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HOUSE RECORD

First Year of the 165th General Court

Calendar and Journal of the 2017 Session

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Friday, February 3, 2017

No. 10

Contains: Reports and Amendments; House Deadlines; Meetings and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be **Thursday, February 9, 2017, at 10:00 a.m.** A joint session will follow at 12:00 noon to hear Governor Sununu's budget address. The House will break for lunch following the budget address, so please plan accordingly.

If you are interested in having a high school student from your town or city serve as a page at an upcoming session, please contact Dani Lyford in the Sergeant-at-Arms' office at 271-3315 or at dani.lyford@leg.state.nh.us for more information on the page program.

Reimbursement for travel to Concord will be allowed for Tuesdays, Wednesdays and Thursdays, unless prior approval has been received from the Speaker or if you are a member of a statutory committee that meets on Mondays or Fridays.

Please note that state offices will be closed in observance of Presidents' Day on Monday, February 20, 2017.

Shawn N. Jasper, Speaker

NOTICE

There will be a meeting of the chairs and vice chairs on **Tuesday, February 7th at 9:00 a.m.** in Rooms 202-204 of the Legislative Office Building.

Shawn N. Jasper, Speaker

NOTICE

There will be a Republican caucus on **Wednesday, February 8th from 9:00 a.m. to 10:00 a.m.** in Representatives Hall.

There will be a Republican caucus on **Thursday, February 9th at 9:00 a.m.** in Representatives Hall.

Rep. Dick Hinch

NOTICE

There will be a Democratic caucus on **Thursday, February 9th at 9:00 a.m.** in Rooms 210-211, LOB.

Rep. Stephen Shurtleff

NOTICE

Representatives from the Division of Motor Vehicles will be in Room 104 of the Legislative Office Building on Wednesday, February 8th, from 8:30 a.m. to 10:30 a.m. to distribute special legislative plates to members of leadership, committee chairs, vice chairs and clerks who ordered them.

Please have your valid NH auto registration(s) with you, as well as your legislative plates if you are trading those plates for special plates. If you ordered an additional set (\$9), it can be paid for in cash or by check made payable to State of NH DMV.

If you wish to pick up your plates prior to the 8th (or after the 8th), you may go directly to the Division of Motor Vehicles, 23 Hazen Drive, Concord. At the information desk, state that you are there to pick up your legislative plates and someone will assist you.

Shawn N. Jasper, Speaker

NOTICE

LEGISLATIVE ETHICS COMMITTEE

Dear Legislators:

Members of the Legislative Ethics Committee are aware that there is some confusion over the new guidelines for dealing with “personal interest” and “verbal disclosure.” Your questions have highlighted some areas where additional guidance in the form of interpretive rulings or a change in the guidelines would be helpful. To that end, the committee met for three hours on January 26th and hammered out some broad parameters designed to make it less burdensome to comply with the legislation passed last year. We have asked staff to develop language that not only captures our ideas, but is internally consistent within statutes and the guidelines. We are also developing a form that will allow you to list public and private organizations where you or a family member may have a personal interest, to avoid having to file a declaration on individual bills. Additionally, we are trying to reduce the number of times verbal disclosure is required. We hope to have proposed changes to the guidelines ready for legislative approval by mid-February.

In the meantime we expect you will make your best efforts to comply with the current Ethics Guidelines, recognizing that some of the provisions may need to be modified.

Donna Sytek, Chairman
Legislative Ethics Committee

NOTICE

ALL reports, scheduling and notices are due in the House Clerk’s Office by **3:00 p.m. on WEDNESDAYS**. Reports and scheduling shall be turned in to House Committee Services for processing ***no later than 1:00 p.m.*** on Wednesday. Please be sure to complete that work in a timely fashion to the Calendar deadline.

CLOSES AT 3:00 p.m. ON:

Wednesday, February 8, 2017
Wednesday, February 15, 2017
Wednesday, February 22, 2017

AVAILABLE ON:

Friday, February 10, 2017
Friday, February 17, 2017
Friday, February 24, 2017

Paul C. Smith, Clerk of the House

2017 HOUSE DEADLINES

Thursday, February 9, 2017	Last day to report HBs going to a second committee
Thursday, February 16, 2017	Last day to act on HBs going to a second committee
Thursday, March 2, 2017	Last day to report all HBs not in a second committee, except budget bills
Thursday, March 9, 2017	Last day to act on HBs not in a second committee, except budget bills
Thursday, March 16, 2017	Last day to report all HBs, except budget bills
	Last day to report list of retained HBs
Thursday, March 23, 2017	Last day to act on all HBs, except budget bills
Thursday, March 30, 2017	Last day to report budget bills
Thursday, April 6, 2017	BUDGET CROSSOVER. Last day to act on budget bills
Thursday, April 27, 2017	Last day to report Senate Bills going to a second committee
Thursday, May 4, 2017	Last day to act on SBs going to a second committee
Thursday, May 25, 2017	Last day to report all remaining SBs
	Last day to report list of retained SBs
Thursday, June 1, 2017	Last day to act on SBs
Thursday, June 8, 2017	Last day to form Committees of Conference
Thursday, June 15, 2017	Last day to sign Committee of Conference reports
Thursday, June 22, 2017	Last day to act on Committee of Conference reports

THURSDAY, FEBRUARY 9

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 355-FN, relative to criminal record checks in adoption proceedings and foster family home licensing. **ought to pass.**

Rep. Skip Berrien for Children and Family Law. This bill requires Division of Children, Youth and Families (DCYF) to undertake fingerprint criminal background checks on all adults living in a home being considered to be a foster or adoptive home. This legislation is required to be compliant with Federal Bureau of Investigation (FBI) background checks. **Vote 14-0.**

COMMERCE AND CONSUMER AFFAIRS

HB 149, prohibiting disclosure of certain information obtained by former employees of the insurance department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill was requested by the Insurance Department to be in compliance with the confidentiality requirements of international insurance holding companies. These companies may select New Hampshire to be the regulator for their US business, a function also known as a “supervisory” role. Passing this bill will help NH to attract this international business. The amendment was an attempt to calm some fears of the members of the committee who were concerned that the statute would conflict with the state Whistleblowers’ Protection Act. **Vote 17-1.**

HB 175, relative to the definition of a cigar bar. **OUGHT TO PASS.**

Rep. Bart Fromuth for Commerce and Consumer Affairs. This bill allows cigar bars to provide their patrons with food, so long as they do not charge for it. Under current law there is a prohibition on any food being served to cigar bar patrons and that is at odds with long standing state policy of encouraging food consumption with alcohol intake. **Vote 15-2.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 558-FN, prohibiting private and for-profit prison contracts, and relative to immigration detention facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank Sapareto for Criminal Justice and Public Safety. This bill seeks to prohibit any contracting with private prison firms at any level. It also regulates the operation of an immigration facility in New Hampshire. Although the majority of the committee agrees with the concept of not privatizing our correctional facilities, this bill goes way too far in restricting smaller contracts. The majority also believes there are numerous faults with the second part of the bill that regulates immigration detention facilities. **Vote 12-3.**

ELECTION LAW

HB 379, relative to political advertising in rights-of-way. **INEXPEDIENT TO LEGISLATE.**

Rep. Gregory Hill for Election Law. This bill proposes to modify restrictions and requirements for placement and removal of political advertising in rights of way. The bill as presented would allow advertising on private property without the consent of the property owner so long as it was 500 feet from any dwelling. The committee believes it would be problematic in terms of enforcement as a single road might have various types of unmarked state-owned rights of way. It also creates burdens for property owners to remove and store unwanted campaign signage. **Vote 20-0.**

HB 497, relative to delegates to national party conventions. **INEXPEDIENT TO LEGISLATE.**

Rep. Wayne Moynihan for Election Law. This bill proposes an additional regulation that would empower the state to ban political parties from participation in the NH primary elections if there are delegate disputes within the parties. The committee did not find just cause to create such a penalty. NH election law currently empowers the NH Secretary of State to apportion the delegates to a national party convention among the candidates voted for in the party’s primary election (RSA 659:93). The committee was not given reason to think that this has not happened properly in the past or that it would not continue to happen properly in the future. Additionally, the members of political parties have been free to establish internal party rules or requirements associated with their national conventions and candidate selection. Political parties and organizations are supervised and regulated under several current state laws. The committee thought the changes proposed by this bill would create conflicts with other voting rights and would be bad policy. **Vote 20-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 219, establishing a demographic study committee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol Roberts for Executive Departments and Administration. This bill establishes a legislative committee to study New Hampshire’s demographic future and the relationship between that future and public sector policies and operations. The amendment establishes an advisory group of experts to assist the committee. The House ED&A Committee agrees with the authors of the proposal that the obvious changes in the demographic changes of our state merit scrutiny. The study committee shall report its findings by November 1, 2017. **Vote 15-0.**

FISH AND GAME AND MARINE RESOURCES

HB 392-FN, relative to hunting with a crossbow. **INEXPEDIENT TO LEGISLATE.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill would expand crossbows into regular archery season for all hunters. The prime sponsor admitted to some errors and requested that the bill be killed. The committee agrees with this recommendation. **Vote 16-0.**

JUDICIARY

CACR 3, relating to disqualification by age. Providing that there be no age disqualification for a judge of any court, judge of probate, or sheriff. **INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Judiciary. This resolution seeks to repeal Article 78 of the New Hampshire Constitution which has a mandatory retirement age of 70 years for judges and sheriffs. The resolution sought to have no retirement age for a judge or a sheriff. This resolution has been introduced several times over the past years without success. There was little support for this resolution and the committee believes it is not necessary. **Vote 17-0.**

HB 374, relative to the process for inhabitants of the state to effectuate the protections of Article 14. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. Article 14 guarantees all subjects of the state of the right to a remedy when they are wronged. It is the basis for our state's court system, as well as a wide variety of quasi-judicial hearings processes. This bill, if passed, would allow inhabitants of the state to file something called a "commercial affidavit of truth" with the Secretary of State's office when they had a dispute with a government entity. One of this bill's numerous flaws is that it says nothing about what form those affidavits would take. The government entity would also have just 30 days to respond to the affidavit. If the entity failed to respond, the superior court would be required to assume that everything in the affidavit was true, but the court would be expected to use federal, rather than state rules of civil procedure. It is unclear what would happen if the government entity responded by disagreeing with the affidavit. The committee believes that this bill is both unnecessary and unworkable. **Vote 18-0.**

HB 382, prohibiting electronic warrants. **INEXPEDIENT TO LEGISLATE.**

Rep. Jordan Ulery for Judiciary. This bill seeks to require all writs, warrants and orders to be original and thus prevents copies being electronically transmitted. The constitutional argument is that all writs must be original. In fact, Part II, Article 87 of the New Hampshire Constitution specifically provides that only writs issued by the clerk of a court need the attest (signature) of a judge. Many warrants are issued by a Justice of the Peace for the protection of life and limb in an emergent situation. Current law requires an oath before a justice. Current law allows copying of that document and the copy being valid for arrest, search or detention and is subsequently heard before a judge. The committee believes that current law best protects human life and that this bill is unnecessary. **Vote 18-0.**

HB 445, relative to notice of oral arguments in courts. **INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Judiciary. This bill directs the New Hampshire Supreme Court to adopt rules to allow any party in a case in any court to request notice by "certified mail" of oral arguments in such a case, with the requesting party paying for the cost. The language of this bill is vague as applied to "any party" in "any court." The testimony was that the bill was meant to apply to any "pro se" party and only in the "supreme court." Further, the testimony as to the "cost" payment was unclear if it was the actual cost of the certified mail or fees charged by the court staff. This bill was brought forward for one constituent who was pro se and did not receive the mailed notice of oral argument from the court. There was no testimony that this was a reoccurring event. Currently, all correspondence, including notices sent by any court in the state to attorneys and pro se litigants, are sent by regular mail. Also, the New Hampshire Supreme Court has had for some time an on-line site available to the general public which contains a listing of all scheduled oral arguments and parties may also call the court to find out when their oral argument is scheduled. The committee felt this bill was not necessary. **Vote 17-1.**

HB 449, relative to claims against judges. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill seeks to allow a plaintiff to attach a judge's paycheck, if the judge is found liable for injury or wrongful conduct to the plaintiff. The bill includes no process for finding a judge liable. The committee found the bill unworkable and without merit. **Vote 18-0.**

LEGISLATIVE ADMINISTRATION

HJR 1-FN-A, making restitution to Jeffery Frost for inappropriate prosecution. **INEXPEDIENT TO LEGISLATE.**

Rep. Phyllis Katsakiores for Legislative Administration. This bill has been killed by the House several times in past sessions. The bill evolved from a complex legal situation which has been the subject of ongoing court litigation. The committee agrees that legislative action appropriating \$176,448.50 for prior court cost is unacceptable. **Vote 10-0.**

