph I and information received under paragraph II if a response is appropriate. The office shall consult with the appropriate state agencies and affected local units of government.

V. The office shall adopt rules, under RSA 541-A, relative to procedures necessary to enable it to discharge its duties and powers under this chapter and to carry out the purposes and objectives of this chapter, including but not limited to:

- (a) The further definition of "related studies" in RSA 125-T:3, II;
- (b) The further definition of the term "timely manner" in RSA 125-T:3, III;
- (c) The further definition of "interested citizen groups" in RSA 125-T:3, III;
- (d) The procedures for its review of fund applications under RSA 125-T:6, including further definition of what is consistent with the state's nuclear waste policy, and what is in the best interest of the state relative to the long-term or temporary storage or permanent storage of high-level radioactive waste; and
- (e) Application and permit requirements for site studies in addition to the requirements under RSA 125-T:13.

125-T:4 Office as Advocate. The office shall serve as an advocate on behalf of the citizens of this state before the federal Department of Energy and other federal agencies on matters related to the long-term or temporary storage or permanent disposal of high-level radioactive waste.

125-T:5 Educational Programs. The office shall promote and coordinate educational programs which provide information on the nature of high-level radioactive waste; the long-term or temporary storage or permanent disposal of these wastes; the activities of the office; and the activities of the federal Department of Energy and other federal agencies related to the long-term or temporary storage or permanent disposal of high-level radioactive waste.

125-T:6 Review of Fund Applications. The office shall review any application to the federal Department of Energy or other federal agency or its contractor, by a state agency, or any other person including the state institutions of higher learning, a local unit of government, or a regional planning commission or any other person for funds for any program related to the long-term or temporary storage or permanent disposal of high-level radioactive waste. If the office finds that, the application is not consistent with the state's nuclear waste policy or, that the application is not in the best interests of the state, the office shall forward its findings to the, governor, the speaker of the house of representatives and the president of the senate, and the federal agency to which the application for funds is being, made. If the office finds that the application of a state agency is not consistent with, the state's nuclear waste policy or that the application of a state agency is not in the best interests of the state, the findings forwarded to the governor shall include a recommendation that the governor take action as necessary to safeguard the interests of the state by stipulating certain conditions for the acceptance of the funds.

125-T:7 Office to Cooperate With Congress and With Other States. The office shall monitor activity by Congress and the federal government related to the long-term or temporary storage or permanent disposal of high-level radioactive waste. The office may advise the New Hampshire congressional delegation of action which is necessary to protect the interests of the state and may work with the congressional delegations and the state governments of other affected northeastern states.

125-T:8 State to Intervene. In appropriate cases, the office shall request the state attorney general to institute or intervene in judicial proceedings to protect the state's interests, enforce the state's policy, and present the state's point of view on matters related to the long-term or temporary storage or permanent disposal of high-level radioactive waste.

125-T:9 Application for Area or Site Studies. A separate application shall be made for each stage of the process of evaluating and selecting a site for the long-term or temporary storage or permanent disposal of high-level radioactive waste. An application to conduct area or site characterization studies or any phase of such a study which is filed pursuant to this chapter shall contain the following information and materials:

I. A description of the proposed activities, including maps, present and proposed development, and geological, seismic, ecological, hydrological, biological, aesthetic, social, demographic and related data, as appropriate.

II. A statement of the ownership and other financial interests in the proposed facility.

III. An estimate of the costs of the proposed activities, if any, and the source of the funds.

IV. A statement of the need for the proposed activities, including the source, type, and composition of the nuclear waste proposed to be received for testing, storage, or disposal at the facility.

V. A statement of the environmental impact of the proposed action, including short-term and long-term effects, mitigation measures proposed to minimize the environmental impact, and any adverse environmental effects which could not be avoided should the facility be constructed, maintained and operated.

VI. A statement of the socioeconomic impact of the proposed action, including the short-term and long-term effects, mitigation measures proposed to minimize the socioeconomic impact, and any adverse socioeconomic effects which could not be avoided should the facility be constructed, maintained and operated.

VII. An assessment of the safety and adequacy of the in-state transportation system to the site for each state including characterization, construction, operation and maintenance. The assessment shall include mitigation measures to be employed to minimize negative impacts during transportation and actions to be taken to restore the system from any adverse impacts which could not be avoided.

VIII. A complete resume of the applicant's expertise and experience in all other fields of study in relation to high-level radioactive waste storage and disposal, including the general conclusions, technical results, and findings of those activities.

IX. Plans for access to land, whether privately or publicly owned, in order to conduct studies including plans for access in the event that the owner refuses access.

125-T:10 Further Requirements for Site Studies.

I. Prior to the initiation of each and every phase of nuclear waste site characterization activities, including area characterization, the office shall require that a written agreement between the federal Department of Energy and the state shall be concluded in accordance with the provisions of this chapter.

II. At the completion of each phase of site characterization, including area characterization, and prior to the initiation of any subsequent phase of investigation, the federal Department of Energy shall prepare and administer an oral briefing for the office, interested members of the legislature, and the governor's office, collectively, in which a synopsis of the previously completed study phase is detailed. The briefing shall include, at a minimum, the significant findings of the study, including those findings which could possibly preclude the site from being developed into a repository for the long-term or temporary storage or permanent disposal of high-level radioactive waste. Any noted deficiencies in the data base, interpretation of the data base, or conclusions or, recommendations regarding the data base, cited in writing by the technical community of the state or recorded in public hearings in the state, shall be addressed in the briefing. The methods by which those deficiencies were resolved or are to be addressed shall be identified by the Department of Energy during the briefing. The office shall determine the adequacy of the resolution of the noted deficiencies and shall prepare a written report of their findings. The office shall transmit the findings with a recommendation concerning a future course of action to the governor, the senate president, and the speaker of the house of representatives. If the findings and the recommendations indicate adequate identification of deficiencies and their resolution, the governor may recommend adoption of a joint resolution authorizing initiation of additional phases of site characterization. If the findings and the recommendations indicate inadequate identification of deficiencies or their inadequate resolution, the governor may recommend that the conflict resolution procedure outlined in the agreement be initiated.

