



State of
New Hampshire

HOUSE RECORD

First Year of the 165th General Court Calendar and Journal of the 2017 Session

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Concord, N.H.

Friday, February 10, 2017

No. 11

**Contains: Legislative Ethics Committee Proposed Amendment to Ethics Guidelines;
Reports and Amendments; House Deadlines; Meetings and Notices**

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be **Wednesday, February 15, 2017, at 10:00 a.m.** The House will also meet on **Thursday, February 16, 2017, at 10:00 a.m.**

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 14th 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 15th at 9:00 a.m.** in Representatives Hall.
There will be a Republican caucus on **Thursday, February 16th at 9:00 a.m.** in Representatives Hall.

Rep. Dick Hinch

NOTICE

There will be a Democratic caucus on **Wednesday, February 15th at 9:00 a.m.** in Rooms 210-211, LOB.
There will be a Democratic caucus on **Thursday, February 16th at 9:00 a.m.** in Rooms 210-211, LOB.

Rep. Stephen Shurtleff

NOTICE

House Continuing Education

DATE: Thursday, February 23, 2017

TOPIC: Tools Every Legislator Needs

Parliamentary Procedure; Parliamentary Inquiries; Decorum and Debate

TIME: 10:00 a.m. – 12:00 noon

PLACE: Representatives Hall

COORDINATORS: Representatives Dick Hinch & Stephen Shurtleff

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 15, 2017
Wednesday, February 22, 2017
Wednesday, March 1, 2017

AVAILABLE ON:

Friday, February 17, 2017
Friday, February 24, 2017
Friday, March 3, 2017

Paul C. Smith, Clerk of the House

2017 HOUSE DEADLINES

Thursday, February 16, 2017
Thursday, March 2, 2017

Thursday, March 9, 2017

Thursday, March 16, 2017

Thursday, March 23, 2017
Thursday, March 30, 2017
Thursday, April 6, 2017
Thursday, April 27, 2017
Thursday, May 4, 2017
Thursday, May 25, 2017

Thursday, June 1, 2017
Thursday, June 8, 2017
Thursday, June 15, 2017
Thursday, June 22, 2017

Last day to act on HBs going to a second committee
Last day to report all HBs not in a second committee, except budget bills
Last day to act on HBs not in a second committee, except budget bills
Last day to report all HBs, except budget bills
Last day to report list of retained HBs
Last day to act on all HBs, except budget bills
Last day to report budget bills
BUDGET CROSSOVER. Last day to act on budget bills
Last day to report Senate Bills going to a second committee
Last day to act on SBs going to a second committee
Last day to report all remaining SBs
Last day to report list of retained SBs
Last day to act on SBs
Last day to form Committees of Conference
Last day to sign Committee of Conference reports
Last day to act on Committee of Conference reports

BILLS LAID ON TABLE

HCR 3, rescinding all applications by the New Hampshire legislature for a federal constitutional convention and urging other states to withdraw similar requests. (Pending Question: Adoption of majority committee report of Inexpedient To Legislate)

NOTICE

LEGISLATIVE ETHICS COMMITTEE

Proposed Amendment to the Ethics Guidelines

The Legislative Ethics Committee voted 6-1 to propose the following amendment to the Ethics Guidelines. In accordance with RSA 14-B:3, II, the Committee respectfully requests that the Senate and House vote to approve the proposed amendment.

Legislative Ethics Committee

Explanation: Matter added to the current guidelines appears in ***bold italics***.
Matter removed from the current guidelines appears [in brackets and struckthrough.]

ETHICS GUIDELINES

2 DEFINITIONS.

XIII. "Special Interest" means any financial or ***non-financial*** personal interest in the outcome of a matter that is the subject of official activity, distinct from and greater than the interests of the public at large.

(a) A "financial interest" exists where a legislator or household member could stand to gain or lose anything of ***material*** value as a result of the official activity.

[A personal interest exists where a legislator or household member could otherwise be affected by the outcome of such activity, or when a legislator has a responsibility for the welfare of an organization and where that welfare could be affected by the outcome of such activity.]

(b) A "non-financial personal interest" exists where a legislator or household member:

(1) ***is a member of a public body as defined in RSA 91-A:1-a, VI; or***

(2) ***has a responsibility for the welfare of an organization. A legislator or household member has a responsibility for the welfare of an organization when the legislator or household member holds a position with a fiduciary responsibility, such as a board member, trustee, or director.***

XIV. “Verbal Advocacy” means an attempt by a legislator to influence his or her colleagues on a matter that is the subject of official activity in a meeting of the general court or county delegation through public verbal communication. “Verbal advocacy” does not include casting a vote in executive session of a committee or in a full session of the House or Senate.

5 [LEGISLATOR’S FINANCIAL DISCLOSURE FORM.] DISCLOSURE FORMS.

I. LEGISLATOR’S FINANCIAL DISCLOSURE FORM.

Every representative, senator, and officer of the House and Senate, shall file with the Legislative Ethics Committee a financial interest disclosure form pursuant to RSA 14-B:8 annually no later than the third Friday in January. If the legislator’s or officer’s financial circumstances change, he or she shall file a new financial interest disclosure form prior to participation in any official activity which would have been affected by the change.

The form shall [be in] **read** substantially [the following form] as **follows**:

**FINANCIAL DISCLOSURE FORM
FOR STATE SENATORS, STATE REPRESENTATIVES
AND OFFICERS OF THE GENERAL COURT**

As prescribed by RSA 14-B:8

Name of Legislator/Officer _____
(CIRCLE ONE) (PRINT NAME)

Address _____
(STREET) (TOWN/CITY) (ZIP CODE)

Office held _____ County/District _____

Telephone Number _____

I. Sources of Income

Identify below the name, address, and type of any business, profession, or other organization (including any unit of government) in which you or a household member served as an employee, **member**, officer, director, associate, partner, or proprietor, or in any other professional or advisory capacity, from which you or a household member derived any income [including retirement benefits other than federal retirement and/or disability benefits] in excess of \$10,000 during the preceding calendar year. **Sources of retirement benefits from any business, professional, or other organization must be included. Social Security, federal retirement and/or federal disability benefits do not need to be included.**

For purposes of this form a “household member” means any person living in the same domicile as you and who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parent.

- 1) a) Name of business, profession, or other organization _____
b) Address of organization _____
c) Type of organization _____
- 2) a) Name of business, profession, or other organization _____
b) Address of organization _____
c) Type of organization _____
- 3) a) Name of business, profession, or other organization _____
b) Address of organization _____
c) Type of organization _____

(attach additional sheets if necessary)

If you or a household member had no qualifying income, indicate by INSERTING YOUR INITIALS after the following statement.

My or my household member’s income does not qualify _____

II. Disclosure of Financial Interests

Identify and describe below any financial interest you or a household member may have. You have a “financial interest” in a business, profession, occupation, group, or matter listed in this section if a change in law, administrative rule, or other official action by the General Court affecting the listed business, profession, occupation, group, or matter would potentially have a financial effect on you or a household member that is distinct from and greater than the interests of the public at large.

Please note: If your participation in an official activity creates a conflict of interest **not disclosed** by the information on this form, **you must complete and file** a Declaration of Intent Form in accordance with section 6 of the Ethics Guidelines. Also, if such activity could reasonably have a greater benefit or detriment to you or a household member than other members of a group identified in this form, a Declaration of Intent Form is required. See section 6 of the Ethics Guidelines for information regarding particular conflicts of interest you may have.

Do you or a household member have a financial interest, as defined above, in any of the following businesses, professions, occupations, groups, or matters? Check any of the following which apply and describe the nature of your or your household member's financial interest:

(a) Any profession, occupation, or business licensed or certified by the State of New Hampshire.

List each such profession, occupation, or category of business.

(b) Health Care

Describe: _____

(c) Insurance

Describe: _____

(d) Real estate, including brokers, agents, developers, and landlords

Describe: _____

(e) Banking or financial services

Describe: _____

(f) State of New Hampshire, county or municipal employment

Describe: _____

(g) New Hampshire Retirement System

Describe: _____

(h) Current use land assessment program

Describe: _____

(i) Restaurants and lodging

Describe: _____

(j) Sale and distribution of alcoholic beverages

Describe: _____

(k) Practice of law

Describe: _____

(l) Any business regulated by the Public Utilities Commission

Describe: _____

(m) Legal forms of gambling or charitable gaming

Describe: _____

(n) Education

Describe: _____

(o) Water resources

Describe: _____

(p) Agriculture

Describe: _____

(q) New Hampshire taxes: Business Profits Tax, Business Enterprise Tax, Interest and Dividends Tax

(r) Other

Describe: _____

I hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief.

Notice to electronic filers: Typing your first and last name states your intent to sign this form electronically, in accordance with RSA 294-E:2, VIII.

SIGNATURE OR TYPED FIRST AND LAST NAME OF LEGISLATOR/OFFICER

DATE

RSA 14-B:10 Penalty. Any representative, senator, or officer of the House of Representatives or Senate who knowingly fails to file the form required under RSA 14-B:8 or who knowingly files a false statement on such form shall be guilty of a misdemeanor. (This penalty applies whether the form is signed personally or electronically.)

**Complete and return to the Legislative Ethics Committee, State House Room 112,
no later than the third Friday in January.**

II. LEGISLATOR'S NON-FINANCIAL PERSONAL INTERESTS DISCLOSURE FORM.

A legislator who has a non-financial personal interest may file with the Legislative Ethics Committee a general disclosure of non-financial personal interests form. If participation in an official activity creates a conflict of interest not disclosed by the information on the general disclosure of non-financial personal interests form, a legislator must complete and file a Declaration of Intent Form in accordance with section 6 of the Ethics Guidelines.

The form shall read substantially as follows:

GENERAL DISCLOSURE OF NON-FINANCIAL PERSONAL INTERESTS FORM

A “non-financial personal interest” exists where a legislator or household member is a member of a public body, or has a responsibility for the welfare of an organization. A legislator or household member has a responsibility for the welfare of an organization when the legislator or household member holds a position with a fiduciary responsibility, such as a board member, trustee, or director.

Description of Non-Financial Personal Interest

Identify and describe below the non-financial personal interest you or a household member may have. A “household member” is any person living in the same domicile as you who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parent.

Please identify each “non-financial personal interest.”

NAME OF LEGISLATOR: _____

LIST PUBLIC BODIES AND/OR ORGANIZATIONS AND YOUR POSITION:

NAME OF HOUSEHOLD MEMBER AND RELATIONSHIP TO YOU:

LIST PUBLIC BODIES AND/OR ORGANIZATIONS AND POSITION:

Signature

Date

Printed Name of Legislator

6 CONFLICT OF INTEREST PROCEDURE.

I. No legislator having a conflict of interest shall participate in any official activity associated with the matter without complying with the procedure set forth in this section.

II. A declaration of intent form shall be filed by a legislator whenever a financial interest could reasonably be expected to produce **a materially greater benefit or detriment** to the legislator or the legislator’s household member than would accrue to any other member of a business, profession, occupation, or other group listed by the legislator in the Financial Disclosure Form.

III. A declaration of intent form shall also be filed whenever a legislator or a legislator’s household member has a **non-financial** personal interest **distinct from and greater than the public at large** in the outcome of a matter that is the subject of official activity [~~distinct from and greater than the interests of the public at large. A “personal interest” exists where a legislator or household member could otherwise be affected by the outcome of such activity, or when a legislator has a responsibility for the welfare of an organization and where that welfare could be affected by the outcome of such activity]~~ **not disclosed by the legislator in the General Disclosure of Non-Financial Personal Interests Form.**

IV. In such cases, the legislator shall either:

- (a) Declare that the legislator will not participate in any official activity associated with the issue; or
- (b) Declare that the legislator intends to participate in the official activity and provide a description of the conflict of interest.

V. The declaration required in subparagraphs IV(a) and (b) of this procedure shall be publicly announced prior to any participation by the legislator in the official activity in accordance with section 7 of these Guidelines. The declaration of intent form shall be filed with the clerk of the member’s respective body prior to the time of the official activity and be made available for public inspection during normal business hours.