HJR 2-FN-A, making an appropriation for restitution to Joseph Haas as a result of failure of the clerk of the supreme court to process a notice of errors. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Nigrello for Legislative Administration. This joint resolution would require the payment of \$42,500 plus 10% per annum compounded daily from the performance bond of the NH Supreme Court for an action

that occurred in 1994. The committee found that state law prohibits paying damages from any performance bond to any individual. The claimed loss is over 20 years old and is time barred. In addition, no testimony was received convincing the committee of any wrongdoing on the part of the Clerk of the New Hampshire Supreme Court at the time of the alleged offense. **Vote 10-0.**

HJR 3-FN-A, requiring payment of certain money to Timothy Rioux due to malfeasance of a judge in a child support reduction case. **INEXPEDIENT TO LEGISLATE.**

Rep. Allison Nutting for Legislative Administration. This joint resolution would require payment of \$98,000 to Mr. Rioux. As with previous similar claims brought to this House, the committee was unanimous in the opinion that countering a previous court opinion would leave the state open to countless further claims for remuneration. Therefore, the committee believes an appropriation in this case is not appropriate. **Vote 10-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 86, relative to voting on variances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bruce Tatro for Municipal and County Government. The legislative body of municipalities adopt zoning ordinances to control how their lives will be impacted by growth, and expect the ordinance to be followed. There are always exceptions, and a zoning board addresses requests to deviate from ordinances by granting special exceptions and variances. The conditions for an exception are specified in an ordinance, and if they are met, the Zoning board has little discretion in granting them. The conditions for granting variances are not specified in local ordinances. Instead, there are five conditions in state law, each with its own rationale. Zoning boards must consider these conditions carefully, and not set aside adopted ordinances lightly. This bill requires that each of the five conditions in state law should be examined and voted on separately. Voting on all five at once does not guarantee due consideration, and the decision made would be difficult to support in any legal action taken against it. Previous versions of this bill required a majority vote of the zoning board. This amended version requires that each condition pass with three votes of a five member board, rather than with two votes if only three members were present and voting. **Vote 15-0.**

HB 87, relative to vacancies in the office of moderator. **OUGHT TO PASS.**

Rep. Richard Tripp for Municipal and County Government. This bill corrects an error in existing statute. The wording of the statute specifies that a vacancy be filled "in like manner" which is deemed to refer to a prior section of the RSA which explained the "manner." That section of the statute was repealed, leaving the statement "in like manner" without meaning. This bill inserts the original wording of the repealed section into this section for the sake of clarity. **Vote 16-0.**

HB 123, relative to continuation of a public hearing of the zoning board of adjustment. **OUGHT TO PASS.**

Rep. Carolyn Matthews for Municipal and County Government. Since current law is silent on the process for continuing and noticing hearings of the Zoning Board of Adjustment (ZBA), towns are legally vulnerable when the ZBA must continue a hearing, and also vulnerable when they choose not to re-notice. This bill spells out that ZBA's may continue a hearing and need not re-notice the hearing by mail to abutters. The committee believes that this procedure, which is the same procedure in statute for the planning board, makes sense and that abutters are protected in a similar fashion as with planning board hearings that must be continued. **Vote 15-0.**

HB 127, relative to vacancies in county offices. **OUGHT TO PASS.**

Rep. Frank McCarthy for Municipal and County Government. This bill allows county conventions to fill vacant county offices by a secret written ballot rather than a public vote. **Vote 15-0.**

HB 144, relative to procedures for adoption of the budget for Rockingham County. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank McCarthy for Municipal and County Government. The procedure proposed in this bill is already authorized by RSA 31:94a. This bill merely changes RSA 24:13c in order to bring Title II up to date with the proposed budget procedure change. This bill was amended to delay implementation by one year, allowing time to prepare for changes. **Vote 14-0.**

HB 167, relative to audits of county funds. **OUGHT TO PASS.**

Rep. Frank McCarthy for Municipal and County Government. This bill adds county delegations to the list of entities authorized to hire a certified public accountant licensed by the state to conduct an audit within one year of close of the fiscal year. The committee agreed this was an appropriate authority for the county delegations to have. **Vote 14-1.**

HB 172, relative to tax anticipation notes in counties. **OUGHT TO PASS.**

Rep. Frank McCarthy for Municipal and County Government. Tax Anticipation Notes (TAN) are an essential part of county finance. TAN's allow the timely payment of debts incurred, prior to the receipt of tax revenue. TAN's also provide a cost savings benefit, in that TAN's are required to be liquidated prior to the last day of the financial year; resulting in a less expensive form of borrowing. It is important that the relative regulations, found in RSA 33:7, the Municipal Finance Act, also be contained within Title II of the statutes dealing with county government. **Vote 15-0.**

HB 189, establishing a homestead right. INEXPEDIENT TO LEGISLATE.

Rep. Susan Treleaven for Municipal and County Government. New Hampshire's homestead exemption allows a homeowner to protect up to \$120,000 of equity in their home, and twice that amount if they are a married couple filing jointly. If you have equity in your home (meaning your home is worth more than what you owe on it), the homestead exemption may allow you to keep it if you file for Chapter 7 bankruptcy. The homestead exemption comes into play in Chapter 13 bankruptcy as well. It determines, in part, how much you must pay to your unsecured creditors. The homestead exemption only applies to your residence; you cannot use it for other properties. In 2012, HB 1591 attempted to increase that exempt amount to \$250,000 and was deemed inexpedient to legislate. In 2015, HB 147 increased the amount exempted to \$120,000 and that is the amount set today. In 2016, HB 1277 attempted to change that amount to half the value of the home and it was deemed inexpedient to legislate. This year attempts to do the same as last year's bill, set the exempt amount to half the value. The committee found the language confusing, was concerned it would discourage lenders from entering into loans unless the borrower waived all homestead rights. The current amount of \$120,000 appears to be acceptable to lenders. An exemption of half the assessed value would put no definite cap on the amount, and would not be acceptable to lenders. The amount was increased over the past decade from \$30,000 to \$120,000, and double that for a married couple. This committee agrees with the recommendation of the same committee last year and feels the current statutes are not in need of any revision. **Vote 14-0.**

HB 223, prohibiting recipients of county or municipal funds from using such funds for lobbying. INEXPEDIENT TO LEGISLATE.

Rep. Susan Treleaven for Municipal and County Government. This bill would prohibit county or municipal funds from being used for lobbying. A similar attempt was made in 2014 (HB 1560) and was recommended inexpedient to legislate 17-0. The bill is not specific in its definition of lobbying. Many municipal officials testify on pertinent issues when requested and this could be interpreted as lobbying. Most New Hampshire municipalities pay membership fees to firms and associations that represent them, which this bill would prohibit. For example it would prevent the Association of Counties having an advocate keep track of bills that might affect counties, or a paid municipal employee from testify at hearings in Concord, and many other activities that might be considered as lobbying. Although the intent of the bill is good, the language and lack of clarity make it unacceptable. **Vote 13-1.**

HB 299, relative to notice by mail for zoning and planning purposes. OUGHT TO PASS.

Rep. Timothy Josephson for Municipal and County Government. New Hampshire law specifies that registered mail is to be used as a method of notice to affected parties for different actions. Planning and Zoning board meetings and other official public meetings have traditionally required registered mail as a method of notices. Over the years, the cost of this method has risen to the point where it can now cost over \$6.00 for a single notice. When a reason for notice arises where there are tens or even hundreds of parties to be notified, as in changes in zoning, this becomes expensive, especially to a single applicant not involved in a commercial undertaking. In recent years an alternative provided by the US Postal Service called Verified Mail has become available which accomplishes the same end result. The cost for such mailing is half the cost of registered mail, provides proof that the mailing was sent and a method for tracking to ensure delivery. This method of notice is currently allowed in other sections of state law and is defined in RSA 451-C:1. **Vote 16-0.**

PUBLIC WORKS AND HIGHWAYS**HB 340, relative to the sale of the Laconia state school. OUGHT TO PASS.**

Rep. John Cloutier for Public Works and Highways. This bill would exempt property encumbered by leases from the sale of the Laconia State School. The bill would also require the Long Range Capital and Utilization Committee to approve the conditions and sale of the Laconia State School property. The committee unanimously agrees that the Long Range Committee needs to be part of the process for the sale of surplus state property. Especially since it consists of House and Senate members as well as a representative of the governor's office. **Vote 20-0.**

HB 383, naming a bridge in the city of Keene. INEXPEDIENT TO LEGISLATE.

Rep. Virginia Irwin for Public Works and Highways. At the request of the prime sponsor, the committee agreed to find this bill inexpedient to legislate. The naming request was not necessary at this time. **Vote 19-0.**

HB 508, naming the New Hampshire Army National Guard Regional Training Institute and Barracks facility in Pembroke after Colonel Edward Cross. OUGHT TO PASS.

Rep. Virginia Irwin for Public Works and Highways. This bill proposes that the NH Army National Guard Regional Training Institute and Barracks be named for Colonel Edward Cross of the 5th NH Volunteer Infantry Army of the Potomac. The current NH National Guard traces its roots back to the 5th NH Regiment. Col. Cross was a fine example of a Civil War volunteer officer. His men were trained, disciplined, hard fighters and much of these characteristics were due to the example and training set for them by him. Naming this facility after him is a fitting tribute as we continue to train our young men and women to accomplish any mission the future may present. **Vote 20-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 77-FN-LOCAL, relative to dam fees for nonprofit organizations. **INEXPEDIENT TO LEGISLATE.**

Rep. James McConnell for Resources, Recreation and Development. This bill sought to waive dam fees for nonprofit organizations. The committee felt that waiving dam fees, which partially cover the cost of the Department of Environmental Services Dam Safety Engineers' reviews of dam construction and repairs, would lead to an increase in the number of organizations legitimately claiming nonprofit status and deprive the department of needed revenues. **Vote 16-0.**

HB 173, relative to regulations restricting the use of water for outdoor usage. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James McConnell for Resources, Recreation and Development. This bill expands municipal authorities' ability to restrict water usage during declared drought conditions beyond the current restriction for residential outdoor lawn watering. Allowing broader restrictions is intended to protect the larger aquifer. The amendment continues to exempt agricultural and nursery operations, but empowers municipal authorities to impose water usage restrictions for any other outdoor purposes as fits the local situation. **Vote 15-3.**

HB 211-FN, relative to temporary OHRV registrations for nonresidents. **OUGHT TO PASS.**

Rep. Linda Gould for Resources, Recreation and Development. The committee agreed with Fish and Game that the sunset provisions should be repealed and the ten day non-resident OHRV registrations should continue with no club membership being necessary. The temporary registrations offer an option for people who visit only once. **Vote 17-0.**

HB 246, relative to timber trespass. **OUGHT TO PASS.**

Rep. John Mullen for Resources, Recreation and Development. The Division of Forests and Lands is the state agency with primary statutory authority for the protection of our forest resources. This is accomplished in several ways, including enforcement of forest protection laws by state forest rangers. Of the almost 1,200 cases handled by the agency over the last two years, 137 have been timber trespass investigations (RSA 227-J:8 and 8-a) where an individual illegally cuts trees on the land of another. The intent of RSA 227-J:8 and 8a and how the statute is enforced was based upon the value of the tree as a forest product. Over time the statute has morphed into a level of penalty based on replacement value rather than the market value of a forest product. Therefore, clarifying that the market value based on the stumpage value of a forest product, not a replacement value, reduces the tendency to exceed values beyond the intent of the statute while still maintaining the ability to penalize trespass violations. People who cut their neighbors decorative trees, say, to improve their view can still be prosecuted under other sections of the law. **Vote 17-0.**

TRANSPORTATION

HB 81, relative to gold star number plates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Werner Horn for Transportation. This bill attempts to expand access to gold star number plates. It specifically makes a stepmother of a person killed while on duty in the United States armed forces eligible to receive gold star number plates when such plates have not been furnished to the service member's mother. While receiving public testimony and other input from stakeholders, the committee found that the state's current law regarding gold star plates was inadequate and that the bill as written did not go far enough to correct the deficits identified. The committee amended the bill to create a study committee to fully explore the issues. The creation of the study committee will allow many important stakeholders to be present to provide important input and ensure an appropriate level of respect and sensitivity is given to the policy on gold star plates. The committee will study eligibility for gold star number plates and recommend changes to the current criteria. The bill, as amended, creates a study committee with members of the House Transportation and State-Federal Relations and Veterans Affairs committees and a member from the Senate who are to report back with any proposed legislation by November 1, 2017. **Vote 18-0.**

HB 154, relative to interference with traffic devices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glen Dickey for Transportation. This bill adds public transit buses to the list of those vehicles exempt from law prohibiting interference with traffic signals. In the course of accepting public testimony, the committee found that it was problematic to place public transit buses on par with emergency vehicles. The committee accepted an amendment which allows public transit buses to use prioritization technology, but not pre-emption technology. Buses are listed clearly as being separate from emergency vehicles, and the bill, as amended, maintains the prohibition on pre-emption devices for buses. The committee hopes that cities and towns will use this enabling legislation to relieve traffic congestion. **Vote 18-0.**