125-T:11 Office as Agent for Agreements.

I. The office shall serve as the agency in this state to negotiate written nuclear waste area or site characterization agreements and modifications or technical revisions to these agreements with the federal Department of Energy on any matter related to the long-term or temporary storage or permanent disposal of high-level radioactive waste.

II. The office shall serve as the agency in this state to negotiate such written agreements and modifications or technical revisions to these agreements with any federal agency other than the federal Department of Energy on any matter related to the long-term or temporary storage or permanent disposal of high-level radioactive waste.

III. The office shall consult with the attorney general during the negotiation of any agreement or modification or technical revisions to an agreement executed under paragraph I or II. The attorney general shall prepare such written comments on any agreement or draft agreement being negotiated by the office as may be appropriate and necessary.

IV. The office shall hold at least one public hearing within the county or counties in which the site is located on any proposed agreement or modification or technical revision to an agreement negotiated under paragraph I or II. The office shall issue 30 days' notice of the date and location of hearings conducted under this section. The office shall prepare a written summary of testimony presented at hearings conducted under this section and shall consider the need for modifications or technical revisions to the negotiated agreement as a result of the hearing.

125-T:12 Agreements With the Federal Department of Energy.

I. The office of energy and planning shall negotiate separate agreements with the federal Department of Energy concerning different stages of the process of evaluating and selecting a site for the long-term or temporary storage or permanent disposal of high-level radioactive waste. The office shall negotiate a separate agreement with the federal Department of Energy for the final stages of the selection of any site for the long-term or temporary storage or permanent disposal of high-level radioactive waste. Such agreements shall be in addition to the Consultation and Cooperation Agreement required by Public Law 97-425, section 117.

II. Any agreement negotiated by the office with the federal Department of Energy under this section shall include, but not be limited to:

(a) A general description of the roles of the state and the federal Department of Energy in the execution of the agreement.

(b) A compliance schedule which includes a list of significant events and stages which are expected to be reached as the federal Department of Energy assesses the suitability of the area or site for the long-term or temporary storage or permanent disposal of high-level radioactive waste and a description of the actions to be taken by the federal Department of Energy and the state at each event and stage.

(c) The criteria that the federal Department of Energy shall use in evaluating the suitability of any area or site in the state for the long-term or temporary storage or permanent disposal of high-level radioactive waste.

(d) A requirement that the federal Department of Energy shall comply with all federal laws, state laws, and local ordinances and shall respect state sovereignty consistent with the United States Constitution and the Tenth Amendment to the United States Constitution, regardless of the ownership of the land on which the activity takes place.

(e) A requirement that the federal Department of Energy and any of its contractors or subcontractors shall provide the office with all reports and documents the office requests and any other relevant reports and documents in a timely manner and in accordance with any applicable law, regulation, or rule. The requirement shall specify that the federal Department of Energy shall not charge a fee for searching for or for supplying reports and documents requested by the office. The requirement shall specify that the federal Department of Energy shall provide the office with all reports and documents from contractors and subcontractors after the reports and documents are submitted to the federal Department of Energy, regardless of whether the reports and documents have received the final approval of the Department of Energy.

(f) A requirement that, upon request by the office, the federal Department of Energy shall provide the date, methods, and underlying assumptions used in the preparation of reports and documents in accordance with any applicable law, regulation, or rule.

(g) A requirement that the federal Department of Energy shall notify the office of any grants related to the long-term or temporary storage or permanent disposal of high-level radioactive waste from the federal Department of Energy to any person in this state.

(h) A requirement that the federal Department of Energy shall notify the office in a timely manner of any proposed field work, on-site evaluation, on-site testing, or similar activities it or any contractor or subcontractor intends to conduct and a requirement that the Department of Energy shall allow the office to monitor these activities by any appropriate means.

(i) A requirement that the federal Department of Energy shall provide the office in a timely manner with a copy of any requests for proposals and final contracts issued by the Department of Energy relating to the evaluation, selection, or construction of a site for the long-term or temporary storage or permanent disposal of high-level radioactive waste in this state.

(j) A provision that the federal Department of Energy shall agree to provide funds to be used to provide educational programs as set forth in RSA 125-T:5 and to review the activities of the Department of Energy and its contractors and subcontractors which relate to assessing the suitability of the site for the long-term or temporary storage or permanent disposal of high-level waste.

(k) A process for resolving disputes between the office and the federal Department of Energy, including disputes concerning alleged violations of the written agreement and disputes concerning technical assessments made by the Department of Energy. The process for resolving disputes concerning technical assessments made by the federal Department of Energy may involve a process of scientific review and mediation by an impartial and independent person.

(1) A requirement that the federal Department of Energy and the office shall identify impacts, including, but not limited to, economic impacts associated with studies related to the characterization of an area or site for its potential as a repository or the impacts associated with the development of a site as a repository for the long-term or temporary storage or permanent disposal of high-level radioactive waste and that the Department of Energy will provide a mechanism to mitigate those impacts.

(m) A requirement that if the federal Department of Energy selects a site in the state for construction of a repository for the long-term or temporary storage or permanent disposal of high-level radioactive waste, the Department of Energy shall prepare, prior to submission of an application to license or construct the repository, a repository plan which shall include descriptions of the Department of Energy's plans for construction of the repository, transportation of wastes to the repository, operation of the repository, closing of the repository, and post-closure activities, including monitoring of the repository. The plan shall also include a description of methods of acquiring lands for the construction of a repository including any plans for the exercise of the power of eminent domain.

(n) A requirement that the location of any site for the long-term or temporary storage or permanent disposal of high-level radioactive waste shall not be in a densely populated area.

(o) A requirement that the federal Department of Energy shall develop in cooperation with state and local officials an emergency response plan which includes a federal commitment to train and equip appropriate state and local entities and maintain state and local emergency response capabilities through, closure of the repository.

III. Any agreement negotiated by the office with the federal Department of Energy shall include a list of reasons for which the office may object to the selection of a site within this state for the long-term temporary storage or permanent disposal of high-level radioactive waste. These reasons shall include, but not be limited to, the following:

(a) The site or the transportation of waste to the site poses a danger to public health and safety or to the environment.