NEW HAMPSHIRE GENERAL COURT
House/Senate Clerk's Office
DECLARATION OF INTENT

Legislators are required to file this form whenever:

1) A legislator or a legislator's household member has a **financial interest** that could reasonably be expected to have a greater financial impact on a legislator or a legislator's household member than would accrue to any other member of the business, profession, occupation, or other group which the legislator listed in the Financial Disclosure Form; or

2) A legislator or a legislator's household member has a ***non-financial personal interest distinct from and greater than the public at large*** in the outcome of a matter that is the subject of official activity [~~distinct from and greater than the interests of the public at large. A "personal interest" exists where a legislator or a legislator's household member could otherwise be affected by the outcome of such activity, or when a legislator or a legislator's household member has a responsibility for the welfare of an organization and where that welfare could be affected by the outcome of such activity.~~] ***not disclosed by the legislator in the General Disclosure of Non-Financial Personal Interests Form.***

Name of Legislator: _____ Date Filed: _____

District/County: _____

Bill or other issue creating conflict of interest: _____

Subject matter of the bill or issue: _____

☐ WILL NOT PARTICIPATE

I will not participate in action on the above-mentioned bill or issue.

[Signature: _____]

☐ WILL PARTICIPATE

[~~I intend to participate in action on the above-mentioned bill or issue and am providing the following additional information:~~]

Description of Conflict of Interest

Identify and describe below the conflict of interest you or a household member may have with this bill or issue. A household member is any person living in the same domicile as you who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parent.

This bill or issue creates a: ☐ financial interest ☐ non-financial personal interest

Nature of effect on [~~L~~] legislator [~~or~~], household member, ***public body, or organization***:

[~~Nature of relationship between Legislator and any affected household member:~~]

Public or private entities affected: _____

Nature of relationship between Legislator or household member and any affected person or entity: _____

Additional information: _____

Signature: _____

7 VERBAL DISCLOSURE OF CONFLICTS OF INTEREST.

- I. A legislator who [has filed a declaration of intent form and has indicated on the form an intent to participate in an official activity;] ***becomes aware of a financial or non-financial personal interest in the outcome of a matter shall make a verbal disclosure prior to engaging in verbal advocacy at any***

meeting of the general court or county delegation. [~~verbally disclose and describe the nature of the conflict of interest prior to any participation in the official activity.~~] ***The verbal disclosure shall consist of a short statement that identifies the financial interest or non-financial personal interest.***

- II. The disclosures required pursuant to paragraph I of this section shall be made in the following manner:
- (a) When testifying before a legislative committee [~~or state agency~~] regarding a bill or other matter in which the legislator has a special interest, the legislator shall make the disclosure prior to testifying.
 - (b) When appointed to a subcommittee working on a bill in which the legislator has a special interest, the disclosure shall be made upon appointment to the subcommittee and at the initial subcommittee work session.
 - (c) When serving as a member of a committee considering a bill in which the legislator has a special interest, the disclosure shall be made prior to [~~discussing the bill in executive session and voting~~] ***engaging in verbal advocacy.***
 - (d) When addressing a bill in which the legislator has a special interest before the full House or Senate, the disclosure shall be made prior to [~~speaking~~] ***engaging in verbal advocacy. If the legislator does not speak on the bill, the legislator is not required to make a verbal disclosure.***
 - (e) When appointed as a member of a Committee of Conference on a bill in which the legislator has a special interest, the disclosure shall be made [~~to the Speaker or Senate President upon appointment to the committee and at the first meeting of the Committee of Conference~~] ***at the initial meeting of the Committee of Conference.***
 - (f) When [~~otherwise participating in, influencing, or attempting to influence any decision of the legislature,~~] ***serving as a member of a county delegation considering a matter*** [~~county delegation, or any state agency~~] in which the legislator has a special interest, the disclosure shall be made to all participants prior to engaging in [~~any official business on the matter~~] ***verbal advocacy.***

THURSDAY, FEBRUARY 16 CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 338, relative to grounds for termination of parental rights. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Itse for Children and Family Law. Currently, RSA 169-C:24-a requires the state to file a petition for the termination of parental rights when the parent has been convicted of murder of another child of the parent, a sibling or step-sibling of the child, the child's other parent or in certain other circumstances. This bill extends the filing requirement for termination of parental rights not for children born after the parent's conviction as well as those children born before the conviction. This section only requires a filing to be made by the state. The determination as to whether parental rights will be terminated is still one to be made by the court in each individual case; judges are free to decide that parental rights should not be terminated if circumstances warrant such a conclusion. **Vote 13-1.**

HB 422-FN, repealing the child protection act. **INEXPEDIENT TO LEGISLATE.**

Rep. Kevin Scully for Children and Family Law. This bill would repeal the child protection act and establish a study committee to address additional statutory changes needed as a result of the repeal. The committee sympathizes with the sponsor's frustration, but the bill as proposed would nullify existing law protecting children without concurrently passing a law to protect this vulnerable group. **Vote 14-0.**

COMMERCE AND CONSUMER AFFAIRS

HB 623-FN, relative to animals abandoned in the foreclosure process. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Costable for Commerce and Consumer Affairs. This bill establishes criminal charges for owners of animals abandoned at a foreclosure. Animals are considered personal property. During a foreclosure personal property may not be touched for seven days. This has created issues regarding the removal of abandoned animals. While the committee acknowledges that there is a problem, criminal charges did not seem appropriate. The vote for Inexpedient to Legislate was unanimous. The sponsor also agreed to work to find a more appropriate solution. **Vote 21-0.**

HB 632-FN, relative to appeals of liquor commission decisions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit Williams for Commerce and Consumer Affairs. We heard testimony in committee that some alcohol licensees were uncomfortable with rehearings of Liquor Commission Division of Enforcement and Licensing decisions on license violations being held before another entity at the Commission. The bill, as amended, allows the license holder to request a review of the decision by a neutral party appointed by the circuit court. The amendment adds a requirement that the license holder pay for the cost, and also adds a 3 year sunset provision, so that a future legislature can revisit the process and decide if it works and if the cost is fair. **Vote 21-0.**

HB 654-FN, relative to short-term and vacation rentals under the meals and rooms tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill was brought forward to better define how the state will address short term rental properties including how the components of the tax should be defined. It also addresses whether local zoning will prevail. Though the bill represents a good effort, there are still too many conflicts regarding how these issues should be resolved. The committee believes that continued work within a chartered study committee will achieve the resolution necessary. **Vote 21-0.**

EDUCATION

HB 221, relative to the national guard scholarship fund and the New Hampshire national guard education assistance act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Moffett for Education. This bill expands the utility and applicability of National Guard scholarships. The committee found that some fine tuning was necessary and adopted an amendment to the bill which broadens how National Guard scholarships may be utilized so as to assist with fees and text books in addition to tuition. It also confirms that scholarship support can be utilized for certificate programs or non-credit professional development, as well as degree studies, and includes a provision allowing the adjutant general's department to reinstate eligibility, as appropriate, for individuals who lost eligibility for academic or disciplinary reasons. **Vote 15-0.**

HB 356-FN, relative to the per pupil cost of an adequate education. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill as amended, and unanimously supported by the House Education Committee, establishes a committee to study education funding and the cost of an opportunity for an adequate education. Within recent years a number of education formula issues and questions have developed. In late 2016, several adequacy bills were submitted to address and change various elements of the funding formula; however, it is the recommendation of the committee that any fixes to the formula must be studied carefully in order to ensure lasting value. The committee shall be comprised of members from the house and senate. The committee's duties shall include: evaluating the successes and shortcomings of the funding formula; reviewing and modifying, where necessary, education funding formula components; and investigating other funding methodologies that best distribute state funding to support an adequate education. Among alternatives to using property value, the committee may consider tax effort that equals the amount of tax rate needed to raise a certain dollar amount per pupil. The committee shall report findings and recommendations on or before November 1, 2018. **Vote 18-0.**

ELECTION LAW

HB 217, relative to placing names on the ballot. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Negron for Election Law. This bill would allow a candidate to become the nominee of a party despite receiving fewer votes than another candidate. It also repeals the provision permitting parties to fill vacancies on the party ticket following the state primary election. This legislation interferes with what the Election Law Committee believes are decisions better suited to be made by the state parties. **Vote 20-0.**

HB 218, relative to activities at polling places. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steve Negron for Election Law. As originally proposed this bill amended RSA 659:43, II which prohibits electioneering at voting locations. The sponsor proposed adding "or inside the polling place" to make it clear this restriction applied in the polling area. While it was explained that the Attorney General's office believed the change was unnecessary as they interpreted the statute to already restrict the activity inside, testimony indicated that was not uniformly applied. The committee believed this clarification would be a benefit. During discussions the committee learned the prohibition as described in the statute applied only to candidates or their agents. Accordingly an amendment was introduced so that descriptor "No person who is a candidate for office or who is representing or working for a candidate shall..." was modified to "No person..." clearly applying the electioneering prohibition to any person. **Vote 20-0.**

HB 231, relative to allocation of electoral votes. **INEXPEDIENT TO LEGISLATE.**

Rep. Yvonne Dean-Bailey for Election Law. The committee believes that the current method of allocating electoral votes is sufficient. This bill would permit electoral votes to be diluted, assigning two votes for each congressional district and two at-large votes. The committee believes this would make our presidential election less competitive and could guarantee a vote for each political party candidate. In New Hampshire, we have always been proud of our impressive voter turnout and the committee is concerned that if the election is less competitive then voters will be less apt to participate. The committee feels that the original intent of the electoral college was to allocate votes to the state as a whole and breaking down the vote into congressional districts would erode the original intent. **Vote 20-0.**

HB 240, relative to state party conventions. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew White for Election Law. This bill was brought as an attempt to limit the ways a political party uses to nominate presidential electors. The bill would repeal the statutory authorization for any political party to provide, in their own rules, a process for determining the date, call, and purpose of state convention and selecting delegates. The bill, if passed, would place undue restrictions on the political parties to operate within the schedule, and rules the members of the party determine best. Any change to a disagreeable process within a political party should be taken up through the rules process within the party. **Vote 18-0.**

HB 378, relative to the public members of a school administrative unit **INEXPEDIENT TO LEGISLATE.**

Rep. Gregory Hill for Election Law. The bill defines and restricts who may serve on a school administrative unit (SAU) planning committee. The committee heard testimony that these restrictions, which preclude anyone currently holding public office from serving on the committee, might be difficult for smaller communities. In addition, it seems an unnecessary restriction as elected office holders are also members of the community. **Vote 20-0.**

HB 390, relative to parties on certain election forms and ballots and relative to the voter registration form used on the day of the general election. **OUGHT TO PASS.**

Rep. Steve Negron for Election Law. This bill proposes to amend certain state laws governing the format of forms used in elections. The voter registration form used on the day of the general election is modified to delete the option of "no" under the section indicating the purpose for which the form was executed. The listed purposes are to prove "Identity", "Citizenship", "Age" and "Domicile." This was done because the voter only needs to address the applicable method of identification used. RSA 654:34, V(a) and RSA 657:4 are modified to allow an individual to select a political party, other than Democrat or Republican, that has been determined by the Secretary of State to have achieved official status. The committee believes this is necessary as there is now a third party which will be on the ballot. Finally, candidate names will no longer be staggered on the state general election ballot. This will allow the Secretary of State to create a ballot design which may be smaller and thus more convenient to handle and less costly to produce. **Vote 19-1.**

HB 453, relative to vacancies in the office of supervisor of the checklist. **OUGHT TO PASS.**

Rep. Steve Negron for Election Law. This bill proposes to amend RSA 669:64 to require the Supervisors of the Checklist fill a vacancy on the Board of Supervisors, by appointment, within a 45 day window, eliminating an open ended time frame. Testimony was given that vacancies were not being filled creating administrative issues. In addition, this bill requires the moderator to make an appointment to fill a vacancy on the Board of Supervisors, if the supervisors have been unable to do so within 45 days. The Election Law Committee believes the 45 day time frame provided is reasonable to fill a vacancy. **Vote 20-0.**

HB 588-FN, relative to voter identification requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Yvonne Dean-Bailey for Election Law. At the request of the sponsors, the committee has recommended that this legislation be found Inexpedient to Legislate. The committee shares the sponsors' concern that under this bill, the time provided to the voter to return with valid photo identification would conflict with the reporting requirements for election results. No public testimony was given in support of this legislation. **Vote 20-0.**

ENVIRONMENT AND AGRICULTURE

HB 151, relative to industrial hemp as a controlled substance. **OUGHT TO PASS.**