WAYS AND MEANS

HB 318-FN-A, relative to a tax on premium cigars. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for Ways and Means. This bill if enacted would place a tax of 15 percent of the wholesale price of premium cigars. The prime sponsor testified that his aim was to close a seemingly pointless loophole

in the tobacco tax laws and sees this as a way to raise more tax revenue. The prime sponsor argued, although not as harmful as cigarettes, premium cigars do pose a health risk. The committee heard testimony from the smoke shop owners. They pointed out that since Massachusetts placed a tax on premium cigars most smoke shops that feature premium cigars have closed in that state. Many of them relocated along the southern border of New Hampshire. Their main competition is the internet sales of premium cigars. Only three states do not tax premium cigars: FL, PA, & NH. The committee heard testimony that taxing premium cigars would put all these smoke shops out of business. They indicated that they run on low margins and would have to pass the tax along to their customers which would be enough to force their customers to purchase on-line for price reasons. The conclusion of the committee was that this additional tax revenue from premium cigars would never be realized since this specialty retail operation would be forced to close down. The committee also saw the real loss in Business Profits Tax and Business Enterprise Tax that would result, not to mention the impact on the room and meals tax and the road toll (gasoline tax) due to collateral activity when customers from other states come to New Hampshire to buy tax-free premium cigars. With this the committee unanimously voted this bill inexpedient to legislate. **Vote 21-0.**

HB 359-FN-A-LOCAL, relative to returning a percentage of the LCHIP fee to the municipality where the real estate transfer from which the fee originates is located. **INEXPEDIENT TO LEGISLATE.**

Rep. Arthur Barnes for Ways and Means. This bill would amend chapter 478:17-g, II (b) by changing how the fee charged on the registration of land transfers recorded with the ten county registers of deeds would be distributed. Currently, the county registers who collect the fee are allowed to keep 4 percent of the fee for administration purposes and the remainder is transferred to a dedicated fund within the treasury administered by the Land and Community Heritage Investment Program (LCHIP) to meet the purposes of chapter 227-M. This bill would change that procedure and includes a provision to remit 30% of the total LCHIP fees collected through property transfers to the town or city where the transfers took place for purposes of local conservation efforts. Given that the intent of the LCHIP program is to conserve and preserve the state's most important natural, cultural, and historical resources; the committee felt it would be inappropriate to redirect any of this revenue stream away from a statewide focus. **Vote 21-0.**

HB 496-FN-A, increasing the beer tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Theberge for Ways and Means. This bill increases the tax on beer from 30 cents per gallon to 50 cents per gallon. The increase in the tax is far too excessive. The members of the committee felt that such an increase would have negative repercussions for the industry. **Vote 18-0.**

THURSDAY, FEBRUARY 9 REGULAR CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB 112, requiring child resistant packaging for electronic cigarette cartridges. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Costable for Commerce and Consumer Affairs. The purpose of this bill is to require non-refillable e-cigarette cartridges to meet federal standards for special poison prevention packaging. This places an undue burden on manufacturers and goes beyond what the federal statutes already call for relative to cartridges. **Vote 16-2.**

HB 161-FN, relative to beverage sales at farmers' markets. **OUGHT TO PASS.**

Rep. Rebecca McBeath for Commerce and Consumer Affairs. Current law does not require beverage manufacturers to pay the beer tax on product sold at farmers' markets. This bill makes a technical correction to correct this oversight. The NH Liquor Commission requested this bill to align current statutes regarding the sale of beer at farmers' markets with beer sold at all other locations. This change is consistent with current practice of farmers' market sales. **Vote 14-3.**

HB 176, relative to the sale of cigar-related products. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill would remove the requirement that cigar bars sell at least 60% of their gross income in cigars and cigar-related products for those businesses that have more than \$75,000 in annual revenue. Cigar bars are the only business entity, other than private clubs, where the public can enjoy smoking in a licensed establishment. The 60/40 ratio was established to ensure that these businesses exist to sell cigars and could not transition into selling a majority of alcoholic products, thus becoming, in essence, cocktail lounges without the necessary licenses and oversight. The committee believes that the restrictions currently in place are reasonable. **Vote 13-4.**

HB 242, relative to the definition of e-cigarette and the sale of tobacco products. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rebecca McBeath for the **Majority** of Commerce and Consumer Affairs. As amended, this bill makes technical changes in the NH alcohol and tobacco laws so that the NH Liquor Commission will be able to enforce the Youth Access to Tobacco statutes in the rapidly changing product design of electronic cigarettes. This bill was brought to the committee at the request of the NH Liquor Commission. The language has been thoroughly vetted by the members of the committee in conjunction with input from various state departments. This bill is not intended to abrogate federal law regarding tobacco products, including the federal Food and Drug Administration's deeming regulations, 21 CFR Parts 110, 1140 and 1143, effective August 8, 2016. **Vote 15-3.**

Rep. Bart Fromuth for the **Minority** of Commerce and Consumer Affairs. This bill gives the Liquor Commission the ability to regulate vaping devices or "e-cigarettes" regardless of whether or not they contain nicotine. The current definition of e-cigarette exempts devices that do not contain nicotine, which is in line with current state policy. If we pass this bill it would be on par with giving the Liquor Commission authority over nonalcoholic drink mixes.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 420-FN, relative to ignition interlock requirements in manslaughter cases involving alcohol. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for the **Majority** of Criminal Justice and Public Safety. This bill authorizes a court to require installation of an interlock device as a condition of driver's license reinstatement for a person convicted of manslaughter involving alcohol. This is a request of the Department of Safety. This bill confers authority on the court to order an ignition interlock device or enhanced ignition interlock device for up to 5 years. These changes constitute a reasonable extension of ignition interlock legal authority to include monitoring of individuals convicted of a serious crime such as manslaughter. Due to the severity of this offense and its relationship to alcohol or drug impairment, behavior monitoring through use of these devices is reasonable and necessary to ensure public safety. **Vote 16-4.**

Rep. Dave Testerman for the **Minority** of Criminal Justice and Public Safety. This bill would make it possible to punish an individual with an ignition interlock device in the case of manslaughter where alcohol was involved but without a conviction for alcohol. The minority believes that if the state wants to require ignition interlock, then it should require a conviction for alcohol, otherwise a person should not be punished or affected by interlock.

SB 12-FN, repealing the licensing requirement for carrying a concealed pistol or revolver. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for the **Majority** of Criminal Justice and Public Safety. This bill does three things: it restores the right of all law-abiding New Hampshire citizens to discretely carry a firearm loaded; it replaces the un-

knowable word “suitable” with the plain language of “not prohibited by state or federal law;” and it returns the current pistol license term of 4 years to 5 years. For law-abiding NH citizens, reciprocity with what are now 22 states in total is strengthened by making licenses optional and by urging the Department of Safety to seek reciprocity with even more states. In RSA 159:6, III, which is added to the statute by the bill, the reference to the transportation of a firearm loaded or unloaded in a vehicle is a reference to a loaded or unloaded pistol or revolver. RSA 159:6 is titled Pistols and Revolvers; license to carry. **Vote 12-8.**

Rep. Richard O’Leary for the **Minority** of Criminal Justice and Public Safety. The minority of the committee believes that removing this common sense safety measure over the strong objections of New Hampshire law enforcement will not serve the public well. The minimally inconvenient permitting process for carrying a concealed pistol or revolver has worked sufficiently for nearly a century. Our New Hampshire procedure respects the right enumerated in the Second Amendment while offering some valid safeguards to the community.

JUDICIARY

HB 109, exempting certain building plans from the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to protect privacy rights, primarily to special security data in building plans, by removing them from the public’s right to know under the right-to-know law. The committee heard about citizens’ need to know about buildings plans to ensure fair application of tax assessments, public safety codes, occupancy permits, etc. That law already exempts “other files whose disclosure would constitute invasion of privacy,” and the committee believes that such detailed security data could be protected by that language or by redaction. **Vote 12-5.**

HB 133, relative to a jury’s determination as to the applicability of law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary Hopper for the **Majority** of Judiciary. This bill can be considered a “Jury Right to Know” instruction. The current jury instruction given by a judge is, “If you have a reasonable doubt as to whether the state has proved any one or more of the elements of a crime required you ‘must’ find the defendant not guilty. However, if you find that the state has proved all the elements of the offense charged beyond a reasonable doubt, you ‘should’ find the defendant guilty.” To a lawyer or a legislator, the word “should” would clearly mean “may or can;” however, to the layman, the word “should” has been lost with all the other jury instructions given. This bill clarifies the word “should” by adding the last sentence, “Even if you find that the state has proved all of the elements of the offense charged beyond a reasonable doubt, you may still find that based upon the facts of this case a guilty verdict will yield an unjust result, and you may find the defendant not guilty.” **Vote 10-8.**

Rep. Paul Berch for the **Minority** of Judiciary. The minority of the committee agrees with the Attorney General’s office that this jury nullification bill would create huge problems in the administration of our criminal justice system, conflict with basic rules of evidence and ethical obligations of attorneys, create roadblocks in the prosecution of sexual and domestic offenders, and undermine a bedrock principle of American justice - that we are a society under the rule of law and not of men. It would force prosecutors in jury trial after jury trial, every time that a defendant claims jury nullification, to prove that a law is just and reasonable. It could make victims of crime who are unpopular less likely to obtain justice in New Hampshire courts. The philosophy behind this bill has been uniformly rejected in the United States and has failed to pass at least 12 times in the past 23 years in New Hampshire.

HB 365-FN, relative to awarding attorney’s fees under the right-to-know law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Dan Hynes for the **Majority** of Judiciary. This bill amends RSA 91-A:8 to mandate attorney’s fees whenever a petitioner is successful in a 91-A lawsuit at superior court. Under the present law, attorney’s fees can only be awarded if “the court finds that the public body, public agency, or person knew or should have known that the conduct engaged in was in violation of this chapter.” As determined in the methodology related in the bill’s fiscal note: “The Department of Justice reports that during the past two years, 10 lawsuits have been filed under RSA 91-A. The state was ordered to pay attorney’s fees in one matter during the last two years, in the amount of \$9,348. Other litigants unsuccessfully sought attorneys’ fees but the court denied the fees because it could not conclude the state knew or should have known there was a violation of the statute.” Since attorney’s fees have been awarded only once (10% of the time), there is little incentive for the government to provide required information under the right to know law. In many circumstances it would appear cost effective for the government agency to deny the request and hope the person does not pursue litigation. Even if the person is ultimately successful, the government agency will not have to make that person whole by paying their attorney’s fees. This bill would encourage the government to provide information under the right to know law. If the government does not properly respond to a right to know request, there is additional accountability. Presumably, more lawyers would take right to know cases and more cases would be filed. The present law already has adequate protection for the government entities. Under RSA 91-A:8, II: “The court may award attorney’s fees to a public body or public agency or employee or member thereof, for having to

defend against a lawsuit under the provisions of this chapter, when the court finds that the lawsuit is in bad faith, frivolous, unjust, vexatious, wanton, or oppressive.” If passed, this law would likely only allow fees to the petitioner where they hire an attorney, not where they proceed pro se. Under Rule 3.1 of the Rules of Professional Conduct for lawyers: “A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law.” Presumably, there should not be any increase in frivolous litigation as the current laws already effectively prohibit such conduct. It would not be appropriate to allow either party to recover attorney’s fees if they are successful in litigation. This would have the effect of even fewer litigants pursuing complaints if they are likely to have to pay thousands of dollars in the event their lawsuit is not successful. **Vote 10-8.**

Rep. Sandra Keans for the **Minority** of Judiciary. The minority of the committee believes this bill is unnecessary and may in fact have unintended consequences. Since the passage of the original right-to-know law there have been changes to strengthen it almost every year, either by the legislature or the court. Plaintiffs currently can make a showing to the court that they deserve reimbursements of their costs if they prevail. Under this legislation, if they win, they would always be reimbursed. That is not true for your local community. That plaintiff may be just a citizen or a huge corporation. Your community would need to appropriate money to cover. Also, through the years, as word of suits become published, more and more communities are training employees to recognize valid requests in response.