(b) The federal Department of Energy fails to address to the satisfaction of the office the potential socioeconomic effects of the site or of the transportation of waste to the site.

(c) The federal Department of Energy is violating or has violated a written agreement or revision approved under RSA 125-T:11.

(d) In the judgment of the office, the federal Department of Energy fails to comply with criteria, regulations, or standards of other federal agencies concerning the long-term or temporary storage or permanent disposal of high-level radioactive waste, including criteria which excludes a proposed site from consideration because of previous mining or drilling of any type within the area which could be affected by the construction of the site or by the heat resulting from the long-term or temporary storage or permanent disposal of high-level radioactive waste at the site.

(e) In the judgment of the office, the federal Department of Energy fails to use generally accepted scientific and technical practices in evaluating the suitability of a site for the long-term or temporary storage or permanent disposal of high-level radioactive waste.

IV. Any agreement negotiated by the office with the federal Department of Energy which does not comply with the requirements or standards prescribed in this section shall be void and of no effect.

125-T:13 Review of Site Selection; Recommendation.

I. If the federal Department of Energy selects a site in the state for construction of a repository for the long-term or temporary storage or permanent disposal of high-level radioactive waste, the office shall review the adequacy of the selected site and of the repository plan prepared by the federal Department of Energy pursuant to RSA 125-T:12, 11(m). The review shall include a full scientific review of the adequacy of the selected site and the repository plan. The office may utilize recognized experts in conducting its scientific review. The office shall conduct at least one public hearing in the affected county on the repository plan and shall make available to the public arguments and evidence for and against the repository plan. The office shall provide 30 days' notice of the date and location of the public hearing. The office shall solicit comments from appropriate state agencies, local units of government, and interested citizen groups on the adequacy of the selected site and the repository plan. The office shall make these comments available to the public.

II. After completing the review, the office shall submit a recommendation, complete with supporting reasons for the recommendation, to the speaker of the house of representatives, the senate president, and

the governor on the issue of the site and repository plan selected by the federal Department of Energy. The governor, after review of the recommendation and findings of the office, may confer with the office, representatives of state agencies, institutions of higher learning, or representatives of the affected county or locality. The governor, thereafter, shall recommend appropriate legislation to the legislature relating to the establishment of a long-term or temporary storage or permanent disposal facility for high-level radioactive waste. There shall be no further activity by the Department of Energy related to the long-term or temporary storage or permanent disposal of high-level radioactive waste in the state while legislation proposed by the governor or the legislature relative to such topic is being considered by the legislature.

125-T:14 Office to Implement Agreements. The office shall implement all agreements, modifications, and technical revisions approved pursuant to this chapter. In doing so, the office may solicit the views of appropriate state agencies, local units of government, and interested citizen groups.

125-T:15 Finance. The office shall attempt to finance all of its expenses from moneys received from the federal Department of Energy and other federal agencies and from other grants for which the office may apply.

125-T:16 Assistance From State Agencies. The office shall rely on the expertise of staff in other state agencies and may utilize recognized experts to assist the office in its duties whenever possible, and these other state agencies shall assist the office as much as possible in fulfilling its duties.

125-T:17 Enactment of Chapter Not Acceptance. Nothing in this chapter shall be interpreted by the federal government or the federal Department of Energy as acceptance by the people of this state of a site for the long-term or temporary storage or permanent disposal of high-level radioactive waste.

125-T:18 Penalties. Any person who is convicted of violating the provisions of this chapter shall be guilty of a misdemeanor and, notwithstanding the provisions of title LXII, shall be punished by a fine of \$1,000 for each day upon which the violation occurred. Upon violation or upon reasonable belief of violation of this section, the attorney general shall institute proceedings for injunctive relief in the superior court of the county in which the violation occurred to require the immediate cessation of any testing, on-site evaluation, or any other site evaluation or selection procedure regarding possible use of any crystalline rock formation or other geologic structure within the jurisdiction of the state, the immediate cessation of transportation of high-level radioactive waste or other high-level radioactive material to the site, and the immediate removal from the state of such materials already located on the site.

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

2016-0165h

AMENDED ANALYSIS

This bill reestablishes the high-level radioactive waste act.

Amendment to HB 1630-FN-LOCAL

(2016-0376)

Proposed by the Committee on Education - r

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

1 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, I to read as follows:

I. Beginning July 1, 2009, and for every biennium thereafter, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be [~~\$3,450~~] **\$3,458** per pupil attending a public school, plus any applicable differentiated aid for which a pupil is eligible. Differentiated aid shall be in the amount of \$1,725 for each pupil in the public school's ADMA in the determination year who is in kindergarten through grade 12 and who is eligible for the federal free and reduced-price meal program.

2 School Money; Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, II-a to read as follows:

II-a. An additional [~~\$675~~] **\$697** for each third grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the reading [~~component~~] **and mathematics components** of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year.

3 New Section; School Money; Fiscal Capacity Disparity Aid. Amend RSA 198 by inserting after section 40-c the following new section:

198:40-cc Fiscal Capacity Disparity Aid.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each biennium the department shall calculate fiscal capacity disparity aid and provide that amount of aid in each year of the biennium to a municipality's school districts and to charter schools approved under RSA 194-B:3-a as follows:

(a) The department shall calculate the equalized valuation per pupil for each municipality in the state and shall sort the results into quartiles based on equalized valuation per pupil and shall divide all quartiles in half. If there are an uneven number of municipalities in a quartile or half quartile, the department shall make the lower quartile or half quartile the one with fewer municipalities.

(b) A municipality with an equalized valuation per pupil in the lower half of the lowest quartile and which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of \$2,000 multiplied by the municipality's average daily membership in attendance.

(c) A municipality with an equalized valuation per pupil in the upper half of the lowest quartile which has a median family income which is less than the state average median family income shall receive fiscal capacity disparity aid in the amount of \$1,200 multiplied by the municipality's average daily membership in attendance shall be distributed pursuant to RSA 198:42.