Rep. Stephen Darrow for Environment and Agriculture. This bill seeks to remove industrial hemp as a controlled substance. Hemp is one of the most versatile plants on the planet. It should no longer be illegal to grow in New Hampshire. It is easy to cultivate in our regional soil and climate. The Founding Fathers grew hemp in colonial days. It was, at one time, an integral crop in the economic structure of the United States. Hemp would provide New Hampshire farmers with an alternative crop to grow and sell for multiple purposes. Hemp is increasingly used for fuel, paper, and food. Growing hemp for fuel would be a tremendous boon for American farmers and the agricultural industry. As a fuel, Henry Ford originally used it to power the model T. In addition, Ford constructed the original model T from hemp. Hemp fuel is biodegradable, so oil spills become fertilizer and not ecological catastrophes. Hemp fuel does not contribute to sulfur dioxide air poisoning. The use of hemp for paper could benefit the environment. Hemp could revolutionize the paper industry and reduce deforestation. Hemp production requires the use of far fewer pesticides than the fibers it could replace. As a food, hemp seed is low in saturated fats. Studies show that raw hemp seeds are very nutritious. These seeds can lower blood pressure, accelerate weight loss, and control blood sugar levels. Hemp seeds are second only to soy in protein content and they are easier to digest. Unfortunately, the hemp issue has been confused and sometimes associated with the pro-marijuana movement in the United States. Unlike its cousin, hemp cannot be used as an intoxicant. It does not contain the psycho-active substances found in marijuana. Hemp could become a significant economic resource if widely cultivated. We buy and import hemp from Canada now which New Hampshire farmers could be profitably growing right here at home. **Vote 18-0.**

HB 289, allowing humane societies to place tourist oriented directional signs on the side of the road. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Gordon for Environment and Agriculture. Directional signs are governed by the Manual on Uniform Traffic Control Devices. This bill's intent is to direct motorists to animal shelters in hopes of spur of the moment purchases by motorists of animals. This would be in conflict with current Department of Transportation regulations both on the state and federal level. It was pointed out at the public hearing that in this age of GPS devices and smart phones, anyone who may have an interest in visiting shelters can easily find them using such electronic devices. Finally, not passing this bill will keep us in compliance with the statutes that control outdoor advertising. **Vote 18-0.**

HB 290, relative to rabies vaccination protocols for companion animals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Comtois for Environment and Agriculture. This is a housekeeping bill to bring New Hampshire into compliance with the national rabies protocols set by the National Association of Public Health Veterinarians' "Compendium of Animal Rabies Prevention and Control, 2016." **Vote 18-0.**

HB 291-FN, removing veterinarians from compliance with the controlled drug prescription health and safety program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard Pearl for Environment and Agriculture. The committee believes that while the opioid crisis in New Hampshire is a serious issue, requiring veterinarians to query the Prescription Drug Monitoring Program (PDMP) database is problematic and an excessive regulatory burden that may create potential Health Insurance Portability and Accountability Act (HIPAA) violations. This bill, as amended, will remove responsibility from the veterinarian to query for prescribing and dispensing opioids to patients and requires the Board of Veterinary Medicine to implement rules for pain management plans and continuing education focused on opioid use and prescribing practices. Veterinarians will still be required to register with the PDMP and report when they dispense a 48 hour or greater supply of opioids. **Vote 17-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 307, relative to parking at state liquor stores. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Proulx for Executive Departments and Administration. This bill would ban specially designated parking places at state liquor stores other than those reserved for handicapped people. It is no longer needed as the objectionable signs have been removed. **Vote 17-0.**

HB 405, adding a duty to the decennial retirement commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for Executive Departments and Administration. In 2008, HB 1645, a bipartisan bill, was passed establishing a committee to study and make recommendations on the long term viability of the state retirement system. This commission will meet for the second time in July of 2017. This bill amends the duties of that commission to include reviewing the issues regarding the reduction at age 65 in the retiree's retirement allowance. The amendment adds requirements to review the plan for paying off the accrued liability, the effects of retirees returning to work and the effects that changes to the contribution rates have on municipalities. **Vote 19-0.**

HB 418, relative to the state retiree health plan commission. **OUGHT TO PASS.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill removes from statute duties that were previously delegated to the State Retiree Health Plan Commission but are now handled by the Risk Management Unit within the Department of Administrative Services. **Vote 19-0.**

HB 446, relative to state construction contracts. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Proulx for Executive Departments and Administration. This bill is an unnecessary and burdensome new government regulation, which seeks to tie the hands of our state contracting agencies, making it more difficult for the state to get the best deal for our taxpayer dollars. What's more, this bill is a solution in search of a problem. The bill's sponsor admitted in testimony that the practice this bill seeks to ban, so-called project labor agreements, have literally never been utilized in New Hampshire and are not planned to be. The committee finds that preemptively banning their use would be imprudent, and would take a potentially useful tool out of our state's toolkit. Finally, the committee finds that adding a new, restrictive law to the books would be inappropriate at a time when we should be seeking to reduce the regulatory burden and eliminate red tape. **Vote 17-2.**

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. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey Goley for Executive Departments and Administration. The first part of this bill is a technical correction that was missed back in 2011, when a number of changes were made in the retirement statutes. The bill as amended also makes the statute consistent by covering dependent children up until the age of 26. The third change allows full time judges to participate, at their own expense, in the group health and dental insurance plans provided to full time classified state employees according to eligibility rules established under the Judicial Branch Uniform Personnel Classification and Compensation system. **Vote 18-0.**

HB 645-FN, relative to retiree health care benefits for future retirees. **INEXPEDIENT TO LEGISLATE.** Rep. Jeffrey Goley for Executive Departments and Administration. This bill would have limited the health care benefits of spouses of retired state employees to the spouse at the time of retirement. It would have also changed the health care benefits for new retirees to a defined contribution plan. The majority felt that these changes were not appropriate. **Vote 17-1.**

HB 649-FN, making emergency medical technicians and rescue squad members eligible for a death benefit if killed in the line of duty. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill adds emergency medical technicians (EMT's) and rescue personnel to the law providing a death benefit for public safety workers killed in the line of duty. When the original law was passed there were very few EMT's and most were connected to the fire department. Now EMS has come of age. The state has a lot more EMT's and rescue personnel that are not connected to fire departments. Some towns now have non-profit associations that fill a need by running the ambulance for that town and the surrounding towns. Other towns run separate rescue squads. These emergency personnel work side by side with police and firefighters at the same emergency scenes and are deserving of the same benefit. **Vote 17-1.**

FISH AND GAME AND MARINE RESOURCES

HB 84, relative to carrying a loaded rifle, shotgun, or crossbow in a vehicle or boat. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Binford for Fish and Game and Marine Resources. The amendment, which replaces the entire bill, allows a person to have a loaded firearm in a motorhome in the form of a loaded rifle, provided the motorhome is connected to water, electricity, sewage disposal, or other utility service and is not capable of being driven, or the motorhome is immobile and the keys or keyless ignition device are locked up or secured from operation. This amendment gives citizens who make use of their motorhomes as a temporary dwelling the ability to act in self-defense should the need arise. The committee had many concerns with the original bill as it was a safety concern having a loaded long gun in a moving vehicle. **Vote 21-0.**

HB 132, allowing hunting adventure permits to be used by certain non-resident applicants. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert L'Heureux for Fish and Game and Marine Resources. This bill would have allowed hunting adventure permits to be used by certain nonresident applicants. These permits, which are reserved for young people 21 years of age or under with a life-threatening, critical, or terminal illness, are currently limited to New Hampshire residents and have in most cases been filled each year. The committee feels that, given our limited resources, the permits should continue to be restricted to New Hampshire residents and therefore recommends that the bill not pass. Nonresidents can still pursue other avenues to get a New Hampshire hunting permit. **Vote 21-0.**

HB 190, relative to the wildlife habitat account and the fisheries habitat account. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill, as amended, provides for a portion of funds in the wildlife habitat account to be used for Fish and Game Department boundary work and prohibits wildlife habitat account and fisheries habitat account funds from being expended for equipment. It also updates references to legislative committees in the associated law. The amendment cleans up the language to allow the accounts to be used for completion of authorized projects. **Vote 17-3.**

HB 224-FN, repealing the provision for nonresident student hunting and fishing licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert L'Heureux for Fish and Game and Marine Resources. This bill would have repealed nonresident full-time student discounts to purchase New Hampshire hunting and fishing licenses at the New Hampshire resident rate. This bill, opposed by the Fish and Game Department and several sportsmen organizations, would have created a solution to a problem that did not exist. **Vote 17-0.**

HB 428-FN, relative to crossbow hunting by persons 68 years of age and older. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Duane Brown for Fish and Game and Marine Resources. The bill, as amended, allows a person 68 years of age or older holding an archery license to use a crossbow as an alternative to traditional bow and arrow during the archery deer season without an additional permit. The concerns that the Department of Fish and Game had with the wording of the original bill are addressed by the amendment. **Vote 21-0.**

HB 467, relative to the duties of the fish and game commission. **INEXPEDIENT TO LEGISLATE.**

Rep. David Binford for Fish and Game and Marine Resources. This bill changes the duties of both the commissioners and the Executive Director of Fish and Game. The existing operation of the Fish and Game De-

partment serves the population of New Hampshire well and is conducive to allowing all citizens to be heard. The bill would reduce the capacity of the commissioners to that of just an advisory body, thus removing their ability to manage hunting, fishing and the associated wildlife resources of the state. **Vote 19-2.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 208, establishing a commission to study current mental health procedures for involuntary commitment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation forms a comprehensive commission to focus on a variety of issues revolving around involuntary commitment to New Hampshire Hospital or other designated receiving facilities. (1) The high priority persistent problem of civilly committed individuals being held in hospital emergency departments, including emphasis on the need for additional beds in designated receiving facilities. (2) Consolidation of an alternate facility for children at New Hampshire Hospital. (3) Consideration of the relocation of the civilly committed at the Secure Psychiatric Facility, including the formation of an accredited forensic psychiatric hospital. (4) The importance of strengthening of community mental health programs for the seriously mentally ill. **Vote 17-0.**

HB 257, relative to the use of cloth diapers in licensed child day care centers. **INEXPEDIENT TO LEGISLATE.** Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill's sponsor informed the committee that rulemaking has made his bill unnecessary. **Vote 17-0.**

HB 367, relative to central registry checks for out-of-state child care providers and staff. **OUGHT TO PASS.** Rep. Patrick Long for Health, Human Services and Elderly Affairs. This bill allows NH access to other states' central registry of Founded Reports of Abuse and Neglect, and allows other states to access to NH's registry. The request by other states would be from "Lead Agencies" as defined by Federal Law. Testimony provided stated NH has been denied access by other states. **Vote 20-0.**

HB 528-FN, establishing a municipal opioid reversal agent bulk purchase fund **INEXPEDIENT TO LEGISLATE.** Rep. Martin Bove for Health, Human Services and Elderly Affairs. The committee opposed this bill for several reasons. Creating a fund does not assure any cost savings related to bulk purchases. There was no data presented showing what the present costs are or how communities presently fund these costs. The committee was more inclined to support legislation that would deal with pharmaceutical price gouging. **Vote 20-0.**

HB 532-FN, prohibiting persons who desecrate the American or New Hampshire state flag from receiving financial assistance. **INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. The committee believes that this bill is unconstitutional, and that if passed it would subject the state to costly litigation. A person does not lose his or her first amendment rights when obtaining government assistance. **Vote 19-1.**

HB 550-FN, establishing a controlled drug scientific review board. **INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill would duplicate work done by the DEA, and practically would complicate physicians' prescribing authority in cases where the DEA scheduled drugs differently from the state board. **Vote 19-1.**

HB 601-FN-LOCAL, relative to referral to the Sununu Youth Service Center of youths administered Narcan by a first responder for a heroin overdose. **INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. The committee felt the Sununu Center was an inappropriate referral for the children addressed in this bill. Also, children administered Narcan are already brought to emergency rooms where appropriate referrals are made. Last, the bill conflicts with New Hampshire Good Samaritan Law. **Vote 20-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 312-FN, repealing the minimum wage law. **INEXPEDIENT TO LEGISLATE.**

Rep. Philip Bean for Labor, Industrial and Rehabilitative Services. This bill removes the federal law mandate wage of \$7.25/hour and is destructive to the minimum wage statute relative to the meals and rooms (M & R) tax for gratuity. If passed, the subject bill will increase medicaid, welfare and local municipality relief expenditures. Moreover, the effect of the law if passed, would savage workers compensation premium payments, and impact higher wage employers in disparate, negative and harmful market effect. **Vote 19-2.**

HB 346, relative to the payment of wages to an employee. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. This bill was written out of concern for bank fees applied to the cashing of paychecks. State law currently requires that all employers provide a way for employees to receive the full amount of their check. The sponsor hoped this bill could restrict the banks in their ability to charge fees. Unfortunately, labor law and the Department of Labor regulate only the employer. As written, the committee believes the bill would not fulfill the intent of the sponsor. **Vote 20-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 117, relative to the property tax exemption for improvements to assist persons with disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Stone for Municipal and County Government. As amended this bill expands the residential real estate property tax exemption for improvements that assist persons with disabilities to include standby generator systems, when such system is included in the assessed value of the real estate. This exemption applies to any residential real estate where a disabled individual is residing, even if the owner of the real estate is not the disabled resident. Once a disabled individual no longer resides in the residential real estate, the exemption would no longer apply. The applicant must show that he/she owns the property, and that a disabled individual resides at the property. **Vote 14-3.**