MUNICIPAL AND COUNTY GOVERNMENT

HB 108, relative to municipal record retention and conversion. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin Sterling for Municipal and County Government. The obligation of storing records in paper form has become burdensome, and history has shown us that many paper records can be lost as a result of natural causes or devastating fires. The electronic age has brought us methods to retain these documents in an electronic format, and have several options of backup files to guard against potential losses. This bill, as amended, allows a municipality the option of scanning in records as well as the option of disposing of the paper copies which have been scanned in and stored electronically. **Vote 12-1.**

HB 118, relative to appropriations in petitioned warrant articles. **INEXPEDIENT TO LEGISLATE.**

Rep. Clyde Carson for Municipal and County Government. Under current law, the governing body and budget committee of a municipality must indicate whether they recommend appropriations in a warrant article. This bill would eliminate that requirement for appropriations contained in petition warrant articles. The majority of the committee feels that elected officials have an obligation to provide guidance to voters in the form of a recommendation on all appropriations. **Vote 10-5.**

HB 145, requiring municipal approval for siting high voltage transmission lines. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Rand for Municipal and County Government. High voltage electric transmission lines are by their nature projects of regional or state-wide impact. This bill would allow a single municipality to deny them site access. Even though the interests of individual municipalities should be given every consideration and accommodation within the SEC process, the interests of the region or state should prevail. A municipal veto should not be an option. **Vote 16-0.**

PUBLIC WORKS AND HIGHWAYS

HB 368-FN-A, relative to the heating of certain state-owned buildings in Concord and making appropriations therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Graham for Public Works and Highways. This bill was at the request of the joint legislative Concord Steam task force which met in the latter part of 2016. The impetus for the formation of the task force was the decision on the part of Concord Steam, a privately owned company, to cease operations on May 31, 2017. Concord Steam is the entity that provides heat and hot water to the buildings at the Gallen Office Park as well as other state buildings including the State House and the LOB in Concord. This decision was conveyed to the Commissioner of DAS on July 20, 2016. Upon the formation of the task force they learned that DAS had already contracted engineers to begin the assessment as to the options for replacing the service provided by Concord Steam. To both DAS and the task force it was readily apparent that a permanent solution to the problem could not be implemented to meet the May 2017 deadline. Therefore a two-fold process was proposed. A temporary solution for the winter of 2017-18 which consists of trailer mounted boilers hooked up to the existing pipes for that heating season. The second phase, to be completed before the 2018-19 heating season, would be the installation of boilers or alternative sources of heat and hot water. The year delay between the two phases allows the state to determine the best method of providing heat and hot water to some 26 separate buildings as well as allowing us the ability to competitively bid this massive project. The bill before you provides the initial funding mechanism for both the temporary and

permanent solutions to this project. The amount in the bill (not to exceed \$25 million) is for both phases. The bill allows the Commissioner of DAS to either bond or find alternate sources of funding for the projects. Members of the Public Works & Highways Committee are actively working with both DAS and the State Treasurer to identify ways to fund the bill without recourse to borrowing the full \$25 million. However, because of the tight timeframes associated with bidding the contracts for the temporary solution, as well as those for the design and construction of the permanent one it was felt that any proposed amendment for alternative concrete methods of funding would be introduced during the hearing in the Senate. Make no mistake; this bill must be passed in a timely manner in order to assure that our state buildings have heat by next September. DAS is already readying RFP's for the work, and delays will only exacerbate a serious problem. The committee amendment does two things. First it removes section 5 of the bill, which provided funding for an environmental study of the state owned property currently utilized by Concord Steam. This study has already been conducted using existing funds. The second part of the amendment authorizes the Commissioner of DAS to employ a project manager and for this position to be initially paid from the monies appropriated in the bill. **Vote 19-1.**

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 3, rescinding all applications by the New Hampshire legislature for a federal constitutional convention and urging other states to withdraw similar requests. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Woolpert for the **Majority** of State-Federal Relations and Veterans Affairs. The majority opposed this resolution for several reasons. It might send a negative message to those calling for a federal constitutional convention in the future, regardless of the purpose. It might set a precedent of restricting the ability of the states to limit the actions of the federal government. It would negate all the work done in previous sessions of the New Hampshire legislature without being specific about which prior applications or requests should be rescinded. **Vote 11-6.**

Rep. Patricia Dowling for the **Minority** of State-Federal Relations and Veterans Affairs. This House Concurrent Resolution seeks to rescind all New Hampshire applications for a Federal Constitutional Convention. The ability of such conventions to limit their agenda is subject to considerable debate, and as such, risks wholesale changes to our constitution.

HR 7, calling on the United States Senate and House of Representatives to consider a constitutional amendment prohibiting campaign contributions unless the donor is eligible to vote in that federal election. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for the **Majority** of State-Federal Relations and Veterans Affairs. This resolution, if adopted as a constitutional amendment, ensures that only those eligible to vote in a federal election may contribute to campaigns in that election. This eliminates outside entities and anonymous donors. **Vote 15-3.**

Rep. Elizabeth Edwards for the **Minority** of State-Federal Relations and Veterans Affairs. While the minority sympathizes with the intent of the resolution, we believe transparency in political contributions, including to PACs, has more advantages and fewer downsides than donation restrictions. For example, donation restrictions favor wealthy or well-known candidates. We're also concerned with vague wording such as non-public means of communication."

TRANSPORTATION

HB 88-FN, relative to the motor vehicle registration fees for disabled veterans. **OUGHT TO PASS.**

Rep. Werner Horn for Transportation. This bill allows a veteran who is an amputee, paraplegic, or blind as a result of a service-connected disability to select from among the special number plates for which he or she is eligible free of registration and number plate fees. The committee finds that this bill is a positive way for the state to recognize those service members who have made exceptional sacrifices in service to our country. **Vote 18-0.**

HB 124-FN, repealing certain aircraft registration fees. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. In the public hearing on this bill, the committee learned of the disparity in aircraft registration fees between New Hampshire and neighboring states. For example, a plane charged over \$300,000 in registration fees in New Hampshire would be charged only about \$750 in Massachusetts. This fee structure prevents local airports in New Hampshire from being competitive with those located just miles across the border. This bill will reduce revenues to the Department of Transportation, of which 75 percent goes to the general fund. The majority of the committee finds that this bill reflects sound transportation policy and encourages competitiveness and local business growth. This bill should move on to the second committee for further public hearings and a thorough vetting of economic impact. **Vote 15-3.**

HB 227, relative to after market tinting on side windows. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael O'Brien for the **Majority** of Transportation. This bill would have allowed after-market tinting of windows on a vehicle's front passenger and driver side. Although many may appreciate the enhancement tinting provides their vehicles, it comes in conflict with the safety of police officers. Officers came before our committee in opposition to this bill citing the increased risk in traffic stops due to tint obscuring an officer's view of the driver when approaching the vehicle. Therefore, the committee finds that the safety concerns associated with such window tinting outweigh the benefits. **Vote 12-6.**

Rep. Chris True for the **Minority** of Transportation. The minority feels that it is unfair that the state tolerates out-of-state visitors with tinted windows while not allowing its own citizens to have tinted windows. It is unfair for New Hampshire police to wave on an out-of-state vehicle with tinted windows while pulling over and ticketing a New Hampshire vehicle with identical tinting.

WAYS AND MEANS

HB 333-FN, removing the exemption for premium cigars from the tobacco tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Russell Ober for the **Majority** of Ways and Means. This bill would raise the tax on premium cigars from zero to 65 percent. This surely can be seen as unreasonable. Premium cigars are somewhat costly and smoked by adults. Further, the business taxes paid by cigar sellers would be lost due to decreased premium cigar sales. The committee received testimony that instituting a 65 percent tax on premium cigars would cause cigar buyers to start purchasing online and could even force businesses situated on the southern border, which rely largely on out-of-state buyers, to close. We do not want to reduce business taxes by reducing business. **Vote 18-3.**

Rep. Richard Ames for the **Minority** of Ways and Means. Unlike all other traditional tobacco products, premium cigars now enjoy a total exemption from NH's tobacco tax. This bill would eliminate this exemption. There is no rational basis for the current exemption. Premium cigars are made of tobacco and cause sickness and death just like all the other tobacco products now subject to taxation. After a two-year public review process, the federal Food and Drug Administration decided in mid-2016 to subject premium cigars to its tobacco regulations; including all public health labeling and public warning requirements, in order "to reduce death and disease." The FDA findings and consequent rule-making should put to rest any lingering claims that premium cigars are somehow different from other cigars, pipe tobacco, chewing tobacco, or cigarettes in their adverse impact on health. The NH premium cigar tax exemption should be eliminated. Continuing to exempt premium cigars sends the wrong signal.

HB 357-FN-LOCAL, relative to the appraisal of telecommunications poles and conduits under local property taxation. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for Ways and Means. This bill repeals sections 72:8-c and 74:19, both enacted by the passage of HB 1198 during the 2016 session. These statutes provide guidance to assessors as to how to assess wooden poles and conduits owned by land-line telephone companies. Municipalities have only been allowed to assess a real estate tax on telephone poles and conduits since 2011. The 2010 legislation that allowed this provided no guidance as to how to assess this type of specialty property. The result was average valuations of wooden poles among municipalities ranging from \$107 to \$2,100. After much study, the Assessing Standards Board verified these numbers and formally agreed a problem existed. This problem resulted in hundreds of lawsuits every year between the telecommunication companies and the municipalities. The Assessing Standards Board recommended a standard formula and approach to be utilized. This type of formula has been adopted by many other states over the years and became the basis of last year's HB 1198. The municipal assessors now have a formula to utilize to simplify their work and the telecommunication companies have the assurance that the poles are being assessed in a fair and equitable manner. Thus far, 46 cities and towns have settled hundreds of lawsuits as a result of sections 72:8-c and 74:19, and many others are lined up to do the same. The repeal of these statutes would turn the clock back and bring back another round of lawsuits clogging up our courts and costing municipalities many dollars in legal costs. The committee heard no testimony saying the statutes in question materially harmed any municipality. The committee was also not comfortable repealing statutes that were just enacted last year. The committee felt that new statutes should be given time to show they are worthwhile. An argument of unconstitutionality was presented by one testifier which the committee found unconvincing. In a very bipartisan manner, with only one dissenting vote, the committee overwhelmingly found this bill inexpedient to legislate. **Vote 20-1.**

FRIDAY, FEBRUARY 3

FINANCE, Rooms 210-211, LOB

Presentations:

- 1:00 p.m. Department of Health and Human Services: Medicaid Managed Care and Expanded Medicaid.
- 1:45 p.m. Department of Health and Human Services: Medicaid Enhancement Tax and Uncompensated Care.
- 2:30 p.m. Department of Health and Human Services: Mental Health.
- 3:15 p.m. Department of Health and Human Services: State and County Long Term Care Funding.

MONDAY, FEBRUARY 6

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2), Room 104, LOB

- 1:00 p.m. Regular meeting.

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

- 10:00 a.m. Special meeting.

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

- 1:15 p.m. Regular meeting.

TUESDAY, FEBRUARY 7

CHILDREN AND FAMILY LAW, Room 206, LOB

- 10:00 a.m. Full committee work session on **HB 646-FN**, relative to the placement and detention of a minor in a secure facility.
- 1:00 p.m. Executive session on **HB 646-FN**, relative to the placement and detention of a minor in a secure facility; **HB 338**, relative to grounds for termination of parental rights; **HB 349-FN**, relative to out-of-home placements under the child protection act; **HB 422-FN**, repealing the child protection act.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 9:00 a.m. Subcommittee work session on **HB 310**, relative to insurance group-wide supervision; **HB 321**, establishing a commission to study a public option for health insurance; **HB 455-FN**, relative to the practices of pharmacy benefit managers; **HB 527**, relative to confidentiality of forms and rates; **HB 611**, relative to portability, availability, and renewability of health coverage; **HB 633-FN**, allowing health insurance policies to be sold without mandates.
- 10:00 a.m. Subcommittee work session on **HB 501**, relative to access to minutes of meetings of condominium unit owner's associations; **HB 385**, relative to notice for foreclosures; **HB 473**, relative to the sale of gift certificates; **HB 502**, relative to the availability of condominium financial information to unit owners; **HB 523**, relative to limitations on the use of biometric information; **HB 527**, relative to confidentiality of forms and rates; **HB 623-FN**, relative to animals abandoned in the foreclosure process; **HB 654-FN**, relative to short-term and vacation rentals under the meals and rooms tax.
- 11:00 a.m. Subcommittee work session on **HB 79-FN**, relative to New Hampshire products purchased and sold by the liquor commission; **HB 99**, relative to applicability of alcoholic beverage advertising restrictions; **HB 140-FN**, relative to sales and samples provided by wine manufacturers; **HB 152-FN**, relative to direct shipment of beer; **HB 279**, relative to smoking on private property; **HB 353-FN**, relative to sales of beer in refillable containers; **HB 358-FN**, repealing the loitering restrictions on premises of liquor licensees; **HB 377**, relative to marijuana sales; **HB 427**, allowing hobby distillation of liquors; **HB 549-FN**, relative to beverage vendor fees; **HB 555-L**, relative to the enforcement authority of the liquor investigators; **HB 600-FN**, relative to requirements for certain alcoholic beverage licenses; **HB 632-FN**, relative to appeals of liquor commission decisions.
- 1:00 p.m. Executive session on **HB 295**, relative to medical payments coverage under motor vehicle liability; **HB 250**, establishing a commission to assess the benefits and costs of a "health care for all" program for New Hampshire; **HB 358-FN**, repealing the loitering restrictions on premises of liquor licensees; **HB 632-FN**, relative to appeals of liquor commission decisions; **HB 623-FN**, relative to animals abandoned in the foreclosure process; **HB 654-FN**, relative to short-term and vacation rentals under the meals and rooms tax; **HB 308**, requiring propane companies to file notice with the register of deeds of underground propane tanks; **HB**

436, exempting persons using virtual currency from registering as money transmitters; **HB 457-FN**, relative to consumer credit division entities; **HB 375**, relative to the penalties for failure to deliver goods under the Uniform Commercial Code; **HB 331**, relative to the standard of review for government requirements on commercial enterprises.