II. Except as otherwise provided in this section, fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

III. In this section:

(a) "Equalized valuation per pupil" means a municipality's equalized valuation, including properties subject to taxation under RSA 82 and RSA 83-F, as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 average daily membership in attendance.

(b) "Median family income" means the most recent census data published for New Hampshire counties and municipalities by the United States Department of Commerce, Census Bureau, as of October 1 preceding the beginning of the biennium for which aid is to be determined.

4 School Money; Determination of Adequate Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d)(1) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year thereafter.

(2) For fiscal year 2018 and each fiscal year thereafter, no municipality which is eligible to receive fiscal capacity disparity aid pursuant to RSA 198:40-cc shall receive a stabilization grant which is less than the amount of the municipality's 2018 stabilization grant, less 4 percent.

5 Effective Date. This act shall take effect July 1, 2017.

2016-0376h

AMENDED ANALYSIS

This bill increases the amount of per pupil adequacy aid, increases the amount of aid to certain third grade pupils, and provides fiscal capacity disparity aid to certain school districts.

Amendment to HB 1673-FN-LOCAL

(2016-0223h)

Proposed by the Committee on Special Committee on Public Employee Pension Plans - r

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

1 New Paragraph; Definition; Cash Balance Plan. Amend RSA 100-A:1 by inserting after paragraph I the following new paragraph:

I-a. "Cash balance plan" means the retirement plan established in RSA 100-A:58 through RSA 100-A:70 administered by the board of trustees for persons who begin service on and after July 1, 2016, and who are required to participate as a condition of employment under RSA 100-A:3, I-b or I-c.

2 New Paragraphs; Membership; Cash Balance Plan. Amend RSA 100-A:3 by inserting after paragraph I-a the following new paragraphs:

I-b. Any person who begins service on or after July 1, 2016 with the state or any department, commission, institution, or agency of the state government by which an employee is paid through the office of the state treasurer with respect to their employees, as an employee, teacher, permanent policeman, or permanent fireman, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70.

I-c. Any political subdivision employee, teacher, permanent policeman, or permanent fireman, of a non-state employer, working in a full-time position for such employer as determined by common law standards, where the employer has made a separate election under the provisions of RSA 100-A:25-a to have its employees, teachers, policemen, and firemen participate in the cash balance plan, and who begins service on or after July 1, 2016 and after the effective date of such election, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70.

Amend RSA 100-A:65, I as inserted by section 6 of the bill by replacing it with the following:

I. For the fiscal year beginning July 1, 2016, and each fiscal year thereafter, the actuary for the board shall perform a separate actuarial valuation of the cash balance plan using the entry age actuarial cost method. Amend the bill by replacing section 9 with the following:

9 Effective Date. This act shall take effect July 1, 2016.

2016-0223h
AMENDED ANALYSIS

This bill establishes a cash balance pension plan for retirement system members who begin service with the state on or after July 1, 2016. Teachers, policemen, firemen, and political subdivision employee members of a non-state employer hired on or after July 1, 2016 are cash balance plan members if their employer elects to have their members participate in the cash balance plan.

**Floor Amendment to HB 1673-FN-LOCAL
(2016-0276h)**

Proposed by Reps. D. Hess, N. Kurk, F. Byron

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

1 New Paragraph; Definition; Cash Balance Plan. Amend RSA 100-A:1 by inserting after paragraph I the following new paragraph:

I-a. "Cash balance plan" means the retirement plan established in RSA 100-A:58 through RSA 100-A:70 administered by the board of trustees for persons who begin service on and after July 1, 2017, and who are required to participate as a condition of employment under RSA 100-A:3, I-b or I-c.

2 New Paragraphs; Membership; Cash Balance Plan. Amend RSA 100-A:3 by inserting after paragraph I-a the following new paragraphs:

I-b. Any person who begins service on or after July 1, 2017 with the state or any department, commission, institution, or agency of the state government by which an employee is paid through the office of the state treasurer with respect to their employees, as an employee, teacher, permanent policeman, or permanent fireman, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70.

I-c. Any political subdivision employee, teacher, permanent policeman, or permanent fireman, of a non-state employer, working in a full-time position for such employer as determined by common law standards, where the employer has made a separate election under the provisions of RSA 100-A:25-a to have its employees, teachers, policemen, and firemen participate in the cash balance plan, and who begins service on or after July 1, 2017 and after the effective date of such election, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70. Amend RSA 100-A:65, I as inserted by section 6 of the bill by replacing it with the following:

I. For the fiscal year beginning July 1, 2017, and each fiscal year thereafter, the actuary for the board shall perform a separate actuarial valuation of the cash balance plan using the entry age actuarial cost method. Amend the bill by replacing section 9 with the following:

9 Effective Date. This act shall take effect July 1, 2017.

2016-0276h
AMENDED ANALYSIS

This bill establishes a cash balance pension plan for retirement system members who begin service with the state on or after July 1, 2017. Teachers, policemen, firemen, and political subdivision employee members of a non-state employer hired on or after July 1, 2017 are cash balance plan members if their employer elects to have their members participate in the cash balance plan.

**Amendment to HB 1685-FN
(2016-0388)**

Proposed by the Committee on Commerce and Consumer Affairs - c

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

AN ACT relative to mortgage bankers, brokers, and servicers.

Amend RSA 397-A:4 as inserted by section 1 of the bill by inserting after paragraph IV the following new paragraph:

V. An owner of real property who, in any consecutive 12-month period, makes no more than 3 mortgage loans to purchasers of the property for all or part of the purchase price of the real estate against which the mortgage is secured.

Amend RSA 397-A:16, I as inserted by section 1 of the bill by replacing it with the following:

I. Mortgage bankers, mortgage brokers, or mortgage servicers may charge fees and points for services rendered in conjunction with the origination, closing, and servicing of loans. If any fee is collected in advance of the closing of the loan, the mortgage banker or mortgage broker shall provide the borrower with a written explanation of the purpose and disposition of the fee. A mortgage banker or mortgage broker may charge an application fee which may include the direct costs incurred by the mortgage banker or mortgage broker for processing an application, and for a real estate appraisal, a credit bureau report, or income verification, or other third party services.