HB 120, relative to deposit of county unassigned fund balances in a revenue stabilization reserve account. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Stone for Municipal and County Government. This bill allows county delegations to establish a Revenue Stabilization Reserve Account (rainy day fund) for counties. Rather than surplus funds returning to the general fund to reduce taxes, they could be reserved in a special account and used to offset a general fund operating budget deficit. This bill was amended to clarify that the county treasurer shall notify the county executive committee when he/she requests funds to be transferred into a revenue stabilization reserve account, and that the approval of such a transfer requires the majority approval of the county executive committee. **Vote 13-0.**

HB 230, relative to the referendum procedure for public water systems. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. The intent of HB 230 was to change the requirements for a petition article on the question of adding fluoride to a public water supply. The Legislature, over multiple sessions, established the requirements for introduction of petition articles across many statutes. The requirements are generally uniform and altering the criteria for this one question would begin to unravel the agreed upon framework of submitting petition articles. **Vote 15-0.**

HB 239, establishing a committee to study reducing the cost of county government. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Rand for Municipal and County Government. This bill would establish a study committee for reducing the cost of county government. Although well intended, we have ten counties in NH that differ in size, demography, and population. A five-member committee is more likely to entertain recommendations that apply to their particular county of residence but which may not be applicable to the other nine counties. Each county faces different issues and challenges. Such a study would be better done at the county level, and not statewide. In 2015 SB 74 made the same proposal, and failed in the House on a voice vote after a committee recommendation of Inexpedient to Legislate for the same reasons. The committee recommends Inexpedient to Legislate on this bill as well. **Vote 11-4.**

HB 251, relative to the use of capital reserve fund appropriations by municipalities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bruce Tatro for Municipal and County Government. As amended this bill clarifies how municipal funds are added to capital reserve funds. Currently some towns include these funds as a line item in the operating budget, while others add them through special warrant articles. The committee felt that these funds should be considered as separate warrant articles so that voters would have a choice whether to fund these capital reserve funds or not, rather than being included in the operating budget, where they could be used to make up for overspending on other line items. **Vote 13-0.**

HB 261, relative to background checks for county employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. HB 261 sought to amend RSA 28:10-c (authority for the counties to conduct criminal background checks on prospective employees) to allow the County Sheriff or County Corrections officers to access the FBI criminal record database. Federal Public Law 92-544 restricts access to only the New Hampshire State Police. Because this restriction is in place, the Committee voted to recommend Inexpedient to Legislate. **Vote 13-0.**

HB 296, allowing counties to authorize and fund forensic audits. **OUGHT TO PASS.**

Rep. Frank McCarthy for Municipal and County Government. This bill would enable county conventions to engage the services of a suitable qualified entity to conduct forensic audits. The conventions are currently authorized to do this for performance audits only. Current statutes do not forbid forensic audits but they are not clear on who can authorize them. This addition to the statute would make it clear that a county convention could investigate any financial matters, including corruption, asset misappropriation or financial statement fraud. Any employer should have the ability to conduct such an audit on its own entity. **Vote 13-0.**

HB 568-FN, relative to the taxability of lease interests in public property. **OUGHT TO PASS.**

Rep. Carolyn Matthews for Municipal and County Government. This bill clarifies that lease interests in public property are taxable, and that even if a lease does not mention property taxes, commercial lessors of public property must pay property tax. The need for legislative action grew out of an extended lawsuit filed by the City of Lebanon, and settled favorable to that town in the New Hampshire Supreme Court on the basis of *Verizon v. City of Rochester* (2004). To end the possibility of further court cases, a Senate Commission was formed, resulting in the submission of this legislation to amend RSA 72:23, I (b), to add counties, and also to allow political subdivisions to adopt exemptions for any state-owned railroad properties, as well as land leased exclusively for agriculture, for example, when a town needs to recruit a farmer to hay town-owned land. The committee agreed that the bill was needed and that it was important to allow counties and municipalities to manage exemptions for agricultural use. The fiscal note offers no indication that this bill will have any more impact than a slight increase in revenue or a slight decrease in tax rate, but the net effect is unknown. **Vote 17-0.**

PUBLIC WORKS AND HIGHWAYS

HB 563-A, making an appropriation for the Carroll and Strafford counties freight rail improvements project and making an appropriation for the Coos county freight rail improvements project. **INEXPEDIENT TO LEGISLATE.**

Rep. Karen Ebel for Public Works and Highways. Through its' capital budget, the state of New Hampshire has supported freight rail improvement projects in the past. This bill proposed capital appropriations for freight rail upgrades to Carroll, Strafford and Coos counties outside the committee's capital budget review process. Except under very extreme circumstances, capital appropriations are only considered for funding as part of the capital review process. For that reason, with the sponsors' agreement, the committee decided to recommend that the bill be ITL'd and the content of HB 563 will be considered as part of the capital budget process. **Vote 16-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 248, relative to operation of OHRVs on trail connectors in Coos and Grafton counties. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith Spang for Resources, Recreation and Development. This bill was opposed by the two agencies responsible for OHRVs, the Department of Resources and Economic Development's Trail Bureau and the Fish and Game Department which enforces OHRV regulations. It adds another agency to the OHRV new trail approval process, in addition to four other state and federal agencies that may be consulted. **Vote 14-0.**

HB 258, relative to the submission and approval of subsurface sewage disposal system plans. **OUGHT TO PASS.**

Rep. Eric Schleien for Resources, Recreation and Development. This bill came about as a request from the department of environmental services. It simplifies and streamlines the process for submission and approval of subsurface sewage disposal system plans. **Vote 16-0.**

HB 380-FN, relative to the oil discharge and disposal cleanup fund. **OUGHT TO PASS.**

Rep. Chris Christensen for Resources, Recreation and Development. This bill is at the request of the Department of Environmental Services and the Oil Fund Disbursement Board. This board provides cleanup funds for leaks and discharges of diesel oil, motor oil, fuel oil and MtBE when insurance is not available. This bill clarifies that the various funds involved are all non-lapsing. The board also provides SAFETANK funds to upgrade fuel oil tanks for qualified low income households. Over ten years ago the cap on this was set at \$1500. The current cost now often exceeds \$2000. Households that cannot afford the higher cost often do not do the upgrade. The cleanup cost for related spills without the upgrades is usually \$18,000 to \$20,000. **Vote 14-0.**

HB 488, establishing a state parks advisory council. **OUGHT TO PASS.**

Rep. Chris Christensen for Resources, Recreation and Development. When originally formed years ago, the State Park System Advisory Council (SPAC) had a sunset provision and closed down in June 2016. At the request of the Department of Resources and Economic Development (DRED), Parks Division, this bill will form a new SPAC. As before the membership will be three Representatives, two Senators, the DRED commissioner and ten members appointed by the Governor. **Vote 14-0.**

HB 507, establishing a committee to study the responsibility of a person who through their pollution makes drinking water non-potable. **OUGHT TO PASS.**

Rep. James McConnell for Resources, Recreation and Development. This bill is a result of the recent pollution of drinking water caused by airborne PFOA. The responsibility of those who cause this type of damage is an issue that is not well enough understood or adequately addressed in statute. The committee therefore feels that a study is merited to help rectify this type of situation. **Vote 17-0.**

HB 591-FN, relative to suction dredging in the surface waters of the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne Gottling for Resources, Recreation and Development. This bill, as amended, prohibits using equipment such as suction dredges, rocker boxes, and highbank sluice boxes when recreational prospecting for valuable minerals in New Hampshire's rivers. This equipment has been found to erode riverbanks, create noise, exude fumes, disturb the river sediment, and create turbidity. Undisturbed sediment is needed for aquatic organisms and fish to thrive. Disturbed sediment ultimately settles downstream and changes the natural structure of the river. Use of heavy motorized equipment damages the ecosystem of our valuable rivers. Recreational prospecting using the least environmentally damaging techniques, such as hand panning and floating sluice boxes, may continue with appropriate permitting and permissions. The amendment clarifies the types of restricted equipment. **Vote 17-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 328, relative to taxation of public utility infrastructure. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for Science, Technology and Energy. This bill sought to require the Public Utilities Commission to add certain language to safety crossing licenses. These licenses allow utilities to place utility infrastructure on state lands and waterways. The new language would allow municipalities to tax this infrastructure, but testimony was unclear about whether this infrastructure was already taxable. With cost shifting from municipal taxes to utility ratepayers being an unresolved issue, this bill was deemed premature. **Vote 20-0.**

HB 344, relative to access for low income ratepayers to renewable energy incentives and benefits. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeanine Notter for Science, Technology and Energy. The sponsor requested to withdraw the bill because a subsequent bill will deal with this issue later in the term. **Vote 20-0.**

HB 627-FN, establishing the position of energy efficiency advocate. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Thomas for Science, Technology and Energy. The committee finds that the intent of having an advocate for energy efficiency to be beneficial. However, funding an added position through this legislation is problematic. The committee feels that the creation of such a position is a decision best left to the Governor. **Vote 18-1.**

TRANSPORTATION

HB 90, relative to eligibility for limited driving privilege after revocation or suspension. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill aimed to provide New Hampshire drivers whose driving privileges are revoked in another state the opportunity to obtain a limited privilege license for use in New Hampshire. Several problems and unintended consequences were discovered in this bill through the course of public hearings. The sponsor agreed and requested the committee find the bill inexpedient to legislate. He will be working with the department of motor vehicles to improve the bill for a future re-introduction. **Vote 17-0.**

HB 102, relative to mandatory headlamp use. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. The circumstances surrounding headlamp use are subject to a variety of conditions outside of operator control. This bill replaces current requirements for headlamp use when weather conditions obscure persons and vehicles at a distance of 1,000 feet with required use in the presence of any fog, rain fall, or snow fall. Such an attempt to legislate every circumstance an operator may encounter represent an overreach by state government. **Vote 15-2.**

HB 196, establishing a committee to study requiring passengers on school buses to wear seat belts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Torosian for Transportation. This bill establishes a committee to study requiring passengers on school buses to wear seat belts. This is an important safety issue that merits examination. The committee accepted an amendment which changes the composition of the study committee to include one Senate member rather than three. **Vote 17-0.**

HB 570-FN, relative to car and truck rental agency fleet vehicle registration. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill seeks to reduce the state portion of registration fees for automobile rental fleets. As a means of encouraging these companies to register more of their fleet in New Hampshire, research showed that some companies are currently registering in New Hampshire, and their decisions on where to register are based on many factors including insurance climate. While not opposed to this idea, the committee felt this bill as written would not achieve the goal sought, and that more research needs to be done. **Vote 16-0.**

WAYS AND MEANS

HB 440-FN-A-LOCAL, repealing the tax on interest and dividends. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for Ways and Means. This bill calls for the complete repeal of the 5 percent interest and dividends tax effective January 1, 2018. The technical problem with the bill is that it didn't provide a definitive method to determine future tax liabilities or credit carry forward amounts. The bill is also missing an applicability date. The committee recognized that these were certainly issues that could have been fixed through amendment. However, the committee could not get past the policy issue of totally eliminating this tax all at once resulting in a nearly \$100 million loss in revenue annually. The committee also retained HB 529 which called for the phasing out of the interest and dividends tax. The committee agreed to use HB 529 going forward as the vehicle for any changes in the interest and dividends tax and thus feel HB 440 is inexpedient to legislate. **Vote 21-0.**

HB 531-FN, increasing the minimum gross business income required for filing a business profits tax return. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for Ways and Means. The un-amended bill called for an increase in the minimum gross business income required for filing a business profits tax return from \$50,000 to \$100,000. The committee learned that the \$50,000 threshold has been in place since 1993 and was set at \$12,000 previously. There was consensus that this threshold should be raised. However, many in the committee were not comfortable raising the threshold to \$100,000 which would result in a maximum loss in state revenue of \$1.53 million. An amendment was passed to reduce this increase to \$75,000 which brings the maximum loss in revenue to \$978,000. The committee voted unanimously to recommend the bill ought to pass with amendment. **Vote 21-0.**

WEDNESDAY, FEBRUARY 15 REGULAR CALENDAR- PART ONE

CHILDREN AND FAMILY LAW

HB 646-FN, relative to the placement and detention of a minor in a secure facility. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Itse for Children and Family Law. The Sununu Center has experienced declining occupancy since its construction in 2006. Currently, occupancy is approximately half of capacity. Furthermore, the locked door of the facility prevents the state from seeking Medicaid reimbursement where it otherwise might. This bill as amended moves the state toward a model of treatment in the home community for low level offenders. Commitment will be limited to offenses that would be felonies or misdemeanor A for adult offenders or repeat offenders. The capacity will be limited to 72 in September 1, 2018, so that elements of the Sununu Center can be re-purposed for treatment eligible for Medicaid. **Vote 14-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 350-FN, prohibiting possession of a firearm at a polling place. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Burt for the **Majority** of Criminal Justice and Public Safety. This bill seeks to repeal the rights of law-abiding NH citizens to carry a loaded firearm discretely in any polling place primarily because many NH schools serve as polling places during local, state and national elections. The bill would make violation of it by law-abiding citizens - and even law enforcement officers - a Class B felony. It is a poor solution in search of a non-existent problem. **Vote 9-7.**

Rep. Kate Murray for the **Minority** of Criminal Justice and Public Safety. The minority of the committee believes that this bill raises issues which the state would do well to consider: first and foremost, examining the conflict between federal and state law regarding firearms in schools, particularly when schools are used for polling places. The minority would welcome the opportunity to examine, with all stakeholders present and participating, the problems that both HB201 and this bill were intended to resolve. Retaining this bill would have given time to identify and define said problems and remedies. The minority recognizes that universal agreement may not be possible but subcommittee work sessions could lead to improvements to current law.