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

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Executive session on **HB 350-FN**, prohibiting possession of a firearm at a polling place; **HB 643-FN-A**, mandating the wearing of body cameras by certain law enforcement officers; **HB 656-FN-A-L**, relative to the legalization and regulation of marijuana.

1:00 p.m. Continued public hearing on **HB 94-FN**, prohibiting certain defenses in prostitution and human trafficking cases.

1:30 p.m. **HB 634-FN-A**, repealing the penalty assessment on criminal offenses.

2:00 p.m. **HB 351-FN**, making a person who knowingly causes the death of a child guilty of capital murder.

2:30 p.m. Continued public hearing on **HB 156-FN**, including a fetus in the definition of “another” for purposes of certain criminal offenses.

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

10:00 a.m. **HB 641-FN-A**, relative to high school students participating in New Hampshire’s dual and concurrent enrollment program and making an appropriation therefor.

11:00 a.m. **HB 647-FN-L**, establishing education freedom savings accounts for children with disabilities. 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 597-FN-L**, relative to calculating the cost of an opportunity for an adequate education and providing fiscal capacity disparity aid; **HB 603-FN-A**, establishing the John and Molly Stark student debt reduction program and making an appropriation therefor; **HB 604-FN-A**, establishing the John and Molly Stark workforce opportunity program and making an appropriation therefor; **HB 354-FN-A-L**, making an appropriation to the department of education to provide additional adequate education grant payments to certain municipalities; **HB 356-FN**, relative to the per pupil cost of an adequate education; **HB 525-FN**, relative to stabilization grants for education; **HB 583-FN**, relative to the calculation of average daily membership in residence and average daily membership in attendance.

ELECTION LAW, Room 308, LOB

10:00 a.m. **HB 372**, relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.”

10:15 a.m. **HB 465**, relative to domicile for the purposes of voting or holding elective office.

10:30 a.m. **HB 651-FN**, relative to wrongful voting and penalties for voter fraud.

10:45 a.m. **HB 552-FN**, relative to investigation of undeliverable voter verification letters.

11:00 a.m. **HB 588-FN**, relative to voter identification requirements.

11:10 a.m. **HB 348-FN**, relative to registering to vote.

11:40 a.m. **HB 622-FN-L**, allowing all voters to vote by absentee ballot.

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 217**, relative to placing names on the ballot; **HB 218**, relative to activities at polling places; **HB 231**, relative to allocation of electoral votes; **HB 235**, allowing the use of an assisted living facility photo identification card for voter identification purposes; **HB 320**, relative to procedures for apportioning electoral districts; **HB 588-FN**, relative to voter identification requirements; **HB 378**, relative to the public members of a school administrative unit

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:00 a.m. **HB 399**, relative to pesticide use and notification in places where children play.

1:00 p.m. **HB 612**, relative to livestock and meat inspection.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. **HB 294-FN-A**, relative to the cost of fiscal analysis of legislation relating to the retirement system.

10:30 a.m. **HB 625-FN-L**, establishing state holidays for elections

11:00 a.m. **HB 546-FN**, requiring a business impact assessment as part of the rulemaking process and relative to objections to proposed agency rules under the administrative procedure act.

- 11:30 a.m. **HB 373**, relative to rulemaking on forms for allied health professionals and relative to information on court cases concerning the validity of administrative rules.
- 1:15 p.m. **HB 408**, relative to the state guard.
- 2:00 p.m. **HB 204-FN**, relative to bonds for public employees.
- 2:30 p.m. **HB 618-FN**, eliminating the bureau of certificate of title and providing for the criminal prosecution for its supervisor.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE - DIVISION III, Rooms 210-211, LOB

- 10:00 a.m. Division work session on **HB 387-FN-A**, making an appropriation to the department of health and human services for the developmental services system; Division work session on **HB 414-FN-A**, limiting parental liability under a CHINS petition in certain circumstances.
- 11:00 a.m. Division work session on **HB 370-FN-A**, making an appropriation for the purpose of meeting new federal regulations relative to child care.

FINANCE - DIVISION I, Room 212, LOB

- 11:00 a.m. Division work session on **HB 571-FN-A**, making an appropriation to the New Hampshire Internet crimes against children task force.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE, Rooms 210-211, LOB

- 1:00 p.m. Continued public hearing on **HB 409**, relative to the reporting of the higher education fund within the state operating budget.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FISH AND GAME AND MARINE RESOURCES, Room 307, LOB

- 10:00 a.m. Public hearing on non-germane amendment 2017-0227h to **HB 224**, repealing the provision for nonresident student hunting and fishing licenses. The amendment replaces the bill with specifications relative to the season and manner of taking coyotes at night. Copies of the amendment are available in the Sergeant-at-Arms' Office, Room 318, State House.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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

- 10:00 a.m. **HB 367**, relative to central registry checks for out-of-state child care providers and staff.
- 11:00 a.m. **HB 471-FN**, relative to induced termination of pregnancy statistics.
- 1:15 p.m. **HB 610-FN**, implementing needle exchange programs in New Hampshire.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

JUDICIARY, Room 208, LOB

- 10:00 a.m. Executive session on **HB 136**, clarifying the equity jurisdiction of the judicial branch family division; **HB 137**, relative to qualifications of referees in the superior courts and circuit courts; **HB 138**, relative to persons held in civil contempt; **HB 260**, relative to allodial title and violations of the oath of office; **HB 292**, relative to a jury trial for the execution of a tax lien; **HB 311**, relative to including court personnel in judicial performance evaluations; **HB 617-FN**, relative to jury trials for imposition of fines in zoning violations; **HB 635-FN**, requiring a non-client public protection and recovery fund to be administered by the supreme court; **HB 288**, relative to the statutory construction of the phrase "under oath."; **HB 476**, relative to the duties of registers of probate.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 11:00 a.m. Executive session on **HB 312-FN**, repealing the minimum wage law; **HB 407-FN**, requiring workers' compensation to cover prophylactic treatment for exposure; **HB 444**, relative to reports to the public employee labor relations board; **HB 628-FN**, relative to a family and medical leave insurance program; **HB 115-FN**, establishing a state minimum wage and providing for adjustments to the minimum wage; **HB 442**, relative to criminal records checks in the employee application process; **HB 130**, prohibiting an employer from using credit history in employment decisions; **HB 346**, relative to the payment of wages to an employee; **HB 194**, permitting employers to pay wages to employees weekly or biweekly.

LEGISLATIVE ADMINISTRATION, Room 104, LOB

- 10:00 a.m. **HB 213-FN**, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives.
- 10:20 a.m. **HB 541-FN**, relative to the compensation of members of the general court.
- 10:45 a.m. **HB 300**, requiring state employees and state public officials to display identification badges when attending meetings and hearings of the general court.
- 11:00 a.m. **HB 406**, establishing a committee to study procedures for a New Hampshire constitutional convention.
- 11:15 a.m. **CACR 6**, relating to conflict of interest. Providing that no member of the general court shall sponsor, advocate for, nor vote on any legislation which would create a financial conflict of interest.
- 11:40 a.m. **HB 509**, requiring the university system to disclose annual expenditures in its operating budget. 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

- 10:00 a.m. **HB 313**, allowing a town to appropriate funds to create a town scholarship fund.
- 10:20 a.m. **HB 411-L**, relative to calculation of collection dates for local property taxes.
- 10:40 a.m. **HB 419-FN-L**, relative to real estate leased for a public charter school.
- 11:00 a.m. **HB 503-L**, relative to notice to property owners regarding changes in assessments of property values for tax purposes.
- 11:20 a.m. **HB 121**, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees.
- 11:40 a.m. **HB 316**, relative to a statewide property tax exemption for commercial and industrial construction. 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 491-L**, relative to default budgets; **HB 495**, relative to amendments to warrant articles; **HB 514**, relative to alternate members of an elected planning board; **HB 564**, relative to information available to members of school boards or budget committees; **HB 568-FN**, relative to the taxability of lease interests in public property.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:15 a.m. Executive session if necessary.

RULES, Room 104, LOB

- 2:00 p.m. Regular meeting.

SCIENCE, TECHNOLOGY AND ENERGY, Representatives Hall

- 10:00 a.m. **HB 592-FN**, repealing the regional greenhouse gas initiative.
- 1:00 p.m. **HB 141**, relative to electric renewable energy classes.
- 2:00 p.m. **HB 225**, repealing the electric renewable portfolio standard.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), New Hampshire National Guard Air Facility, 26 Regional Drive, Concord

- 5:00 p.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. Continued public hearing on **HB 580-FN-A**, regulating online fantasy contests.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 11:00 a.m. **HB 567-FN**, repealing the exemption for water and air pollution control facilities from local property taxation.
- 11:30 a.m. **HB 573-FN**, relative to the exemption from property taxation for charitable nonprofit hospitals.
- 1:00 p.m. **HB 615-FN-A**, reducing the rates of the business profits tax and the business enterprise tax
- 2:00 p.m. **HB 637-FN-A**, relative to the threshold for filing a business enterprise tax return.
- 2:30 p.m. **HB 581-FN**, establishing a credit against business profits taxes for media production expenditures in New Hampshire.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WEDNESDAY, FEBRUARY 8

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. Executive session on **HB 79-FN**, relative to New Hampshire products purchased and sold by the liquor commission; **HB 99**, relative to applicability of alcoholic beverage advertising restrictions; **HB 140-FN**, relative to sales and samples provided by wine manufacturers; **HB 152-FN**, relative to direct shipment of beer; **HB 279**, relative to smoking on private property; **HB 353-FN**, relative to sales of beer in refillable containers; **HB 358-FN**, repealing the loitering restrictions on premises of liquor licensees; **HB 377**, relative to marijuana sales; **HB 427**, allowing hobby distillation of liquors; **HB 549-FN**, relative to beverage vendor fees; **HB 555-L**, relative to the enforcement authority of the liquor investigators; **HB 600-FN**, relative to requirements for certain alcoholic beverage licenses; **HB 632-FN**, relative to appeals of liquor commission decisions; **HB 310**, relative to insurance group-wide supervision; **HB 321**, establishing a commission to study a public option for health insurance; **HB 455-FN**, relative to the practices of pharmacy benefit managers; **HB 527**, relative to confidentiality of forms and rates; **HB 611**, relative to portability, availability, and renewability of health coverage; **HB 633-FN**, allowing health insurance policies to be sold without mandates; **HB 501**, relative to access to minutes of meetings of condominium unit owner's associations; **HB 385**, relative to notice for foreclosures; **HB 473**, relative to the sale of gift certificates; **HB 502**, relative to the availability of condominium financial information to unit owners; **HB 523**, relative to limitations on the use of biometric information; **HB 623-FN**, relative to animals abandoned in the foreclosure process; **HB 654-FN**, relative to short-term and vacation rentals under the meals and rooms tax. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Executive session on **HB 106**, relative to corroborating evidence in sexual assault prosecutions; **HB 205-FN**, relative to flying a drone above a correctional facility; **HB 280**, relative to attendance at an auction of property or contraband from a criminal forfeiture; **HB 284**, relative to jury instructions in sexual assault cases; **HB 285**, relative to the imposition of concurrent and consecutive sentences; **HB 448**, relative to certain ignition interlock violations; **HB 526**, relative to rules relating to prison rehabilitation programs and inmate health. 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 647-FN-L**, establishing education freedom savings accounts for children with disabilities; **HB 155-FN**, relative to funding for kindergarten programs; **HB 641-FN-A**, relative to high school students participating in New Hampshire's dual and concurrent enrollment program and making an appropriation therefor; **HB 557-FN**, relative to school attendance in towns with no public schools; **HB 605-FN-A**, establishing a scholarship for students pursuing careers in the service of children and the elderly; **HB 556**, requiring schools to post the state telephone numbers to report child abuse; **HB 477**, relative to free speech on campuses in the university system and the community college system; **HB 395**, relative to state board of education rulemaking authority over home education programs; **HB 391**, relative to checklists in other districts; **HB 180**, requiring postsecondary education institutions to compile and submit reports on remedial education courses.