Amend RSA 397-A:13, V as inserted by section 1 of the bill by replacing it with the following:

V. Any mortgage banker, mortgage broker, or mortgage servicer failing to file the mortgage call report required by this section within the time prescribed may be required to pay to the department a penalty of \$25 for each calendar day the mortgage call report is overdue up to a maximum penalty of \$625 per mortgage call report.

2016-0388h
AMENDED ANALYSIS

This bill defines and regulates mortgage servicers.

**Amendment to HB 1694-FN-A-LOCAL
(2016-0111h)**

Proposed by the Minority of the Committee on Criminal Justice and Public Safety - r

Amend RSA 318-F:2, II as inserted by section 2 of the bill by replacing it with the following:

II. Possessing, growing, processing, or transporting no more than 6 marijuana plants on the premises, with 3 or fewer being mature, flowering plants, and possession of the marijuana produced by the plants on the premises where the plants were grown.

Amend RSA 318-F:20, V(a) as inserted by section 2 of the bill by replacing it with the following:

(a) Except as provided in this section, this chapter shall not be construed to require any person, corporation, or any other entity that occupies, owns, or controls a property to allow the consumption, cultivation, display, sale, or transfer of marijuana on or in that property.

Amend RSA 77-H:2, I as inserted by section 4 of the bill by replacing it with the following:

I. A tax shall be levied upon marijuana sold or otherwise transferred by a marijuana cultivation facility to a marijuana product manufacturing facility or to a retail marijuana store at a rate of \$50 per ounce of marijuana flowers or proportionate part thereof and \$15 per ounce on all parts of marijuana other than marijuana flowers. The department shall collect such tax and adjust the rate annually to account for inflation or deflation based on the United States Department of Labor, Bureau of Labor Standards, Consumer Price Index.

Amend RSA 77-H:3, I(a) as inserted by section 4 of the bill by replacing it with the following:

(a) Accept and process applications beginning on June 1, 2017;

**Amendment to HB 1695-FN
(2016-0323)**

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

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

AN ACT relative to a health system public data resource plan for New Hampshire and establishing a special fund.

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

1 New Subdivision; Health System Public Data Resource Plan. Amend RSA 126-A by inserting after section 69 the following new subdivision:

Health System Public Data Resource Plan

126-A:70 Health System Public Data Resource Plan; Council Established.

I.(a) Pursuant to the memorandum of understanding set forth in paragraph V, the department of health and human services shall make publicly available through an Internet website consolidated information on health care system patient safety, cost, quality, access to coverage and care, system performance, and efficiency, and information pertaining to the delivery and financing of the health care system in New Hampshire, including information on new health system projects and associated costs.

(b) The information made available shall be maintained as a resource for decision making and policy analysis by state and local planners, policy makers, health care system entities, purchasers of health care, and the public. The information shall also be used by the department, in consultation with the health system public data resource planning council established in paragraph III, to plan and monitor the health care system and the relevant factors that influence patient safety, cost, quality, access, and performance.

II. The commissioner, in consultation with the health system public data resource planning council, shall coordinate and provide support for the development of a 10-year health system public data resource plan for New Hampshire. The plan shall take into consideration and align itself with other existing multi-year plans, as appropriate. The plan shall be developed as an information resource for use by health care providers, health insurance carriers, health care purchasers, and the general court to develop and implement programs and policies and provide guidance to state agencies when implementing programs and policies. The plan shall include:

- (a) Analysis of the health care needs of both the state as a whole and each geographic region of the state.
- (b) Analysis of current health care system safety, cost, quality, access, system performance, and financing.
- (c) Specific goals and objectives the state should accomplish over the 10-year period.
- (d) Methods of evaluating progress to meeting the goals and objectives.

III.(a) There is hereby established a health system public data resource planning council. The membership of the council shall be as follows:

- (1) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (2) One member of the senate, appointed by the senate president.
- (3) The commissioner of the department of health and human services, or designee.
- (4) The insurance commissioner, or designee.
- (5) The attorney general, or designee.
- (6) One member representing health care facilities, appointed by the New Hampshire Hospital Association.
- (7) One member representing health care practitioners, appointed by the New Hampshire Medical Society.
- (8) One member representing municipal planners, appointed by the New Hampshire Planners Association.
- (9) One member representing public health practitioners, appointed by the New Hampshire Public Health Association.
- (10) One member representing community services providers, appointed by the governor.
- (11) One public member representing health care consumers, appointed by the governor.
- (12) One member representing public purchasers of health insurance, appointed by the governor.
- (13) One member representing private purchasers of health insurance, appointed by the governor.
- (14) One member representing health insurance carriers, appointed by the governor.
- (15) A representative of community health centers, appointed by the Bi-State Primary Care Association.

(b) Members of the council shall serve without compensation, except that legislative members shall receive mileage at the legislative rate when attending to the duties of the council. The members, other than those representing state agencies and the legislature, shall serve 3-year terms and shall not serve more than 2 full consecutive terms. Those members representing state agencies shall serve as nonvoting members on the council.

(c) The council may meet as often as necessary to effectuate its goals. The first meeting shall be called by the commissioner of health and human services within 45 days of the effective date of this subdivision. At the first meeting, a chairman shall be elected by the members. Seven members of the council shall constitute a quorum.

(d) The council shall:

- (1) Provide advice and consultation to the commissioner regarding the development, implementation, and maintenance of the health system public data resource plan.
- (2) Review and evaluate best practices to make publicly available consolidated information on health care system patient safety, cost, quality, access to coverage and care, system performance, and efficiency, and information pertaining to the delivery and financing of the health care system in New Hampshire, including information on new health system projects and associated costs.
- (3) Monitor the health care system and the relevant factors that influence patient safety, cost, quality, access, and performance. The council's authority and duties shall be limited to the provisions of this subdivision.
- (4) The council shall make an initial report on November 1, 2016 with an annual report on each November 1 thereafter, relative to the health system public data resource plan and information Internet website. The reports shall include the council's findings and any recommendations for proposed legislation and shall be submitted to the oversight committee on health and human services established in RSA 126-A:13, the chairpersons of the house and senate standing committees having jurisdiction over health and human services issues, the speaker of the house of representatives, the president of the senate, and the governor.