HB 643-FN-A, mandating the wearing of body cameras by certain law enforcement officers. **MAJORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for the **Majority** of Criminal Justice and Public Safety. This bill requires a law enforcement officer to wear a body worn camera if the officer is the subject of a substantiated complaint based on the officer's conduct while in the line of duty and raises the penalty assessment imposed for criminal offenses by 3 percent. There is a NH Supreme Court decision, State v. Laurie, which deals specifically with instances where a law enforcement officer has been found to have lied on a written report, statements in court, or statements in defense to a citizen complaint. In those cases the law enforcement agency must notify the prosecutor, who keeps a list of names of these officers and must notify the defendant or his or her attorney whenever an officer on the "Laurie List" is scheduled to testify in a court case involving the defendant. There is no additional need for the officer to wear a body camera which would be a "scarlet letter" put on that officer. **Vote 13-3.**

EDUCATION

HB 354-FN-A-LOCAL, making an appropriation to the department of education to provide additional adequate education grant payments to certain municipalities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Wolf for Education. There are several communities that have not received full adequacy funding due to a cap put in place when the adequacy formula changed several years ago. Many of these communities have seen increased enrollments. In the last biennium, the legislature changed the cap from 108% to 160% and removed it entirely effective FY2018. The City of Dover filed a lawsuit claiming the cap was unconstitutional and won. This bill provides the funding, which was already set aside, due to the remaining 24 communities as a result of Dover's lawsuit. The amendment makes the bill effective upon passage. **Vote 18-0.**

HB 386-FN, relative to technical corrections to the education tax credit statute. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the **Majority** of Education. This bill makes minor technical corrections to the education tax credit statutes which are providing scholarship opportunities for low and middle income children to attend non-public schools. Changes to current statute include removing certain restrictions on carrying forward contributions, expanding the time period for businesses to submit education tax credit applications and donations, and authorizing the use of scholarships for distance education, tutors, and college courses for high schoolers. **Vote 11-6.**

HB 597-FN-LOCAL, relative to calculating the cost of an opportunity for an adequate education and providing fiscal capacity disparity aid. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for the **Majority** of Education. This bill would basically reinstate the 2008 education funding formula which was changed in 2011. The House Education Committee unanimously voted for an amended HB 356 to study education funding. The majority believes that we need to carefully look at these funding issues rather than simply reinstate an old formula that had its own problems for some municipalities **Vote 11-7.**

Rep. Mary Heath for the **Minority** of Education. The minority finds that this bill as amended, restores the 2008 adequacy funding formula providing significant funding to school districts with higher proportions of economically disadvantaged and high risk students. This action restores the changes made to the formula during the 2011-2012 session. This bill as proposed reestablishes a modified version of fiscal capacity disparity aid. If enacted, an estimated 183 municipalities will receive aid above current levels and all other municipalities will be held harmless at 2017 levels at a replacement stabilization grant cost of about 28 million. This is costly legislation, but the need to explore and identify state-level funding options cannot be an excuse for inaction. Our children are our future and their educational rights are paramount.

HB 603-FN-A, establishing the John and Molly Stark student debt reduction program and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joseph Pitre for the **Majority** of Education. The John and Molly Stark student debt reduction program tries to reduce the debt of college students with a state appropriation to fund grants to certain graduates who agree to live and work in the state for at least four years after graduation. The committee heard testimony relative to the costs associated with the program in addition to the \$1.2 million dollars in appropriations over two years prescribed by the bill. The committee also finds that policing the program after a student got their degree could be an administrative problem. The committee feels there are other solutions such as concurrent and dual enrollment programs to better address the problem of student debt. **Vote 10-8.**

Rep. Wayne Burton for the **Minority** of Education. Workforce development tops the list of economic challenges facing New Hampshire. This bill will incent New Hampshire high school graduates to attend college in their home state. It reduces an eligible University System of New Hampshire student's federal student loan indebtedness by 50% provided the student agrees to live and work in New Hampshire for at least 4 years after graduation. If past patterns hold, they will remain in New Hampshire to live and work at twice the rate as the nearly 60% of New Hampshire high school graduates who enroll in 4-year institutions outside our state. New Hampshire students graduate with the highest student indebtedness in the nation. This bill would give our children a future in New Hampshire they can afford.

HB 604-FN-A, establishing the John and Molly Stark workforce opportunity program and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Robert Elliott for the **Majority** of Education. This bill establishes the John and Molly Stark workforce opportunity program. It would provide grants to eligible NH community college students in an amount equal to the difference between the student's expected cost of tuition and fees and the amount of grants and scholarships received. This is a well-intentioned bill, but the committee feels that it has a low priority among other bills requiring state funding. This bill requires the department of education (DOE) to develop rules prior to program implementation and it is estimated that the DOE may need up to three full-time employees to manage this program. Due to the program's costs, other approaches being considered to meet New Hampshire's workforce needs, and other efforts to make postsecondary education more affordable, the majority recommends this bill be found inexpedient to legislate. **Vote 10-8.**

Rep. Wayne Burton for the **Minority** of Education. Twenty-three percent of New Hampshire high school graduates, other than some enlisting in the military, engage in no further educational activities. This pool of potential recipients of a high quality, post-secondary credential, offers the most promising potential to respond to a program that will make that step forward. This bill, a "last dollar" grant strategy would cover the gap between a Pell grant and the direct cost of their education at a New Hampshire community college. For those families qualifying for less than the funds needed, this bill is a game-changer according for those we need most to fulfill their fullest potential and contribute to building a well-qualified New Hampshire workforce.

HB 641-FN-A, relative to high school students participating in New Hampshire's dual and concurrent enrollment program and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill establishes a statewide NH dual and concurrent enrollment program. It assures all NH 11th and 12th grade students the opportunity to enroll in and complete quality post secondary college credit science, technology, engineering, and math (STEM) courses regardless of where students live in NH and at no cost to the student. This initiative is implemented with the additional goal of increasing participation rates in post secondary education, retaining more students in NH upon high school graduation, increasing two and four year degree attainment rates, strengthening connections to businesses through alignment of course and program content with manufacturing, information technology, hospitality, and health care

needs, will thereby enable NH to better meet workforce challenges. Eligible high school students participating in approved high school classes taught by a public school teacher will receive high school graduation credit and college credit simultaneously. The cost to the state for one course is between \$150 and \$250 while the cost for the same course taken after graduating from high school and then attending a community college would be \$600 or more. While in grades 11 and 12, a qualifying student in this program will be entitled to enroll in four courses and receive 12 college credits. This could save the student 20 percent of his or her community college costs, meaning less student debt. This program also places students on a pathway to a two or four-year degree and will keep many students who currently leave NH for post secondary education in our state. In addition, it should be noted that NH is the only New England state that does not have a statewide dual enrollment policy in place that better supports transferability of credits. Lastly, research indicates that concurrent enrollment students are 11.2 percent less likely to need remedial education in college. On average, participation in concurrent enrollment is associated with a 22.9 percent increase in the likelihood of enrolling in college immediately after high school graduation, and free and reduced lunch (poverty) students were 4.8 percent more likely to participate in concurrent enrollment than non-free and reduced lunch students. The committee unanimously supports this bill. **Vote 17-0.**

HB 647-FN-LOCAL, establishing education freedom savings accounts for children with disabilities. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the **Majority** of Education. This bill establishes a vehicle for scholarship funds for students with disabilities. This measure encourages parental control of the education for their special needs child. A parent can opt their child out of the local public school and have eligible state funds placed in a savings account. The parent can then use those funds to purchase eligible education services for their child. The accounts are managed by one of the non-profit scholarship organizations. There are multiple layers of fiscal accountability included. **Vote 11-7.**

Rep. Mary Heath for the **Minority** of Education. The minority finds that this bill as drafted would violate the NH Constitution by allowing public funds to go to private and religious schools. Accountability for the use of such dollars would be difficult to track. Under this bill, the parent of an eligible child contracts to receive a grant from a scholarship organization (SO) to pay for educational expenses. The SO would notify the Department of Education and the department would then transfer 90 percent of the per pupil adequate education grant amount, plus any differentiated aid, to the municipality where the students resides for deposit in the student's account. An additional 5 percent goes to the SO for administration. In short, this is a voucher bill. The Department of Revenue Administration reports that the associated reduction in adequate education grants to each municipality would reduce local revenues. Furthermore, the minority believes that this bill fails to provide a valid means by which to establish adequacy.

ELECTION LAW

HB 203-FN-A, establishing an independent redistricting commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Norman Silber for the **Majority** of Election Law. The majority of the committee believes that this bill is unnecessary and an expensive expansion of state government. Its stated purpose is to create an "independent" redistricting commission to "eliminate partisan distortion of electoral districts". However, the commission is comprised of appointees from political party leaders. It removes the initial stages of the redistricting process, which is ultimately a political process, from the elected members of the General Court. The proposed "independent" commission will require significant appropriations of tax monies for staff, rent, payments to consultants and expenses for software and supplies for the commission, as well as the creation and funding of a new attorney position within the Office of the Attorney General. The committee believes that these expenses are unnecessary and that the current method of apportioning electoral districts is sufficient. **Vote 11-9.**

Rep. Wayne Moynihan for the **Minority** of Election Law. In anticipation of the need to redistrict state electoral boundaries after the 2020 decennial census, this bill proposes that NH government make a decision now to conduct redistricting using a non-partisan process, managed by an independent redistricting commission. The sponsor's intent was to open a dialogue among the parties to improve the method used for redistricting. The bill sets out a process that recognizes that districts should be wholly contained within a single town or city; and that each such district should, to the extent possible, be a single member district. Substantially all of the testimony the committee received, from multiple witnesses and interest groups, was in favor of the bill. Even the one or two who spoke in opposition to some of the details of the bill expressed dissatisfaction with the state's current, partisan, redistricting process. To simply dismiss the bill as Inexpedient to Legislate, without further study, is to ignore the troubled history of redistricting in NH. The committee minority believes that it is a mistake for the House to proceed headlong toward 2020 without carefully considering the appeal of the voters for an independent, nonpartisan redistricting process. The minority would like this bill to be recommitted so the committee can retain it to be studied with other bills addressing redistricting and the methods available to improve the process.

ENVIRONMENT AND AGRICULTURE

HB 101-FN, relative to certification for solid waste operators. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Darrow for the **Majority** of Environment and Agriculture. This bill lengthens the time a solid waste operator certificate lasts from one year to three. The bill also exempts volunteer solid waste operators from the certification requirement. The cost of obtaining a certificate is \$50 per person, typically paid by the town. No other state requires such frequent certification for solid waste operators. Other professional workers in New Hampshire have longer certification periods. For example, certifications for police last three years, public school teachers - four years, and EMTs - two years. This list clearly indicates that solid waste workers are excessively regulated. This bill offers sensible relief. **Vote 13-6.**

Rep. Paula Francese for the **Minority** of Environment and Agriculture. The minority was aware that reducing certification to once every three years, as opposed to the current once every year would significantly effect revenue for the Department of Environmental Services. The funds from certification are used, in part, for education materials. Some members suggested that an increase in the fee would partially offset the loss of revenue. The fee, \$50, has not been increased since 1989.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 97-FN, relative to the use of drones. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Hansen for Executive Departments and Administration. This bill establishes standards for the use of drones and defines those potential uses which are considered illegal. The amendment clarifies permissible commercial and private usage, while leaving sensible restrictions on government use. **Vote 15-3.**

HB 171, prohibiting the state or its political subdivisions from assisting a federal agency in the collection of electronic data without a warrant. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Henry Marsh for the **Majority** of Executive Departments and Administration. This bill protects the rights of New Hampshire citizens with reference to electronic data (cell phones, computers) by prohibiting the state and its political subdivisions from assisting a federal agency in the collection or use of a person's electronic data without consent or a warrant. **Vote 10-9.**

Rep. Raymond Gagnon for the **Minority** of Executive Departments and Administration. This bill was presented as being designed to prevent a problem, however, no example of any problem was provided to the committee. The bill, as written, was ambiguous and according to the New Hampshire Department of Safety, may provide future problems in regards to the definitions outlined in the bill.