ELECTION LAW, Room 308, LOB

9:00 a.m. **HB 402**, relative to presumptive evidence of domicile for voters.
 9:30 a.m. **HB 403**, relative to domicile affidavits.
 10:00 a.m. **HB 404**, relative to eligibility to vote, voter registration forms, and absentee ballot requests.
 10:30 a.m. **HB 639**, relative to affidavits used to prove qualifications to vote.
 11:00 a.m. **HB 642-FN**, relative to eligibility to vote and relative to student identification cards.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:00 a.m. Subcommittee work session on **HB 80**, relative to the administration of building code enforcement.
 10:30 a.m. Executive session on **HB 97-FN**, relative to the use of drones; **HB 171**, prohibiting the state or its political subdivisions from assisting a federal agency in the collection of electronic data without a warrant; **HB 192**, relative to rulemaking of the department of corrections; **HB 405**, adding a duty to the decennial retirement commission; **HB 446**, relative to state construction

contracts; **HB 624**, relative to group II vested deferred retirements, the age of dependents in the retiree health plan, and retired judges' participation in the retiree health plan; **HB 631-FN**, establishing a cash balance pension plan for new hires and non-vested employees; **HB 645-FN**, relative to retiree health care benefits for future retirees; **HB 649-FN**, making emergency medical technicians and rescue squad members eligible for a death benefit if killed in the line of duty; **HB 653-FN**, relative to health care premium contributions for Medicare eligible state retirees; **HB 418**, relative to the state retiree health plan commission; **HB 307**, relative to parking at state liquor stores.

- 1:30 p.m. Subcommittee work session on **HB 561-FN**, relative to contributions by employers of part-time employees receiving retirement system pensions and relative to enforcement of provisions concerning retired members working part-time after retirement.
Subcommittee work session will begin at 1:30 p.m. or after the completion of the Executive Session.

FINANCE - DIVISION II, Room 209, LOB

- 10:00 a.m. Division work session on **HB 584-FN**, relative to chartered public school funding.
11:00 a.m. Division work session on **HB 409**, relative to the reporting of the higher education fund within the state operating budget.
2:00 p.m. Division work session on **HB 606-FN-A**, establishing a scholarship fund for health care providers who stay in New Hampshire for 5 years and making an appropriation therefor.

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

- 10:00 a.m. **HB 484**, establishing a commission on the seacoast cancer cluster investigation.
11:00 a.m. **HB 511**, establishing a commission to study creating a public health oversight program.
1:15 p.m. **HB 572-FN**, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

JUDICIARY, Room 208, LOB

- 10:00 a.m. Executive session on **HB 170**, relative to posting notice and minutes of public meetings on the public body's website; **HB 252**, relative to pro se litigants under the right-to-know law; **HB 441**, relative to confidentiality in applying for public sector jobs; **HB 460**, relative to minutes under the right-to-know law; **HB 524**, relative to participation in meetings open to the public; **HB 305**, clarifying lessee liability for month-to-month leases; **HB 434**, relative to damages in landlord-tenant actions; **HB 596-FN**, relative to review hearings in involuntary admission cases.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Representatives Hall, SH

- 10:00 a.m. **SB 11-FN**, prohibiting collective bargaining agreements that require employees to join or contribute to a labor union.
10:05 a.m. **HB 520**, relative to right to work.
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

- 10:00 a.m. **HB 265**, relative to accessory dwelling units.
10:20 a.m. **HB 303-L**, relative to filling vacancies in the office of county commissioner.
10:40 a.m. **HB 461**, relative to the acceptance of grants by Carroll county.
11:00 a.m. **HB 498**, relative to certification requirements for holding the office of sheriff.
11:20 a.m. **HB 530-FN-L**, relative to charges for services by the register of deeds.
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 182**, relative to the adoption of a default budget; **HB 325**, permitting certain towns to appoint a town clerk; **HB 437**, relative to the authority of municipal law enforcement officers; **HB 456**, relative to petition articles in the warrant of a cooperative school district; **HB 481**, relative to the use of small capacity, light weight plastic bags by retailers; **HB 483**, prohibiting the issuance of a summons or warrant for failure to license a dog.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:15 a.m. Executive session if necessary.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 9:30 a.m. Subcommittee work session on **HB 431**, establishing a commission to study long term goals and requirements for drinking water in the seacoast area; **HB 485**, relative to standards for emerging contaminants in drinking water.

- 10:15 a.m. Executive session on **HB 582-FN-A**, relative to public bathing facilities; **HB 470-FN-L**, relative to storm water or sewage penalties; **HB 452-FN**, establishing the office of the business advocate in the department of resources and economic development and making an appropriation therefor; **HB 507**, establishing a committee to study the responsibility of a person who through their pollution makes drinking water non-potable; **HB 591-FN**, relative to suction dredging in the surface waters of the state.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 9:30 a.m. Subcommittee work session on **HB 627-FN**, establishing the position of energy efficiency advocate; **HB 336**, relative to standards for outdoor wood-fired hydronic heaters; **HB 337**, relative to municipal regulations of small wind energy systems; **HB 504**, relative to third party charges on utility bills; **HB 515**, relative to options for customers who are in arrears in utility bill payments.
- 10:15 a.m. Executive session on **HB 627-FN**, establishing the position of energy efficiency advocate.
- 11:00 a.m. **HB 401**, relative to the implementation of the recommendations of grid modernization.
- 1:00 p.m. **HB 352-FN**, relative to the energy efficiency fund.
- 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 336**, relative to standards for outdoor wood-fired hydronic heaters; **HB 337**, relative to municipal regulations of small wind energy systems; **HB 504**, relative to third party charges on utility bills; **HB 515**, relative to options for customers who are in arrears in utility bill payments.

SPECIAL JOINT COMMITTEE ON THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES, Room 103, SH

- 12:00 p.m. Organizational meeting.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 206, LOB

- 10:00 a.m. Executive session on **HB 636-FN**, establishing a department of veterans affairs; **HB 435-FN**, relative to funding of the national guard scholarship fund; **HB 652-FN**, establishing a veterans track within the court system and relative to the inclusion of veterans benefits in the calculation of gross income for purposes of determining child support; **HCR 7**, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the First Amendment to the federal Constitution.
- 1:00 p.m. **HB 513**, authorizing the state veterans' advisory committee to accept gifts, grants, and donations for payment of the committee's costs.
- 1:30 p.m. **HB 466**, relative to the selection of delegates to an article V convention.
- 2:30 p.m. **HCR 5**, applying for a convention of the states under Article V of the Constitution of the United States.
- 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. Executive session on **HB 570-FN**, relative to car and truck rental agency fleet vehicle registration; **HB 579-FN**, relative to registration of semi-trailers; **HB 314**, relative to autonomous vehicles; **HB 267**, repealing the rail transit authority.
- 1:00 p.m. **HB 424-FN**, relative to documentation required for registration of certain title exempted vehicles and modifying the requirements for removal and sale of certain vehicles.
- 1:30 p.m. **HB 454**, repealing mandatory on-board diagnostic and emissions tests for motor vehicles.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WAYS AND MEANS, Room 202, LOB

- 9:30 a.m. **HB 332**, relative to dedicated funds with no activity in the financial system for at least the most recent fiscal year.
- 10:00 a.m. **HB 576-FN**, increasing the amount of inspection sticker fees to be transferred to the motor vehicle air pollution abatement fund.
- 10:30 a.m. **HB 539-FN-A-L**, relative to the distribution of occupancy revenues under the meals and rooms tax to towns and cities.
- 11:00 a.m. **HB 655-FN-A-L**, establishing a local option sales tax to reduce property taxes.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, FEBRUARY 10

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Room 303, LOB

9:30 a.m. Regular meeting.

GUARDIAN AD LITEM BOARD (RSA 490-C:1), Philbrook Building, 121 South Fruit Street, Concord

1:00 p.m. Regular meeting.

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

10:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

MONDAY, FEBRUARY 13

COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k), Room 103, SH

1:00 p.m. Child abuse and neglect data subcommittee meeting.

COMMITTEE TO STUDY RSA 461-A, RELATIVE TO PARENTAL RIGHTS AND RESPONSIBILITIES, Rooms 306-308, LOB

9:00 a.m. Subcommittee work session on Sections A, B, C, and D.

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 14

EDUCATION, Room 207, LOB

- 10:00 a.m. **HB 620**, relative to compliance with state and federal education mandates. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.
- 10:30 a.m. Executive session on **HB 210**, relative to a code of ethics for certified educational personnel; **HB 226**, relative to documenting the improvement of non-proficient readers; **HB 207**, prohibiting the implementation of common core in public elementary and secondary schools; **HB 304**, relative to implementation of alternative academic standards by a local school board; **CACR 7**, relating to public education. Providing that the general court shall have the authority to define standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 10:00 a.m. **HB 342**, establishing a commission to study the transition of certain regulatory authority to the department of environmental services from the Environmental Protection Agency.
- 1:00 p.m. **HB 594-FN-L**, establishing a registry for persons convicted of animal cruelty. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 10:00 a.m. **HB 650-FN**, relative to procedures of the board of psychologists.
- 11:00 a.m. **HB 468-FN**, relative to licensure of mental health practitioners from other states.
- 11:30 a.m. **HB 538-FN**, requiring temporary licensure of a person holding an occupational or professional license granted in another state or country.
- 1:15 p.m. **HB 82**, relative to hair braiding.
- 2:30 p.m. **HB 575-FN**, relative to the certification of acupuncture detoxification specialists. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2), Department of Justice, Room 302, 33 Capitol Street, Concord

9:30 a.m. Subcommittee meeting on bail reform.

WEDNESDAY, FEBRUARY 15

EDUCATION, Room 207, LOB

- 10:00 a.m. Executive session on **HB 494**, relative to eligibility for a chartered public school charter; **HB 293**, relative to the requirements for filing a chartered public school application; **HB 341**, repealing the provisions for tax exemption for certain chartered public school facilities; **HB 505**, establishing an independent commission as an additional authorizing entity for chartered public schools.
- 1:00 p.m. Full committee work session on **HB 122**, relative to withdrawal from a cooperative school district; **HB 396**, relative to student assessment data privacy.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 9:00 a.m. Subcommittee work session on **HB 85**, relative to installation requirements for arc-fault circuit interrupters and relative to the state building code review board.
- 10:00 a.m. **HB 586-FN**, relative to the regulation of certain professions by the office of professional licensure and certification.
- 11:00 a.m. **HB 298**, relative to the mechanical licensing board.
- 1:00 p.m. **HB 322**, adding rulemaking authority to require completion of a certain survey as part of the license renewal process for health care providers.
- 1:30 p.m. **HB 366-FN**, relative to the calculation of average final compensation under the retirement system for certain members.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. Executive session on **HB 431**, establishing a commission to study long term goals and requirements for drinking water in the seacoast area; **HB 485**, relative to standards for emerging contaminants in drinking water; **HB 486**, relative to the protection of wetlands; **HB 463-FN**, regulating groundwater pollution caused by polluting emissions in the air; **HB 195**, establishing a committee to study temporary seasonal docks.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 458**, relative to motorcycle headlamps.
- 10:30 a.m. **HB 451**, relative to motorcycle endorsements and restrictions.
- 11:00 a.m. **HB 553-FN**, relative to biennial motorcycle inspections.
- 1:00 p.m. **HB 363**, repealing the laws regarding motorized locomotives and ski area plates.
- 1:30 p.m. **HB 388-FN**, relative to special number plates for veterans and armed forces members.
- 2:00 p.m. **HB 433**, relative to number plate decals for firefighters.
- 2:30 p.m. **HB 479-FN**, establishing Rotary International special number plates.
- 3:00 p.m. **HB 480**, relative to the return of a driver's license after reversal of an administrative license suspension.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WAYS AND MEANS, Room 202, LOB

- 9:00 a.m. Subcommittee work session on **HB 169-FN**, relative to limits on wagers in charitable games of chance; **HB 164**, relative to poker in private residences; **HB 263**, relative to facilities licenses for charitable gaming; **HB 96-FN**, relative to the price of Lucky 7 tickets.

THURSDAY, FEBRUARY 16

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.

FRIDAY, FEBRUARY 17

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

- 9:00 a.m. Regular meeting.

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

- 10:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 21

EDUCATION, Room 207, LOB

10:00 a.m. Executive session on **HB 339**, relative to reimbursement of transportation costs for students attending a career and technical education center; **HB 620**, relative to compliance with state and federal education mandates; **HB 122**, relative to withdrawal from a cooperative school district; **HB 396**, relative to student assessment data privacy.

LEGISLATIVE ADMINISTRATION, Room 104, LOB

10:00 a.m. **HB 475**, relative to honoring Jessie Doe and Mary L.R. Farnum, the first women elected to the New Hampshire house of representatives.

10:15 a.m. **HB 245**, relative to identification of the source of legislative bill proposals.

10:30 a.m. **HCR 6**, urging the New Hampshire general court to investigate whether a member of the general court who is a paid employee of an advocacy group is in violation of article 7 of the second part of the New Hampshire constitution.

10:50 a.m. **HB 429**, relative to the authority of the judiciary to review provisions of certain education statutes.

11:10 a.m. **HCR 8**, urging the adoption of rules for the operation of an Article 5 convention.