IV. The commissioner, in consultation with the council, shall release the initial version of the health system public data resource plan no later than January 1, 2017 or 8 months after the effective date of this subdivision, whichever is later.

V. The commissioner, in consultation with the council, shall enter into a memorandum of understanding with the insurance commissioner and attorney general for collaboration in the development of the publicly available information specified in paragraph I. The memorandum of understanding shall include a description of the resources that shall be made available to the department and shall specifically identify data and reports which shall be shared with the department.

VI. Pursuant to the memorandum of understanding under paragraph V, the commissioner, in consultation with the council, shall adopt rules under RSA 541-A, as may be necessary, relative to collecting aggregate information from health care providers and the insurance department that is not proprietary information on new health system projects, and associated costs under the provisions of this subdivision.

VII. The department, in consultation with the council, shall make the health system public data resource plan and meet other requirements set forth in this subdivision, subject to sufficient and available funding.

126-A:71 Health System Public Data Resource Plan Fund; Established. There is established the health system public data resource plan fund, which shall be nonlapsing and continually appropriated to the department and administered by the commissioner for the purposes of this subdivision. Pursuant to the memorandum of understanding under RSA 126-A:70, V, the fund shall be used for costs incurred by the department in carrying out the requirements under this subdivision. All monetary funds, grants, gifts, donations, or interest generated by the fund shall be deposited with the state treasurer in the fund.

2 New Subparagraph; Application of Receipts; Health System Public Data Resource Plan Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:

(332) Moneys deposited in the health system public data resource plan fund, established in RSA 126-A:71.

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

2016-0323h

AMENDED ANALYSIS

This bill establishes a health system public data resource plan for New Hampshire. Under this bill, the commissioner of the department of health and human services, the insurance commissioner, and the attorney general shall enter into a memorandum of understanding to collaborate in the development of publicly available information on health care system patient safety, cost, quality, access, and system performance, and information pertaining to the delivery and financing of the health care system in New Hampshire. The bill also establishes a health system public data resource planning council to provide consultation for the development of a 10-year health system public data resource plan for New Hampshire. The bill also establishes a fund for the implementation and administration of the requirements of the plan.

Amendment to HB 1696-FN

(2016-0345)

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs - r

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

1 New Paragraph; New Hampshire Health Protection Plan. Amend RSA 126-A:5 by inserting after paragraph XXIX the following new paragraph:

XXX.(a)(1) Newly eligible adults who are unemployed shall be eligible to receive benefits under RSA 126-A:5 XXIV-XXV, if the commissioner finds that the individual is engaging in at least 30 hours per week of one or a combination of the following activities:

- (A) Unsubsidized employment.
- (B) Subsidized private sector employment.
- (C) Subsidized public sector employment.
- (D) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.
- (E) On-the-job training.
- (F) Job search and job readiness assistance.
- (G) Community service programs.
- (H) Vocational educational training not to exceed 12 months with respect to any individual.
- (I) Job skills training directly related to employment.
- (J) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency.
- (K) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.

(L) The provision of child care services to an individual who is participating in a community service program.

(2) The requirements under subparagraph (1) shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(d).

(3) Grounds for disqualification for benefits under this subparagraph shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(e).

(4) This subparagraph shall only apply to those considered childless, abled-bodied adults as defined in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396a(a)(10)(A)(i). In this subparagraph, "childless" means an adult who does not live with a dependent child which includes a child under 18 years of age or under 20 years of age if the child is a full-time student in a secondary school or the equivalent.

(5) This subparagraph shall not apply to:

(A) A person who is temporarily unable to participate in the requirements under subparagraph (a)(1) due to illness or incapacity as certified by a licensed physician, an advanced practice registered nurse (APRN), a licensed behavioral health professional, a licensed physician assistant, or a board-certified psychologist. The physician, APRN, licensed behavioral health professional, licensed physician assistant, or psychologist shall certify, on a form provided by the department, the duration and limitations of the disability.

(B) A person participating in a state-certified drug court program, as certified by the administrative office of the superior court.

(C) A parent or caretaker as identified in RSA 167:82, II(g) where the required care is considered necessary by a licensed physician, APRN, board-certified psychologist, physician assistant, or licensed behavioral health professional who shall certify the duration that such care is required.

(6) If any provision of this subparagraph, or the application thereof to any person or circumstance, is held invalid, including, but not limited to, being contrary to federal law or rejected by the Centers for Medicare and Medicaid Services (CMS) in necessary state plan amendments or waivers, such determination shall not affect the provisions or applications of this subparagraph which can be given effect without the invalid provision or application, and to that end the provisions of this subparagraph are severable.

(b) Newly eligible adults who visit the emergency room for non-emergency purposes shall be required to make a co-payment of \$8 for the first visit and \$25 for each and every non-emergency visit thereafter.

(c) The commissioner shall seek any new waiver or state plan amendments to implement the provisions of this paragraph. Any such waivers or amendments necessary shall be in place by January 1, 2017. Prior to submitting the waiver or state plan amendments to the (CMS), the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS.

2 Insurance Premium Tax; New Hampshire Health Protection Program. Amend RSA 400-A:32, III to read as follows:

III.(a) *Except as provided in subparagraph (b)*, the taxes imposed in paragraphs I and II of this section shall be promptly forwarded by the commissioner to the state treasurer for deposit to the general fund.