HB 413-FN-A-LOCAL, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Raymond Gagnon for the **Majority** of Executive Departments and Administration. This is a policy commitment by the House for the state to provide a portion of the retirement contributions of its political subdivisions. The bill addresses the Legislature's past decision to terminate retirement subsidies that it had provided as an inducement to participate in the New Hampshire Retirement System (NHRS). The bill is among the most important pieces of legislation to come before the House this session. It provides real assistance to communities faced with escalating property taxes. Lastly, the bill is in sync with comments made by the Governor to reinstate state assistance to its political subdivisions. Also, promises were made to our cities and towns as an inducement to join the NHRS. This bill requires the state to restore this assistance which was first cut as a temporary measure. **Vote 10-9.**

Rep. Peter Hansen for the **Minority** of Executive Departments and Administration. This bill mandates that the state pay 15% of the retirement contributions for local employees. Since the number of employees, their pay and bonuses are local decisions, the minority is concerned that this would encourage towns to spend more. In addition, an inducement to join the retirement system a generation ago can reasonably be discontinued now without violating any promises. Finally, this matter should more reasonably be considered in the context of the entire budget, so that payments to municipalities can be balanced against other promises.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 469, establishing a continuous quality improvement program for pharmacies. **OUGHT TO PASS.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill improves the quality of service provided by pharmacists to the citizens of New Hampshire. These programs will give pharmacists the tools to objectively evaluate quality related events, and involve pharmacists and staff in identifying weaknesses and making corrections to processes related to the event. Because continuous quality improvement activities conducted under this bill are protected from legal discovery, they will be conducted in as thorough and constructive a manner as they currently are in hospitals and other facilities. **Vote 13-7.**

HB 602-FN-A, prohibiting placement of certain persons with mental illness in the secure psychiatric unit, establishing a secure psychiatric hospital oversight commission, and appropriating funds to develop plans for a secure therapeutic psychiatric hospital facility. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. This good bill was rendered unnecessary by the passage of HB 208, which covers the items in the bill as well as additional issues. The sponsor agrees with our decision. **Vote 14-3.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 452-FN, establishing the office of the business advocate in the department of resources and economic development and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. The purpose of this bill is to provide a focal point whereby businesses and communities can seek assistance on how to navigate the state's regulatory environment. It will provide a high level interface that would interact with the current economic development efforts of the Department of Resources and Economic Development and provide a channel of communication on regulatory matters impacting business operations and growth within the state. The amendment clarifies the duties of this position and defines its focus on business advocacy. **Vote 13-4.**

HB 463-FN, regulating groundwater pollution caused by polluting emissions in the air. **OUGHT TO PASS.**

Rep. Chris Christensen for Resources, Recreation and Development. We all know that in recent months New Hampshire has been presented with contamination of groundwater and drinking water sources that are traced back to airborne emissions. Requested by the Department of Environmental Services, this bill gives the department authority to regulate such emissions and to regulate the devices causing the contamination. Historically, the Committee on Resources, Recreation and Development reviewed bills relating to clean water and the Committee on Science, Technology and Energy dealt with clean air issues. The plan is for both committees to weigh in on this bill to address this issue. **Vote 10-3.**

HB 470-FN-LOCAL, relative to storm water or sewage penalties. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Andrew Renzullo for the **Majority** of Resources, Recreation and Development. This bill modifies the penalties for violations of municipal ordinances and by-laws concerning sewage or stormwater. As presented to the committee, the fact situation which precipitated the bill concerned a prior clandestine connection of a sewer to a storm drain. Subsequently, other projects connected to the said sewer line, unaware of the illegal connection. When the illegal connection was eventually discovered by the town, there ensued a protracted legal battle between the town and several owners. While statutes now allow for a civil penalty of up to \$10,000 per day for violation of local sewer or stormwater ordinances, this bill would make each day of violation a separate offense. This could create a huge fine in a very short time. The bill would also allow the town to recover costs in pursuing the violation. The committee finds that the proposed fine structure to be devastating to a homeowner should they chose to defend their rights in court. Also, the bill would provide for the town a right to recover costs in pursuing the violation and winning, but no cost recovery to the homeowners should they prevail. Testimony by a member of the Judiciary pointed out that treating each day as a separate offense could create a possible unconstitutional situation whereby a homeowner could accrue a huge total fine, but be denied a trial by jury because each daily fine would be below the threshold for a jury trial. Therefore, the committee recommends that this bill not pass. **Vote 9-8.**

Rep. Chuck Grassie for the **Minority** of Resources, Recreation and Development. The minority believes that wording provided in this bill would allow a municipality to enforce stormwater and sewage ordinances in the same manner as other land use laws and ordinances. This enforcement by violation allows for an expedited process through the district courts instead of the costly and time consuming superior court system. Nothing else in the current law changes. This bill would allow cities and towns to save time and attorney fees in the enforcement of sewer laws.

SCIENCE, TECHNOLOGY AND ENERGY

HB 547-FN, relative to the recycling and disposal of electronic waste. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Keith Ammon for the **Majority** of Science, Technology and Energy. This bill would set up a statewide network of special recycling centers to be tasked with collecting waste from consumer electronics products such as computers and televisions. The centers would be paid for by imposing a licensing scheme on electronics manufacturers. Manufacturers would be granted the privilege of selling their wares in the state only if they paid a quarterly fee to cover a percentage of the cost to implement the program equal to their market share. The bill is based on a program implemented in Vermont. The majority of the committee felt that this bill imposed too many restrictions on the electronics trade. Testimony from the Department of Environmental Services stated that the startup costs to implement this program would be cost prohibitive. The new network

of recycling centers would compete with and be duplicative of the recycling capabilities already available in most town transfer stations. The bill contains interrelated parts and is too complex for the committee to work on amending. The sponsor is encouraged to try a different approach to solve this issue using new legislation.

Vote 12-8.

Rep. Robert Backus for the **Minority** of Science, Technology and Energy. The minority believes that this bill, setting up a statewide system to deal with the disposal of electronic waste, addresses a serious problem with valuable materials not being recovered from the disposed item. In addition, it would take care of the risk posed by improper disposal of items containing toxins and materials that could be harmful to health and the environment. The minority agreed that the bill as presented may have needed refinement and further development. However, because the majority voted to kill the bill, the opportunity to do this refinement and address this issue will be lost for the current session at least.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 435-FN, relative to funding of the national guard scholarship fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Skip Rollins for State-Federal Relations and Veterans Affairs. The majority believes that in order to have a well-trained force that seeks quality applicants, we must ensure that they are educated. This bill will help our National Guard to be more proficient in their duties. This scholarship fund will be used as a recruitment tool, along with ensuring we maintain a quality, educated force. Per the amendment, the money will be drawn from the Treasury and will not take monies from operations of the Air and National Guard. **Vote 16-2.**

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. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Alfred Baldasaro for State-Federal Relations and Veterans Affairs. The majority believes this bill will put the NH divorce courts on the same sheet of music as federal law by exempting benefit payments related to veteran's disabilities from diversion to child support or alimony. The second part of the bill permits courts to establish veterans tracks for veterans and members of the military who come into contact with the criminal justice system. **Vote 18-0.**

TRANSPORTATION

HB 579-FN, relative to registration of semi-trailers. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for the **Majority** of Transportation. There is a vibrant interstate business in registering semi-trailers by non-governmental agents in other states. This bill will bring this entrepreneurial opportunity to New Hampshire businesses. Many are already doing so through other agents so there is inconclusive impact on municipal revenue. While we know that some New Hampshire trailers register out of state to take advantage of these programs, numbers are unavailable because they may be in conflict with RSA 261:45. Passing this bill will encourage them to register here. **Vote 9-7.**

Rep. George Sykes for the **Minority** of Transportation. While the sponsors believe there is a certain amount of money to be gained by the state by reducing registration fees on out of state semi-trailers which is currently lost to a few other states, still there is nothing in the bill to prevent in-state companies from establishing an "office" out of state and then registering their trailers at the reduced rate. The New Hampshire Municipal Association, the New Hampshire Tax Collector's Association, and the New Hampshire Department of Safety are all opposed to this bill. The bill has structural issues; it requires the DMV to make changes to their operation at a cost of \$500,000 and is in conflict with three other RSA's. This bill has been submitted multiple times before and failed to pass. At this point it's a stew which has spoiled due to the many variations, changes and unsubstantiated consequences in the current language.

WAYS AND MEANS

HB 415-FN-A-LOCAL, reducing business taxes, repealing certain taxes, establishing an income tax, and requiring payment by the state of a portion of retirement system contributions of political subdivision employers. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Henle for Ways and Means. This bill reduces the rates of the business profits tax and repeals the business enterprise tax, the education tax, the utility property tax, and the interest and dividends tax. This bill also establishes an income tax and requires payment by the state of a portion of retirement system contributions of political subdivision employers. This committee heard much testimony on this and several other bills pertaining to how state revenue is raised. This excellent testimony covered many aspects of the issue and clearly showed that before any action can even be considered on this topic, more research and exploration is needed. Given this need for more research and exploration and the committee's decision to pass an

amended HB 489 establishing a commission to study the adaptation of the state's tax structure to economic and demographic change, all members of the committee felt it best to recommend this bill inexpedient to legislate. **Vote 21-0.**

HB 569-FN-A, requiring the reimbursement of dedicated funds transferred for other purposes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Arthur Barnes for the **Majority** of Ways and Means. This bill provides that before surplus funds are deposited in the revenue stabilization account, the funds shall be used to reimburse dedicated funds transferred for other purposes during the previous biennium. The committee feels the body needs the flexibility to direct funds as necessary to meet the financial responsibilities of the state. This bill also runs counter to the principle that one legislative body may not bind a future one. **Vote 12-9.**

Rep. Susan Almy for the **Minority** of Ways and Means. This bill is a fiscally responsible way to deal with the consequences of the diversion of dedicated funds to deal with major budget emergencies. It states that, if there had to be a raid of funds in a biennium, in the case that the next biennium ends with a surplus, part or all of that surplus will be used to reimburse those funds before depositing any remainder in the rainy day fund. The minority felt that this was a responsible way to deal with the perennial argument about this issue.