11:30 a.m. **HB 327**, relative to the content of fiscal notes.

11:45 a.m. **HB 394**, relative to public employees testifying before legislative committees.

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

WEDNESDAY, FEBRUARY 22

TRANSPORTATION, Room 203, LOB

10:00 a.m. **HB 432**, relative to enforcement of parking prohibitions.

10:30 a.m. **HB 492**, relative to motorized scooters and wheelchairs operating on public streets.

11:00 a.m. **HB 648-FN**, relative to van parking for persons with disabilities.

1:00 p.m. **HB 319**, relative to the suspension of a driver's license and limiting 20-day registration plates.

1:30 p.m. **HB 335**, relative to notice of federal motor carrier safety regulations.

2:00 p.m. **HB 364**, relative to accidents involving youth operators of motor vehicles.

2:30 p.m. **HB 417-FN**, expanding the right-to-know law to certain motor vehicle records.

3:00 p.m. **HB 577-FN**, relative to number plate scanning devices.

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

3:30 p.m. Executive session on **HB 363**, repealing the laws regarding motorized locomotives and ski area plates; **HB 388-FN**, relative to special number plates for veterans and armed forces members; **HB 433**, relative to number plate decals for firefighters; **HB 451**, relative to motorcycle endorsements and restrictions; **HB 553-FN**, relative to biennial motorcycle inspections; **HB 458**, relative to motorcycle headlamps; **HB 479-FN**, establishing Rotary International special number plates.

FRIDAY, FEBRUARY 24

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Room 303, LOB

9:30 a.m. Regular meeting.

NEW HAMPSHIRE GEOGRAPHIC INFORMATION SYSTEM (GIS) COMMITTEE (RSA 4-F:1), Department of Transportation, 7 Hazen Drive, Room 114, Concord

10:00 a.m. Regular meeting.

MONDAY, FEBRUARY 27

INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2), Room 204, LOB

1:30 p.m. Regular meeting.

MONDAY, MARCH 6

NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), New Hampshire Higher Education Assistance Foundation, 4 Barrell Court, Concord.

9:00 a.m. Investment committee meeting.

10:00 a.m. Regular meeting.

TUESDAY, MARCH 7

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), New Hampshire National Guard Air Facility, 26 Regional Drive, Concord

5:00 p.m. Regular meeting.

THURSDAY, MARCH 9

HOME EDUCATION ADVISORY COUNCIL (RSA 193-A:10), Department of Education, Londergan Hall, Room 15, 101 Pleasant Street, Concord

3:30 p.m. Regular meeting.

FRIDAY, MARCH 10

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Room 303, LOB

9:30 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

MONDAY, MARCH 13

NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2), Brain Injury Association of New Hampshire, 52 Pleasant Street, Concord

2:00 p.m. Regular meeting.

THURSDAY, MARCH 16

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.

OFFICIAL NOTICES**COUNTY DELEGATION NOTICE**

The **Hillsborough** County Executive Committee will meet on **Friday, February 24th at 9:00 a.m.** at the Hillsborough County Department of Corrections.

Rep. Larry Gagne, Clerk
Hillsborough Executive Committee

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive Committee will meet on **Friday, February 17th at 9:30 a.m.** in the Hilton Auditorium at the Rockingham County Nursing Home, Brentwood.

The **Rockingham** County Executive Committee will meet on **Wednesday, March 1st at 5:30 p.m.** in the Commissioners Conference Room, Hilton Auditorium, Rockingham County Nursing Home in Brentwood. Delegation meeting at 6:00 p.m. to vote the 2017 County Budget. Storm date Thursday, March 2nd at 10:00 a.m.

Rep. David A. Welch, Clerk
Rockingham County Convention

COUNTY DELEGATION NOTICE

The **Merrimack** County Delegation Facilities Subcommittee will meet on **Monday, February 13th at 8:00 a.m.** in the lower level conference room located at the McDonnell Building, 4 Court Street, Concord.

Rep. David Luneau, Chairman, Merrimack County
Courthouse Construction Oversight Committee

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB 79, HB 124, HB 152, HB 156, HB 205, HB 455, HB 597, HB 625, HB 626, HB 628, HB 631, HB 641, HB 644, HB 647, HB 652, HB 654, HB 655.

Paul C. Smith, Clerk of the House

MEMBERS' NOTICES

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

The House Republican Alliance (HRA) will meet on **Tuesdays at 8:30 a.m.** in Room 306, LOB. Republican House members are welcome to attend.

Reps. Glenn Cordelli, James Spillane, and
Laurie Sanborn

All members are invited to attend Capitol Prayer and Bible Study with Pastor Peter Chamberland on **Thursday, February 9th at 8:00 a.m.** in Room 206, LOB. Join us for a time of devotion before Session.
Rep. Valerie Frasier

Are you interested in the Arts? We are looking to form a House Arts Caucus and are looking for help. Representatives who are artists, creative, businesspeople, or otherwise supporters of the arts, we are interested in creating a group to examine if there is an economic value in the arts, and to learn and educate ourselves. Please contact Rep. Gidge at gidge@gmail.com or at 864-9332 if you are interested.

Rep. Ken Gidge

All members are cordially invited to a legislators' reception to be held at this year's New Hampshire Liberty Forum on **February 3rd at 6:00 p.m.** The forum will take place at the Radisson Hotel located at 700 Elm Street, Manchester. A no host bar will be available. Event details can be found at nhlibertyforum.com.

Reps. Carol McGuire, Keith Ammon, and JR Hoell

The University of New Hampshire invites all legislators and legislative employees to cheer on the UNH Men's Hockey Team as they take on Boston College at the Whittemore Center in Durham on **Friday, February 3rd at 7:00 p.m.** To reserve your complimentary ticket, please contact Tom Cronin at thomas.cronin@unh.edu or 603-862-0574.

Speaker Shawn N. Jasper

The ePoll Working Group's next meeting will be on **February 6th in Rooms 306-308, LOB, at 1:30 p.m.** Cyber security expert, Harri Hursti, will join us for a conversation on security concerns related to electronic poll books. Mr. Hursti's biographical information can be found at nordicinnovationlabs.com/team/harri-hursti/.

Rep. Barbara Griffin

The New Hampshire Council on Developmental Disabilities will be hosting a legislative breakfast on **Tuesday, February 7th from 8:00 a.m. to 10:00 a.m.** in the State House Cafeteria. A continental breakfast will be served. All representatives are invited to join disability council members to learn about and discuss the council's legislative agenda and the council's work to enable individuals with developmental disabilities to exercise self-determination, be independent, be productive, integrated and included in all facets of community life.

Rep. Frank Kotowski

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

Reps. Dick Hinch and Stephen Shurtleff

Northeast Delta Dental cordially invites all members and staff of the New Hampshire House of Representatives to its 18th Annual Legislative Reception to be held **Wednesday, February 8th from 4:00 a.m. to 6:30 p.m.** at its corporate office at One Delta Drive in Concord.

Reps. Dick Hinch and Stephen Shurtleff

The New Hampshire Federation of Humane Organizations and The Humane Society of the United States cordially invite all legislators to attend a legislative continental breakfast in the State House cafeteria on **Thursday, February 9th** from 8:00 a.m. to 9:45 a.m. This is an opportunity to speak with the leaders of the state's nonprofit animal shelters and to learn about the work of the Humane Society of the United States. Citizens from around the state will be in attendance to meet with legislators to discuss pending legislation that impacts animals. Legislators will be notified if they have a constituent registered for the event who has requested a meeting. Please join constituents, your colleagues, and animal welfare professionals for food and conversation.

Rep. Katherine Rogers

Members of the New Hampshire Legislative Sportsmen's Caucus and members wanting to learn more about the caucus are invited to a lunch at the Upham Walker House on **Thursday, February 9th** at the lunch break. Brent Miller, the northeastern states director for the Congressional Sportsmen's Foundation, and representatives from the New Hampshire Fish and Game Department will be in attendance. Lunch will be provided.

Reps. Gene Chandler and Jeff Goley

All Legislators are invited to please join the New Hampshire Building and Construction Trades Council for a legislative breakfast at **8:00 a.m. on Tuesday, February 14th** at IBEW Local 490, 48 Airport Road in Concord. The Building Trades represents more than 2000 highly trained New Hampshire workers in the construction industry and advocates for increasing commercial and industrial development across the state, as well as improving wages and working conditions for Granite State workers. The program will include a short briefing and a tour of the IBEW's state-of-the-art training facility. A hearty, hot breakfast will be served.

Rep. Katherine Rogers

AARP New Hampshire will be hosting a legislative breakfast on **Tuesday, February 14th from 7:30 a.m. to 9:30 a.m.** in the State House cafeteria. A full breakfast will be served. All representatives are invited to join AARP's members to learn about and discuss the AARP's legislative agenda and AARP's work in communities to better the lives of those fifty plus.

Rep. Frank Kotowski

The NH Retail Association invites you to join the members and directors at their 51st annual Legislative Reception and presentation of the annual "Law Enforcement Partner of the Year," "Retailer of the Year," and Legislator of the Year" awards on **Wednesday, February 15th at 3:00 p.m.** (please note time change) at the Concord Holiday Inn. Please join your colleagues for some light fare and conversation and help us recognize those who stand up for retail.

Reps. Dick Hinch and Stephen Shurtleff

Please take the opportunity to join the New Hampshire Association of Fire Chiefs at their annual legislative breakfast in the State House Cafeteria on **Thursday, February 16th from 7:30 a.m. to 9:30 a.m.**

Rep. Dave Danielson

Join the National MS Society on **February 16th from 11:30 a.m. to 1:30 p.m.** in the State House Cafeteria for their annual State Action Day and learn more about issues facing your constituents living with multiple sclerosis.

Rep. Reed Panasiti

The annual Water's Worth It! legislative breakfast is set for **Wednesday, March 8th** at the Holiday Inn on Main Street in Concord. Check in for the event begins at **7:00 a.m.** with a breakfast buffet. Water quality professionals will present information on drinking water and wastewater treatment challenges in New Hampshire. The keynote speaker is Paula Tracy, Escape Outside Editor for WMUR, followed by remarks from NH DES Assistant Commissioner Clark Freise. All legislators and staff are invited to enjoy a free hearty breakfast and learn more about New Hampshire's critical water infrastructure. Sponsored by the NH Water Pollution Control Association in conjunction with a wide-ranging coalition of other local non-profit water organizations. Please RSVP to nhwpca.elizabeth@gmail.com by February 24th to reserve your seat. (But if you decide at the last minute, come along anyway!)

Rep. Tom Buco

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

Reps. Dick Hinch and Stephen Shurtleff

Please join the NH Adult Day Services Association for breakfast in the State House Cafeteria on **Thursday, March 16th at 8:00 a.m.** Learn about the important work of Adult Medical Day Programs and the work they do to enhance the lives of seniors. Adult Medical Day programs are a necessary and cost-effective option in providing longterm care, allowing seniors to stay in their homes, and giving respite to caregivers. There will be a presentation at 8:00 a.m.

Reps. Frank Kotowski and Lucy Weber

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 2017. 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	#/GRADE
Feb. 3	9:30/10:30	Peter Woodbury School – Bedford	80/4
Feb. 7	10:00	Holy Trinity Catholic School – Laconia	17/4&5
Feb. 8	9:45/11:00 SH/HM	Chester Academy	62/4
Feb. 8	12:15	Leadership Greater Concord	24/adults
Feb. 8	3:00	Cub Scouts Pack 90 – Kingston	10
Feb. 9	9:15	Pittsfield Elementary School	40/4
Feb. 10	9:00	Peter Woodbury School – Bedford	60/4
Feb. 13	1:30	World Affairs Council – Russian guests	10
Feb. 14	9:45/11:00 SH/HM	Maple St. School – Contoocook	65/4
Feb. 15	10:00	Tri City Christian Academy – Somersworth	12/8
Feb. 16	9:45/11:00 SH/HM	Derry Village School	80/4
Feb. 17	10:00/11:15 SH/HM	East Derry Memorial School	80/4
Feb. 21	10:00/11:15 SH/HM	Barka Elementary School – Derry	100/4
Feb. 22	9:30/11:00 SH/HM	Epping Elementary School	90/4
Feb. 23	9:45 *2 tours	Henry Wilson Memorial School – Manchester	80/4
Feb. 24	10:00	NH History Museum staff	10/adults
Feb. 28	10:00	White Mountain Homeschoolers – Thornton area	20
March 1	12:00	Cub Scout Pack 290	25
March 6	9:45/11:00 SH/HM	Hooksett Memorial School	81/4
March 6	12:30	Tuftsboro Elementary School	22/4

DATE	TIME	GROUP	#/GRADE
March 7	9:45/11:00 SH/HM	Hooksett Memorial School	66/4
March 7	TBA	NH Bankers Day	
March 8	9:00	Mount St. Mary Academy – Manchester	16/4
March 8	9:45/11:00 SH/HM	Maple Ave. Elementary School – Goffstown	95/4
March 9	9:00/10:30 SH/HM	Pembroke Hill School	100/4
March 10	10:15/11:15	Charlotte Ave. School – Nashua	80/4
March 10	2:00	AmeriCorps	
March 13	10:00/11:00	Lamprey River Elementary School – Raymond	100/4
March 14	9:30/10:45	Broken Ground School – Concord	88/4
March 15	9:30	Broken Ground School – Concord	44/4
March 15	10:30	Maple Wood School – Somersworth	42/4
March 16	9:00	Concord Christian Academy	25/4&5
March 16	10:00	DAR – Good Citizens group	100
March 16	1:00	Mont Vernon Village School	22/4
March 17	10:00	The Happy Travelers – MA	55/Srs
March 20	10:00*2 tours	Pollard School – Plaistow	70/4
March 21	8:45	Leadership Lakes Region	
March 21	9:45/11:00 SH/HM	Lincoln St. School – Exeter	80/4
March 22	9:45/11:00 SH/HM	Lincoln St. School – Exeter	80/4
March 23	9:30/11:00 SH/CC	Hillsboro-Deering Elementary School	84/4
March 24	9:45/11:00 SH/HM	Webster Elementary School – Manchester	85/4

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 81

(2017-0113h)

Proposed by the Committee on Transportation - c

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

AN ACT establishing a committee to study gold star number plates.