(b) *Taxes imposed attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI shall be deposited into the New Hampshire health protection trust fund, established in RSA 126-A:5-b. The commissioner shall notify the state treasurer of sums for deposit into the New Hampshire health protection trust fund no later than 30 days after receipt of said taxes.*

3 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(a) to read as follows:

XXV.(a) Consistent with the time frames in this paragraph, there is hereby established the marketplace premium assistance program. This will be a premium assistance program for newly eligible adults and their eligible spouse and dependents, if applicable, until December 31, ~~2016~~ **2018** and shall be administered by the department of health and human services. In order to receive medical assistance from the program, newly eligible adults who are ineligible for the HIPPA program shall choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective; provided, however, that any newly eligible adult who had coverage under an alternative benefit plan (ABP) offered by a managed care organization (MCO) under paragraph XIX during the voluntary bridge to marketplace premium assistance program established under RSA 126-A:5, XXIV shall be automatically enrolled at the beginning of open enrollment in a comparable QHP by that same MCO if one is available, unless such newly eligible adult subsequently chooses a different QHP during the enrollment period. If a comparable QHP is not offered by the newly eligible adult's MCO then the newly eligible adult may choose from any QHPs, if cost effective. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

4 Department of Health and Human Services; Premium Assistance Program. Amend RSA 126-A:5, XXV(c) to read as follows:

(c) If the waiver to implement the marketplace premium assistance program is approved on or before March 31, 2015 then, coverage under the voluntary bridge to marketplace premium assistance program established in RSA 126-A:5, XXIV shall terminate on December 31, 2015. Enrollment in the marketplace premium assistance program shall begin on October 15, 2015 and coverage shall begin on January 1, 2016. Coverage shall end on December 31, ~~2016~~ **2018**. The cost of the medical assistance provided under the marketplace premium assistance program shall be paid solely from federal funds as provided under 42 U.S.C. section 1396d(y).

5 New Hampshire Health Protection Trust Fund. Amend the introductory paragraph of RSA 126-A:5-b, I to read as follows:

I. There is hereby established the New Hampshire health protection trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. The trust fund shall be administered by the commissioner of the department of health and human services and shall be used solely to provide payment and reimbursement for medical and other medical-related services for the newly eligible

Medicaid population as provided for under RSA 126-A:5, [XXHH] XXIV-XXVI and RSA 126-A:67. ***The commissioner may accept any gifts, grants, donations, or other funding from any source and shall deposit all such revenue received into the fund. No state general fund appropriations shall be deposited into the fund.*** All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the commissioner of the department of health and human services for the purposes of the trust fund. The trust fund shall be authorized to pay and/or reimburse.

6 New Sections; Funding the State Share of the New Hampshire Health Protection Program. Amend RSA 126-A by inserting after section 5-b the following new sections:

126-A:5-c Funding the State Share of the New Hampshire Health Protection Program.

I. In this section:

(a) "Program" means the New Hampshire health protection program under RSA 126-A:5, XXIV-XXV.

(b) "Remainder amount" means the cost of the program for coverage effective between January 1, 2017 and June 30, 2017 less all federal reimbursement for the program and the cost of the program for coverage effective between July 1, 2017 and December 31, 2018 less all federal reimbursement for the program; and taxes attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI, consistent with RSA 400-A:32, III(b).

II. Funding for the program from January 1, 2017 until December 31, 2018 shall not be funded from general funds. The program shall be funded as follows:

(a) Federal funds as made available by 42 U.S.C. section 1396d(y)(1).

(b) Revenue generated under RSA 400-A:32, III(b) attributable to policies purchased under the New Hampshire health protection program between July 1, 2017 and December 31, 2018.

(c) Other non-general fund revenues.

III. If at any time the sum total of the federal match rate applied, as set forth in 42 U.S.C. section 1396d(y)(1), and insurance premium tax revenues attributable to the program and revenue from non-general fund sources is insufficient to fully fund the program for newly eligible adults under RSA 126-A:5, XXIV-XXV and is less than 100 percent, then RSA 126-A:5, XXIV and XXV shall immediately be repealed upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services and consistent with the terms of the waiver for this program issued by the Centers for Medicare and Medicaid Services.

IV. On or before August 15th of each fiscal year, the department of health and human services, in consultation with the insurance department, shall calculate the remainder amount pursuant to this section. The remainder amount shall be calculated utilizing estimated insurance premium taxes attributable to medical and other medical-related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI for each fiscal year. The commissioner of health and human services shall report the remainder amounts to the insurance department, the New Hampshire Hospital Association, the New Hampshire Health Plan, the governor, the speaker of the house of representatives, and the senate president.

V. After the close of each fiscal year, on or before January 15th, the department of health and human services, in consultation with the insurance department, shall recalculate the remainder amount utilizing actual insurance premium tax revenues attributable to medical and other medical-related services for the newly eligible Medicaid population provided for under RSA 126-A:5, XXIV-XXVI for the completed fiscal year. The commissioner of health and human services shall compare the remainder amount calculations under this paragraph with the remainder amount calculations under paragraph IV and report the results to the insurance department, the New Hampshire Hospital Association, the New Hampshire Health Plan, the governor, the speaker of the house of representatives, and the senate president. Any difference between amounts calculated under paragraphs IV and V for a completed fiscal year shall be added to the remainder amount due and payable during the current fiscal year. In the event that actual program costs are less than funds received, the difference shall be credited against the remaining amount for the next payable period.

126-A:5-d Hospital Contributions.

I. For the period of January 1, 2017 through December 31, 2018, to fund an amount, not to exceed 50 percent of the remainder amount as defined in RSA 126-A:5-c, I(b), for benefits contained in RSA 126-A:5, XXIV-XXV, consistent with the schedule outlined in 42 U.S.C. section 1396d(y)(1), the following contributions shall be deposited into the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b, in the following order:

(a) Voluntary provider donations as described in 42 C.F.R. section 433.54(d) from individual hospital contributions of \$50,000 each per year from all acute care hospitals in the state; and

(b) The balance of any required remainder amount, after deducting amounts collected pursuant to subparagraph (a), shall be met with voluntary direct individual hospital contributions from acute care hospitals with individual hospital donation amounts as recommended by the New Hampshire Hospital Association relative to hospital net patient services revenue.

II. Hospitals are requested to contribute the amounts in subparagraph I(a) by October 15 of each fiscal year to the New Hampshire health protection trust fund.

III. Hospitals are requested to contribute the amounts specified in subparagraph I(b) in equal 1/3 installments by February 15, April 15, and June 15 of each fiscal year.