HB 621-FN-A-LOCAL, establishing a road usage fee and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Gary Azarian for Ways and Means. This bill establishes a Road Usage Fee (RUF), due at the time of annual registration, for all motor vehicles with a US Environmental Protection Agency (EPA) fuel economy rating of more than 22.5 miles per gallon (MPG). All fee revenue collected, less a \$1 registration agent fee and highway block grant payments to municipalities pursuant to RSA 235:23, I, would be credited to a newly established separate account within the highway fund that would be nonlapsing and continually appropriated to the Department of Transportation for the maintenance, design, rehabilitation, and construction of state roads and bridges, including right-of-way acquisition. In addition, this bill makes a general fund appropriation of \$330,000 in FY 2018 to the Department of Safety for the purpose of implementation. The RUF shall be based on a vehicle that travels 12,500 miles per year and averages 22.5 MPG. Such a base vehicle would pay \$123.33 per year in road toll (gasoline tax). The RUF for such base vehicle is \$0. The road usage fee for all other vehicles shall be \$123.33 minus the New Hampshire road toll paid per year based on 12,500 miles of travel. The RUF shall not apply to motorcycles as defined in RSA 259:63, mopeds as defined in RSA 259:57, OHRVs as defined in RSA 259:69, and motor vehicles that are model year 1983 or older. The department of safety, in conjunction with the department of transportation, shall develop and maintain a system which links the United States Environmental Protection Agency's fuel economy data system with the department of safety's vehicle identification number (VIN) data system, allowing registration agents to collect the road usage fee established in amounts based on fuel economy ranges at 12,500 miles per year. It is estimated 54 percent of the 893,120 registered vehicles would pay no RUF if implemented today. High efficiency gas and hybrid vehicles with a fuel economy range of 41-45 MPG would pay a RUF of \$58.80 (an estimated 17,862 vehicles). The Road Usage Fee concept was unanimously approved in 2016 by a commission to study revenue alternatives to the road toll established under RSA 21-J:48. **Vote 20-1.**

HB 644-FN-A-LOCAL, extending the interest and dividends tax to capital gains, increasing exemptions from the tax, and providing for retirement system contributions on behalf of employers other than the state. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bill Ohm for the **Majority** of Ways and Means. This bill establishes a new tax on capital gains. While some of the proceeds are used to offset other taxes, the majority is concerned that a major new tax will discourage residents from staying in New Hampshire and disproportionately affect moderate income taxpayers. Finally, new taxes such as this can be ratcheted up over time, as we've seen in Maine and Connecticut, discouraging economic growth. **Vote 11-8.**

Rep. Richard Ames for the **Minority** of Ways and Means. New Hampshire has a long-standing 5 percent tax on interest and dividends. Capital gains income, which is like-kind investment income and is received mostly by people with significant income and wealth, has historically been excluded from the application of this 5 percent tax. Enactment of this bill will close this loophole and will more than triple personal exemptions from the tax. Estimates by the Institute on Tax and Economic Policy, reported to the committee at the public hearing, indicated that about \$113 million per year in net new state revenue will likely result from this change in NH tax law. Testimony showed that this new revenue will come almost entirely from taxpayers in the top income groups, with about 98 percent of the new revenue coming from taxpayers in the top 20 percent of income recipients. The estimates indicate that no taxpayer in the bottom 40 percent of income recipients will experience a tax increase. Instead, tax obligations for about 4,600 of current taxpayers will be reduced or eliminated because the bill raises personal tax exemptions more than three-fold. Seniors will benefit both from the increase in the standard personal exemption from \$2,400 to \$7,500, but also from the increase in the senior exemption from \$1,200 to \$5,000. For example, the first \$25,000 of interest, dividends and capital gain income of a married couple over age 65 will be exempt from taxation under this bill, whereas current law

exempts only \$7,200 of such a senior couple's interest and dividend income. Additionally, this bill will lower the tax on capital gains paid by many business profits tax (BPT) taxpayers (sole proprietors and partners), reducing the tax from the current BPT rate of 8.2 percent to the 5 percent rate for investment income. The bill earmarks \$45 million of the new revenue for payment by the state each year of a share of municipal, school district and county retirement costs, thereby enabling substantial property tax relief.

THURSDAY, FEBRUARY 16

REGULAR CALENDAR PART TWO

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 201-FN, requiring background checks for commercial firearms sales. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Burt for the **Majority** of Criminal Justice and Public Safety. The Gun Control Act of 1968 (GCA), as amended by the Brady Act, prescribes the legal purchase and sale of firearms by individuals. As amended, the GCA also prescribes how persons who are in the business of purchasing and selling guns may do so. This bill would not only stand these federal laws on their heads but potentially violate them as well. As written, the bill imagines a mythical "gun show loophole" where Federal Firearms Licensees (FFL) sell firearms out of the back of trucks or from under tables. The bill ignores the GCA provisions that describe the only manner in which FFL's may legally sell firearms away from their physical business location. As written, this bill would make the "transfer" of a firearm mean the same as the "sale" of a firearm requiring anyone looking at or touching a firearm subject to a National Instant Criminal Background Check. It would also make the person displaying the firearm or "transferring" a firearm to someone also subject to a National Instant Criminal Background Check. Through this conflated language, this bill would shut down firearm sales and training in New Hampshire by making the process so arduous and expensive that none could comply. Even this bill's stated purpose - "to create a record of each sale"- is a clear violation of law. Lastly, this bill implies that law-abiding citizens cannot be trusted to follow the law but that criminals will. It implies that federal and state firearms laws and regulations do not exist and, even if they did, they are not adequate. It perverts the language to burden firearms sales, purchase and training so as to extinguish them all. Finally, its call for the creation of a registry is illegal. **Vote 12-4.**

Rep. Beth Rodd for the **Minority** of Criminal Justice and Public Safety. Last year New Hampshire conducted over 165,000 background checks to keep guns out of the hands of felons, domestic abusers, and other prohibited persons. But guns sold in New Hampshire through private sales at gun shows, online, or the classifieds do not currently require a background check. Requiring a background check every time a gun is sold is effective in keeping guns out of the hands of those with a criminal record. This bill will require a background check for all commercially advertised sales, defined as a sale, transfer, or exchange of a firearm that takes place at or on the curtilage of an offer to sell or buy a firearm at a gun show, or from an advertisement, posting, listing, or display. This just makes sense – responsible gun owners shouldn't put guns in the hands of people they don't know. This bill does not affect law-abiding New Hampshire gun owners selling and trading guns between friends and family. Under this bill, commercially advertised gun sales would require a criminal background check through a federally licensed dealer using the same background check system already used in all dealer sales. A comprehensive Department of Justice study of background checks nationally from 1999 to 2010 found that a felony conviction or indictment was the most common reason to deny an application during FBI (63%) and state (50.7%) background checks. Domestic abusers attempting to purchase guns accounted for the second most common reason of denials during FBI (15.5%) and state (13.2%) background checks. This bill would close the background check loopholes, help keep guns out of the hands of dangerous criminals, and save lives. An overwhelming 89% of Granite Staters support background checks – including a majority of gun owners and NRA members.

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.**

EDUCATION

HB 554-FN, relative to the assessment of deaf and hard-of-hearing children. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James Grenier for the **Majority** of Education. This bill would have required the department of education (DOE) to develop an assessment tool for deaf and hard-of-hearing children. The majority of House Educa-

tion believed that the DOE should not be the department to develop this assessment for children ages 0-3. Health and Human Services (HHS) is responsible for deaf and hard-of-hearing children of that age range. That department would be better qualified to establish the assessing tool. It was further the opinion of the majority that improved communication between DOE and HHS could preclude the need for this bill. Lastly, professional organizations such as the American Speech and Hearing Association and medical groups already have developmental milestones based upon standardized norms that are available to school speech teachers and audiologists. **Vote 10-7.**

Rep. Mel Myler for the **Minority** of Education. The minority believes there is merit to this bill. There are a number of valid questions that require further study, but the bill could be fully vetted and developed were it to continue through the legislative process.

ELECTION LAW

HB 235, allowing the use of an assisted living facility photo identification card for voter identification purposes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kathleen Souza for the **Majority** of Election Law. This bill would allow assisted living facilities to issue identification cards for obtaining a ballot. The majority of the committee found the words “assisted living facility” too vague. The populations housed in such facilities range from long-term nursing patients, to short-term rehab patients, to temporary respite people. Some groups would be able to use a photo card for address purposes, some only for identification. There could be added confusion at the polling place. More specifics are needed before adding this type of card to the list of accepted forms of identification. **Vote 11-9.**

Rep. Marjorie Porter for the **Minority** of Election Law. This bill amends RSA 659:13, II(a)(7) to include assisted living facility photo identification cards in the list of authorized forms of identification which can be used when obtaining a ballot. RSA 161-J:2 II clearly defines what is and is not considered an ‘assisted living facility’. Residents of these facilities, due to age or infirmity, may not have any of the other forms of identification currently allowed to obtain a ballot. School and military identification cards are authorized for voting purposes to accommodate students and members of the military. The minority believes that allowing the use of assisted living facility identification cards for this purpose is a reasonable accommodation to make for the elderly or infirmed.

HB 389, relative to voters with physical disabilities. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Andrew White for the **Majority** of Election Law. This bill clarifies that a registered, physically disabled voter who presents to their polling place on the day of election and is unable to access the polls, for some reason other than their physical disability, is permitted to vote. The bill further clarifies that those voting under this provision shall be delivered an absentee ballot and that vote should be counted as an absentee ballot. Current law provides the ballot of such person be recorded as having voted in person despite casting an absentee ballot. This caused disruption for many election officials when reconciling the vote tallies. The bill further requires not just a physical disability to utilize this provision, but also an extenuating circumstance, such as an inaccessible polling location due to weather, physical barrier, or broken equipment. The bipartisan majority believes no disabled voter who shows up at the poll with the intention of voting should be turned away because they, through no fault of their own, cannot access the polling place. **Vote 12-8.**

Rep. Natalie Wells for the **Minority** of Election Law. The minority believes that the current statute is sufficient in accommodating voters with physical disabilities. The proposed legislation would require an “extenuating circumstance” for those voters with physical disabilities who are unable to access their polling place on election day and require a ballot to be brought to them outside of the polling place. Though the legislation seems well intentioned, the minority is concerned with the requirement of an “extenuating circumstance” in addition to a physical disability for a ballot to be provided to a voter.

FISH AND GAME AND MARINE RESOURCES

HB 126, prohibiting hunting on Willard Pond in Strafford county. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James Spillane for the **Majority** of Fish and Game and Marine Resources. This bill would have banned hunting on Willard Pond. The pond comes under the Department of Fish and Game jurisdiction because it is greater than ten acres in size. Sportsmen that were against the bill included the NH Guides Association, and the Fish and Game Commission was in opposition, also. The department testified that they had tried to work with the cities of Dover and Somersworth on setting new boundaries for hunting on the pond, but with no luck. **Vote 16-4.**

Rep. Ellen Read for the **Minority** of Fish and Game and Marine Resources. The minority of the committee feels that the wishes of the major stakeholders, consisting of both the residents of the towns bordering the pond and the patrons of the various stores in the vicinity of the pond, should be honored. Both cities have

unanimously asked to ban hunting on the pond. The area is highly developed with multiple big box stores within shot distance of the pond and the recreational trail that encircles it is frequented by families. The committee did not hear any objection to the bill from those who hunt on the pond.

HB 381-FN, relative to cruelty to non-captive wildlife. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James Spillane for the **Majority** of Fish and Game and Marine Resources. This bill is problematic as written with too many things to fix and it would not make sense to try amending it. The committee heard testimony that the felony-level penalties were also problematic. The Department of Fish and Game already has the ability to charge under existing statute. **Vote 12-9.**

Rep. Richard McNamara for the **Minority** of Fish and Game and Marine Resources. The minority of the committee feels that this issue, cruelty to non-captive animals, should be addressed this year. Having heard several hours of testimony for and against the bill as written, all who spoke were in agreement that the content of this bill should be addressed. Though the minority made an ought to pass recommendation, its true intention is to have the bill recommitted to the committee for further study.

JUDICIARY

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.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 264, making oral contraceptives available without a prescription. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for the **Majority** of Health, Human Services and Elderly Affairs. As originally introduced this bill had a major defect in that allowing birth control pills to be available over the counter would make them non-reimbursable under insurance. As amended, this bill sets up a commission to study making birth control available “behind the counter.” The commission would also study making birth control pills available by protocol, and therefore still under a physician’s prescription, as the committee has serious reservations about pharmacists prescribing medications. The commission is broadly representative of interested parties from around the state. **Vote 10-6.**

Rep. Mark Pearson for the **Minority** of Health, Human Services and Elderly Affairs. The minority believes while pharmacists know more about medicines than physicians, physicians know patients better than pharmacists. This information is vital for the health of patients. Prescribing medicines should, therefore, be the province of physicians.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 444, relative to reports to the public employee labor relations board. **OUGHT TO PASS.**

Rep. Sean Morrison for Labor, Industrial and Rehabilitative Services. This information is already information available to any entity upon request, therefore there is no need for this legislation. **Vote 17-4.**

SB 11-FN, prohibiting collective bargaining agreements that require employees to join or contribute to a labor union. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Fred Doucette for the **Majority** of Labor, Industrial and Rehabilitative Services. After 7 hours of testimony, the majority remain convinced that right to work is inappropriate and wrong for New Hampshire. Much of the testimony in favor of “right to work” came from witnesses based outside of New Hampshire, who failed to offer any evidence that this legislation would improve the business climate, or lead to better working conditions, or create new jobs in New Hampshire. Passage of this legislation would insert government into the employer-employee relationship, an interference that is unwarranted and unwanted. In addition, the majority has deep concerns with regards to the provision of civil and criminal penalties, thereby opening up an entirely new arena for employment litigation. Therefore, the majority conclude that this legislation has no more merit than the previous 34 versions of “right to work” put forth since 1979. We recommend this version be defeated like all previous versions. **Vote 14-7.**

Rep. Lino Avellani for the **Minority** of Labor, Industrial and Rehabilitative Services. The minority is of the opinion that “right to work” will enhance the “New Hampshire Advantage.” States with right to work legislation have demonstrated increased levels of income growth, employment opportunity and wage increase. The minority also believes that the only thing this very misunderstood legislation will do is enable an employee who does not wish to join a union to do so without any financial contribution to the same. This legislation will not affect any aspect of the collective bargaining process including right to form a union, contract negotiations, grievance procedures, etc. The passage of this legislation may cause need for effective communication between the unions and their membership to explain and justify the benefits of membership.