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

1 Committee Established. There is established a committee to study gold star number plates.

2 Membership and Compensation.

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

(a) Four members of the house of representatives, 2 of whom shall be members of the transportation committee and 2 of whom shall be members of the state-federal relations and veterans affairs committee, 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 eligibility for gold star number plates and recommend changes to current criteria.

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, 2017.

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

2017-0113h

AMENDED ANALYSIS

This bill establishes a committee to study gold star number plates.

Amendment to HB 86**(2017-0129h)****Proposed by the Committee on Municipal and County Government - c**

Amend RSA 674:33, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The zoning board of adjustment shall determine whether to grant a variance by voting on each of the criteria in subparagraph I(a)(2) separately. The board shall grant a variance only if any 3 members of those present vote in the affirmative on all 5 criteria.

Amendment to HB 108**(2017-0081h)****Proposed by the Committee on Municipal and County Government - r**

Amend RSA 33-A:5-a, II as inserted by section 1 of the bill by replacing it with the following:

II. Electronic records designated on the disposition schedule to be retained for less than 10 years may be retained solely electronically if so approved by the record committee of the municipality responsible for the records. The municipality is responsible for assuring the accessibility of the records for the mandated period. The municipality may scan paper records to be retained for less than 10 years into PDF/A format. The municipality may elect to dispose of the original paper records as it so chooses, subject to the requirements of other state or federal laws.

Amendment to HB 144**(2017-0106h)****Proposed by the Committee on Municipal and County Government - c**

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

3 Application. The procedures for the preparation and adoption of the county budget for Rockingham county as established in section 1 of this act shall first apply to the county budget beginning July 1, 2018.

Amendment to HB 149**(2017-0070h)****Proposed by the Committee on Commerce and Consumer Affairs - c**

Amend RSA 400-A:12, III as inserted by section 1 of the bill by replacing it with the following:

III. No person who has formerly served as a commissioner, deputy, assistant, actuary, examiner, or otherwise as an employee of the department nor any person that has been retained by the commissioner under Title XXXVII, shall disclose any third party confidential information gained by reason of such public position, nor shall any person otherwise use such information for personal gain or benefit. Nothing in this paragraph shall be construed to limit any protections that an employee or a former employee has under RSA 275-E.

Amendment to HB 154**(2017-0100h)****Proposed by the Committee on Transportation - c**

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

1 Interference With Traffic Devices; Exemptions. Amend the introductory paragraph of RSA 265:15, II(c) to read as follows:

(c) This paragraph shall not apply to the following persons, who shall be permitted to use traffic signal preemption technology for emergency response purposes:

2 New Paragraph; Interference With Traffic Devices; Fixed-Route Public Transportation Buses. Amend RSA 165:15, II by inserting after subparagraph (d) the following new subparagraph:

(e) This paragraph shall not apply to personnel operating fixed-route public transportation buses while in regularly-scheduled service, who shall be permitted to use traffic signal prioritization technology for congestion management purposes.

3 Effective Date. This act shall take effect January 1, 2018.

2017-0100h

AMENDED ANALYSIS

This bill modifies exemptions from the prohibition on using a device to change, disrupt, or interfere with the operation of a traffic signal.

Amendment to HB 173**(2017-0117h)****Proposed by the Committee on Resources, Recreation and Development - c**

Amend RSA 41:11-d, I as inserted by section 1 of the bill by replacing it with the following:

I. The local governing body may establish regulations restricting the use of water from private wells or public water systems for ~~residential outdoor lawn watering~~ **any outdoor purpose** when administrative agencies of the state or federal government have designated the region as being under a declared state or condition of drought. ***Agricultural and nursery operations shall be exempt from this section.***

Amendment to HB 219

(2017-0041h)

Proposed by the Committee on Executive Departments and Administration - c

Amend the bill by inserting after section 3 the following and renumbering the original sections 4-7 to read as 5-8, respectively:

4 Advisory Group. There shall be an advisory group to assist the committee in fulfilling its duties. The advisory group shall include representatives of the following organizations, selected by those organizations: AARP, New Hampshire Association of Counties, New Hampshire Center for Public Policy Studies, community college system of New Hampshire, university system of New Hampshire, regional planning commissions, and such other organizations or individuals as the committee may appoint.

Amendment to HB 242

(2017-0037h)

Proposed by the Majority of the Committee on Commerce and Consumer Affairs - r

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

AN ACT relative to the definition and regulation of e-cigarettes.

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

2 Alcoholic Beverages; Definition of E-Cigarette Added. Amend RSA 175:1, XXXI-a and XXXI-aa to read as follows:

XXXI-a. ***“E-cigarette” means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that may or may not contain nicotine. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name.***

XXXI-aa. “Farmers’ market” means an event or series of events at which 2 or more vendors of agricultural commodities gather for purposes of offering for sale such commodities to the public. Commodities offered for sale must include, but are not limited to, products of agriculture, as defined in RSA 21:34-a. “Farmers’ market” shall not include any event held upon any premises owned, leased, or otherwise controlled by any individual vendor selling therein.

~~[-XXXI-aa.] XXXI-aaa.~~ “Food” means solid nutritive material as distinguished from drink.

3 Definition of License. Amend RSA 175:1, XXXIX to read follows:

XXXIX. “License” means the authority granted by the commission to engage in the sale of liquor, wine, beverages, ~~or~~ tobacco products, **or e-cigarettes** otherwise unlawful unless evidenced by such document.

4 Definition of Retailer. Amend RSA 175:1, LIX-a to read as follows:

LIX-a. “Retailer,” when used with respect to tobacco products **or e-cigarettes**, means any person who sells tobacco products **or e-cigarettes** to consumers, and any vending machine in which tobacco products are sold.

5 The Liquor Commission; Liquor Investigator. Amend RSA 176:9, III to read as follows:

III. The commissioner, deputy commissioner, assistant, or liquor investigator may enter any place where liquor, beverages, ~~or~~ tobacco products, **or e-cigarettes** are sold or manufactured, at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.

6 Liquor Licenses and Fees; Licenses Required. Amend RSA 178:1, VI to read as follows:

VI. No person shall sell tobacco products **or e-cigarettes** to individuals or the public in any method or manner, directly or indirectly, or keep for sale any tobacco products **or e-cigarettes** without first registering to do business with the secretary of state and obtaining a license for such activity under the provisions of this title. The commission shall provide a list of persons licensed under this section to the commissioner of the department of revenue administration upon request.

7 Licenses Authorized. Amend RSA 178:2, I to read as follows:

I. The commission may issue licenses to individuals, partnerships, limited liability companies and partnerships, or corporations but not to unincorporated associations, on applications duly made therefor for the manufacture, warehousing, sale, offer for sale, or solicitation of orders for sale of liquor or beverages and for retail sales of tobacco products **or e-cigarettes** within the state, subject to the limitations and restrictions imposed by this title. The commission shall keep a full record of all applications for licenses, of all recommendations for and remonstrances against the granting of licenses, and of the action taken on such applications.

8 Combination License. Amend RSA 178:18 to read as follows:

178:18 Combination License.

I. Off-premises licenses shall be issued only for grocery and drug stores not holding on-premises licenses. Such licenses shall authorize the licensees to sell fortified wine, table wine, and beverages for consumption only off the premises designated in the licenses and not to other licensees for resale. Such sale shall be made only in the immediate container in which the beverage, wine, or fortified wine was received by the off-premises combination licensee; except that in the case of the holder of a wholesale distributor license, beverages may be sold only in such barrels, bottles, or other containers as the commission may by rule prescribe. Off-premises licenses may also authorize the licensee to sell tobacco products *or e-cigarettes*. There shall be no restriction on the number of combination licenses held by any person. The license shall authorize the licensee to transport and deliver beverages, tobacco products, *e-cigarettes*, and table or fortified wines ordered from and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

II. All sales of tobacco, *e-cigarettes*, beverages, fortified wines, and table wine shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

III. The commission may suspend the tobacco, *e-cigarette*, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.

9 Retail Wine License. Amend RSA 178:19 to read as follows:

178:19 Retail Wine License.

I. A retail wine license may be issued by the commission to any person operating a retail outlet in this state which shall allow the licensee to sell tobacco products, *e-cigarettes*, fortified wines, and table wines directly to individuals at retail on the premises for consumption off the premises; provided, however, that persons holding any license authorizing the sale of liquor or wine by the glass under this chapter shall sell the wines authorized pursuant to this section in a separate area of the premises from the areas licensed for on-premises consumption. A separate license shall be required with respect to each place of business of an applicant. The license shall authorize the licensee to transport and deliver fortified and table wines ordered from and sold by the commission and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

II. All sales of wine, [and] tobacco products, *and e-cigarettes* shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

III. On-premises licensees licensed under this chapter shall maintain separate rooms for storage, shelving, display, and sale of tobacco products, *e-cigarettes*, and fortified and table wine for consumption off the premises. Such rooms shall be equipped with at least one cash register which shall be capable of separately registering wine sales, and such rooms shall have an attendant at all times while open for business. Wine purchased for resale by virtue of the retail wine license shall be purchased on separate invoices from that wine intended for consumption in the dining room or lounge, and separate sales records shall be maintained for this purpose.

IV. The commission may suspend the tobacco, *e-cigarette*, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.

10 Retail Tobacco License. Amend RSA 178:19-a to read as follows:

178:19-a Retail Tobacco License.

I. The commission may issue a retail tobacco license to a person engaged in the business of retail sales and distribution of tobacco products *or e-cigarettes* in this state. Each retail outlet shall have a separate license regardless of the fact that one or more outlets may be owned or controlled by a single person.

II. A retail tobacco license shall be prominently displayed on the premises described in it.

III. The commission, when issuing or renewing a retail tobacco license, shall furnish a sign which shall read or be substantially similar to the following: "State Law prohibits the sale of tobacco products *or e-cigarettes* to persons under age 18. Warning: violators of these provisions may be subject to a fine."

11 Beer Specialty License. Amend RSA 178:19-d, I to read as follows:

I. A beer specialty license may be issued by the commission to any person operating a retail outlet in this state the primary business of which is the sale of beer as defined in RSA 175:1. A beer specialty license shall allow the licensee to sell beverage, wine, [and] tobacco products, *and e-cigarettes* directly to individuals at retail on the premises for consumption off the premises; beer may be sold in such barrels, bottles, or other containers as the commission may by rule prescribe.

12 Beer Specialty License. Amend RSA 178:19-d, V and VI to read as follows:

V. All sales of beer, [and] tobacco products, *and e-cigarettes* shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

VI. The commission may suspend the tobacco, *e-cigarette*, or alcohol sales portion of the license separately under the provisions of RSA 179:57.

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

2017-0037h

AMENDED ANALYSIS

This bill changes the definition of e-cigarette to provide that the device may or may not contain nicotine. The bill also includes e-cigarettes in the sale and licensure requirements of RSA 176 and RSA 178.

Amendment to HB 368-FN-A**(2017-0210h)****Proposed by the Committee on Public Works and Highways - r**

Amend section 1 of the bill by inserting after paragraph IV the following new paragraph:

V. The commissioner of the department of administrative services is authorized to employ a classified, full-time, permanent project manager in the division of public works design and construction. The initial cost of salary and benefits of such project manager shall be paid from funds appropriated in section 2 or section 3 of this act.

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

I. The sum not to exceed \$25,000,000 is hereby appropriated to the department of administrative services for purposes identified in paragraphs I, II, and V of section 1 of this act.

Amend the bill by deleting section 5 and renumbering the original section 6 to read as 5.