7 Individual Health Insurance Market; Purpose. Amend RSA 404-G:1, II to read as follows:

II. Create a nonprofit, voluntary organization to facilitate the availability of affordable individual nongroup health insurance by establishing an assessment mechanism and an individual health insurance market mandatory risk sharing plan as a mechanism to distribute the risks associated within the individual nongroup market **and to support the marketplace premium assistance program established in RSA 126-A:5, XXIV.**

8 Individual Health Insurance Market; Definitions. Amend RSA 404-G:2, X-a to read as follows:

X-a. "Plan of operation" means the plan of operation of the risk sharing mechanism, the high risk pool, **support for the program established in RSA 126-A:5, XXIV**, and the federally qualified high risk pool, including articles, bylaws and operating rules, procedures and policies adopted by the association.

9 New Paragraph; Individual Health Insurance Market; Definitions. Amend RSA 404-G:2 by inserting after paragraph X-b the following new paragraph:

X-c. "Program" means the marketplace premium assistance program established pursuant to RSA 126-A:5, XXIV.

10 Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(b) and (c) to read as follows:

(b) Established no later than November 1 in the year preceding the calendar year for which the carrier's experience shall be used to calculate the assessment; [and]

(c) Anticipated to be sufficient to meet the high risk pool's funding needs **and the association's share of the costs of the program, as defined in subparagraph (d); and**

(d) For the period of January 1, 2017 through December 31, 2018, an amount not to exceed 50 percent of the remainder amount, as defined in RSA 126-A:5-c, I(b), less the amount made available to the program pursuant to RSA 420-G:11, VI. The association shall transfer all amounts collected pursuant to this subparagraph and the amount made available to the program pursuant to RSA 420-G:11, VI to the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.

11 High Risk Pool; Termination Activities and Dissolution. Amend RSA 404-G:11, VI to read as follows:

VI. Following the cessation of coverage on December 31, 2013, the association shall take such actions as are necessary and desirable to wind down its affairs under this chapter in accordance with the plan of termination. The association shall retain all of its powers and duties, including, but not limited to, its power to establish and collect regular and special assessments under RSA 404-G:5 and RSA 404-G:5-a, and the immunity provided by RSA 404-G:9 and the bylaws of the association. Any excess funds remaining after the satisfaction of all of the association's liabilities shall be ~~[returned to the association's members in proportion to their respective liability for the last regular assessments imposed by the association]~~ **used for the program and for the association's reasonable costs for collecting its share of the remainder amount.**

VI-a. No later than October 1, 2016, the board of directors shall prepare and submit to the commissioner and the commissioner of health and human services for approval an amendment to the plan of termination that provides for the continuation of the association for the limited purpose of compliance with the provisions of RSA 404-G:5-a, IV(d).

12 New Section; Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program. Amend RSA 126-A by inserting after section 126-A:5-d the following new section:

126-A:5-e Commission to Evaluate the Effectiveness and Future of the Premium Assistance Program.

I. There is hereby established a commission to evaluate the effectiveness and future of the premium assistance program.

(a) The members of the commission shall be as follows:

(1) Three members of the senate appointed by the president of the senate, one of whom shall be a member of the minority party.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.

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

(4) The commissioner of the department of insurance, or designee.

(5) A representative of an insurance carrier that offers policies for sale in New Hampshire on the exchange, appointed by the senate president.

(6) A representative of a hospital that operates in New Hampshire, appointed by the speaker of the house of representatives.

(7) A public member, who is a taxpayer, appointed by the senate president.

(8) A public member, who currently receives insurance coverage through the program, appointed by the speaker of the house of representatives.

(9) A licensed physician, appointed by the governor.

(10) A licensed mental health professional, appointed by the governor.

(11) A masters level licensed alcohol and drug counselor, appointed by the governor.

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

II.(a) The commission shall evaluate the effectiveness and future of the premium assistance program. Specifically the commission shall:

- (1) Review the program's financial metrics
- (2) Review the program's product offerings.
- (3) Review the program's impact on insurance premiums for individuals and small businesses.

(4) Make recommendations for future program modifications, including, but not limited to whether the premium assistance program is the most cost-effective model for the long term versus a return to private market managed care.

- (5) Evaluate non-general fund funding options for longer term continuation of the program.

(b) Any funding solutions recommended by the commission shall not include the use of new general funds.

(c) The commission shall solicit information from any person or entity the commission deems relevant to its study.

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

IV. 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 senate clerk, the house clerk, the governor, and the state library on or before December 1, 2017.

13 New Hampshire Health Protection Program. Amend 2014, 3:10, I to read as follows:

I. If at any time the federal match rate applied to medical assistance for newly eligible adults under RSA 126-A:5, [XXHH] **XXIV-XXV** between July 1, 2014 – December 31, 2016 is less than 100 percent, **less than 95 percent in 2017 and less than 94 percent in 2018, of** the amount as set forth in 42 U.S.C. section 1396d(y)(1), then RSA 126-A:5[,XXHH,] XXIV[;] and XXV shall immediately be repealed upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services.

14 New Hampshire Health Protection Plan Extended. Amend 2014, 3:13, I-a to read as follows:

I-a. Section 12, paragraphs II-VII of this act shall take effect December 31, [2016] **2018**.

15 Repeal. RSA 126-A:5-e, relative to the commission to evaluate the effectiveness and future of the premium assistance program, is repealed.

16 Effective Date.

I. Section 2 of this act shall take effect July 1, 2017.

II. Section 15 of this act shall take effect December 1, 2017.

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

2016-0345h

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill also includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues.

Amendment to HB 1699-FN-A-LOCAL

(2016-0400h)

Proposed by the Committee on Executive Departments and Administration - r

Amend RSA 21-P:12-b, IV as inserted by section 1 of the bill by deleting subparagraph (b) and renumbering the original subparagraph (c) to read as (b).

2016-0400h

AMENDED ANALYSIS

This bill establishes the position of licensed alcohol and drug counselor in the department of safety, bureau of emergency medical services. The person holding the position shall be responsible for establishing a training program for fire and emergency medical services personnel. The bill makes an appropriation for this purpose.