MUNICIPAL AND COUNTY GOVERNMENT

HB 212-FN-LOCAL, relative to police attendance at public meetings and functions. **MAJORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Brian Stone for the **Majority** of Municipal and County Government. This bill requires individuals to notify the local police chief and apply for a police detail provided at their own expense if they are going to conduct a public meeting or function, no matter how big or small, every time an event occurs “which may

potentially involve traffic-related problems, lead to a public disturbance or public nuisance, or endanger the public health, safety, or welfare” or be guilty of a violation. This adds an unnecessary layer of bureaucracy to virtually all public gatherings, imposes a costly financial burden on all public gatherings as police details at a gathering could cost thousands of dollars, and imposes a violation cost that is not listed. Such decisions regarding police details should be worked out on the local level. With this legislation, local authorities are apt to err on the side of caution and provide costly services where they are not necessary, which may prevent all manner of gatherings from taking place. This is inconsistent with Article 32 of the New Hampshire Bill of Rights regarding the Right of Assembly. **Vote 9-4.**

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 NH 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 272, relative to the election of county commissioners in Carroll county. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Carolyn Matthews for the **Majority** of Municipal and County Government. This bill concerns the method of electing county commissioners in Carroll county. As in other counties, Carroll County elects commissioners from the district in which they reside. Unlike some other counties, the voters in the entire county subsequently vote on each commissioner. Some counties provide that only the voters in a particular district will vote to elect their commissioner. Counties of different sizes should be entitled to base their voting methods on their own circumstances. The method of electing county commissioners in Carroll County has not seemed to be a problem due to its small size. The committee heard testimony that the overwhelming majority of elected representatives in Carroll County support keeping county commissioner districts and elections as they are, and that his legislation is unnecessary. **Vote 9-4.**

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SCIENCE, TECHNOLOGY AND ENERGY

HB 198, relative to the qualifications for the position of consumer advocate. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for the **Majority** of Science, Technology and Energy. The position of Consumer Advocate is tasked with advocating on behalf of residential ratepayers and is filled by a candidate that is recommended by the Residential Ratepayers Advisory Board and approved by the Governor and Council. This bill, as amended, would allow the position of Consumer Advocate to be filled by candidates with qualified backgrounds other than just practicing attorneys, as is currently the case, and align the qualifications with those required for commissioners who serve on the Public Utilities Commission. Additional backgrounds include licensed engineers, certified public accountants, candidates with qualified financial experience, or economists. The amendment would require an attorney to be on staff if the position of Consumer Advocate is filled with someone other than an attorney. Per the Office of Consumer Advocate website, there is one open attorney position on the five member staff with the job description as follows, “to implement the agency’s legal strategy and analysis of complex legal issues arising in the regulated utilities industries, and to act as lead attorney in complex regulatory proceedings.” The majority felt that the position of Consumer Advocate should be open to a larger pool of qualified candidates in order to find the best person to advocate for lower utility rates for the consumer. This change in statute will not affect the current occupant of the position, but would be applied to future nominees, and would not preclude an attorney from being appointed. **Vote 12-8.**

Rep. Robert Backus for the **Minority** of Science, Technology and Energy. The minority believes this bill is a solution in search of a problem. Since the Office of Consumer Advocate was created, the office has been led by an attorney advocate. The Consumer Advocate is in constant litigation at the Public Utilities Commission (PUC) and many times has to file or defend appeals from decisions he or she deems contrary to the interest of residential ratepayers to the New Hampshire Supreme Court. The heart of the Consumer Advocates's job is managing complex litigation. Nearly every state that has an equivalent position is led by an attorney advocate. Testimony on the bill, including from our current Consumer Advocate and the PUC General Counsel, overwhelmingly favored retaining the present requirement. Some in the majority cited the fact that PUC Commissioners do not all have to be attorneys, but there are three commissioners, and one is required to be one. The Consumer Advocate is the sole head of the office and is often the only participant in contested rate increase proceedings to oppose those who are well represented by attorneys, such as utilities and their allies.

HB 238, establishing a committee to study broadband access to the Internet. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert Vadney for the **Majority** of Science, Technology and Energy. This bill would establish a committee to study broadband access to the internet in New Hampshire. It is not needed. There are several companies currently providing broadband internet service across NH, constantly expanding into new areas, constantly upgrading existing lines, and constantly installing newer technologies as they enter the marketplace. The advances they make every year are substantial and would be difficult for this Legislature or any study committee to follow, say nothing about trying to better. Internet providers face ferocious competition from other private companies using similar technologies and from newer and ever improving competing technologies. It is truly a dog fight which we would best not stick our hands into. **Vote 12-8.**

Rep. Marjorie Shepardson for the **Minority** of Science, Technology and Energy. Many people in New Hampshire still do not have access to affordable high speed broadband, even though we're told the state is 93% served. Broadband has become a necessity for economic development in the areas of business, education, and the health professions. Lack of it affects property values. The minority feels a study committee could look for solutions to this problem.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 4, urging Congress to propose the Regulation Freedom amendment to the United States Constitution. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for the **Majority** of State-Federal Relations and Veterans Affairs. On January 5, 2017, the United States House of Representatives passed HR 26, the Regulations from the Executive in Need of Scrutiny (REINS) Act, with bi-partisan support. The REINS Act would require that Congress approve major new federal regulations before they can take effect. This resolution urges passage of the REINS Act in both Houses of Congress, and that Congress transfer no power or authority to the Executive Branch in the making of laws. **Vote 11-7.**

Rep. Amanda Bouldin for the **Minority** of State-Federal Relations and Veterans Affairs. The minority of the committee is concerned that allowing one-fourth of the members of the federal legislature to require the entire body to vote on any particular rule or regulation has the potential to allow a minority to delay or obstruct the implementation of a much-needed rule or regulation. There was also the ongoing concern, due to this low threshold, over the influence that large states (such as California or New York) have in the House of Representatives when compared to small states like New Hampshire, due to proportional representation.

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 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 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 state 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 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.**

HB 489, establishing a commission to study the tax structure of the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary Azarian for Ways and Means. This bill establishes a commission to study the tax structure of the state with the purpose of developing changes to state tax laws in order to reduce the burden on property taxes under the current tax structure. The tax structure of NH is very complex. Being without a sales or income tax is what makes, and will continue to make, NH unique. The state garners its revenues from many different sources. This bill as amended establishes a commission to study adaption of the tax structure of the state to economic and demographic change. The commission shall evaluate the taxes and other revenue sources that provide the most revenue to the state with regard to their ability to foster or impede the goals of growth and to attract and retain the young people needed to reverse current demographic trends that threaten such growth. The commission shall make proposals to adapt the state's tax structure to these needs as it sees fit. The committee unanimously supports this bill as amended. **Vote 21-0.**

HB 566-FN-LOCAL, repealing the community revitalization tax relief incentive. **INEXPEDIENT TO LEGISLATE.**

Rep. Jordan Ulery for Ways and Means. This bill would repeal the community revitalization tax relief incentive program. This program has proven successful and beneficial to the taxpayers of the state when administered as intended. If passed, this bill would benefit one community to the detriment of many others. A key principle of equitable tax policy is that it be consistent and predictable. This bill violates that principle. As a result, the committee unanimously agreed to recommend this bill inexpedient to legislate. **Vote 21-0.**

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, I), 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.

SUNDAY, FEBRUARY 12

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1), New Hampshire Technical Institute, Crocker Sweeney Building, Room 235, Concord

1:00 p.m. Regular meeting.

MONDAY, FEBRUARY 13

ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), Room 100, SH

3:00 p.m. Regular meeting.

COMMISSION TO EVALUATE THE EFFECTIVENESS AND FUTURE OF THE PREMIUM ASSISTANCE PROGRAM (RSA 126-A:5-e), Room 208, LOB

2:30 p.m. Regular meeting.

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

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. **HB 397**, relative to juvenile justice procedures.

11:00 a.m. **HB 410**, relative to the legislative youth advisory council.

1:00 p.m. **HB 135**, relative to the submission of evidence prior to hearings in divorce cases.

2:00 p.m. **HB 134-FN**, relative to causes for divorce.

3:00 p.m. **HB 629-FN**, establishing a preference for the appointment of the child's grandparent as guardian of the minor in certain cases.

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

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

9:00 a.m. Subcommittee work session on **HB 455-FN**, relative to the practices of pharmacy benefit managers; **HB 343**, relative to disapproval of forms.

10:00 a.m. Subcommittee work session on **HB 385**, relative to notice for foreclosures; **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 482**, requiring social media companies to remove subscriber information at the subscriber's request.

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 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 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.

1:30 p.m. Executive session on **HB 457-FN**, relative to consumer credit division entities; **HB 436**, exempting persons using virtual currency from registering as money transmitters; on **HB 329**, establishing a committee to study balance billing; **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 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 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 385**, relative to notice for foreclosures; **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 482**, requiring social media companies to remove subscriber information at the subscriber's request; **HB 455-FN**, relative to the practices of pharmacy benefit managers; **HB 343**, relative to disapproval of forms.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:30 a.m. Continued executive session on **HB 287**, establishing a committee to study decriminalizing sex work.

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

10:45 a.m. Subcommittee work session on **HB 626-FN**, relative to annulment of criminal records.

11:00 a.m. Executive session on **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

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.

ELECTION LAW, Room 308, LOB

- 10:00 a.m. **HB 616-FN-L**, relative to persons executing election affidavits.
 10:20 a.m. Continued public hearing on **HB 348-FN**, relative to registering to vote.
 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. Executive session on **HB 384**, establishing a committee to study ballot access in New Hampshire; **HB 447**, relative to allocating electoral college electors based on the national popular vote; **HB 519**, establishing a commission to study the feasibility of implementing a clearinghouse model for tracking political expenditures and contributions; **HB 622-FN-L**, allowing all voters to vote by absentee ballot; **HB 320**, relative to procedures for apportioning electoral districts; **HB 116**, relative to assessing the consequences of the Citizens United decision; **HB 249**, relative to showing a ballot.

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.

FINANCE JOINT WITH SENATE FINANCE, Rooms 210-211, LOB

- 2:00 p.m. Governor's budget presentation.

FINANCE, Rooms 210-211, LOB

Presentations:

- 2:30 p.m. Department of Administrative Services
 3:00 p.m. Department of Information Technology
 3:30 p.m. Department of Corrections
 4:00 p.m. Department of Environmental Services

FINANCE - DIVISION II, Room 209, LOB

- 10:00 a.m. Continued division work session on **HB 584-FN**, relative to chartered public school funding; **HB 409**, relative to the reporting of the higher education fund within the state operating budget.

FINANCE - DIVISION III, Rooms 210-211, LOB

- 10:00 a.m. Agency budget presentations with the Department of Health and Human Services.

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

- 9:00 a.m. Subcommittee work session on **HB 484**, establishing a commission on the seacoast cancer cluster investigation.
 10:00 a.m. Public hearing on non-germane amendment 2017-0098h to **HB 400**, establishing a task force to determine the level of service to be provided to clients of community mental health centers. The amendment requires the department of health and human services to develop a comprehensive 10-year plan for the mental health system, to be submitted to the speaker of the house of representatives, the president of the senate, and the governor on or before December 31, 2018. Copies of the amendment are available in the Sergeant-at-Arms' Office, Room 318, State House.
 1:15 p.m. **HB 638-FN-L**, repealing the New Hampshire health protection program.
 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.

JUDICIARY, Room 208, LOB

10:00 a.m. Public hearing on non-germane amendment 2017-0286h to **HB 186**, relative to immunity from civil liability for sports officials. The amendment provides that certain actions in which the state is a plaintiff be brought within 3 years. 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.

11:00 a.m. Subcommittee work session on **HB 138**, relative to persons held in civil contempt.

1:00 p.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 174**, limiting jurisdiction of the superior courts over certain adequate education statutes and adequate education grants; **HB 288**, relative to the statutory construction of the phrase "under oath."; **HB 439**, applying the rape shield law to all state courts; **HB 476**, relative to the duties of registers of probate; **HB 490**, relative to certain citizens having standing to sue school boards; **HB 545**, relative to immunity from prosecution for persons involved in an alcohol or drug-related emergency; **HB 578-FN**, relative to banning abortion after viability; **HB 589-FN**, repealing the law relative to providing certain parameters for access to reproductive health care facilities; **HB 614-FN**, relative to forfeiture of personal property.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 585-FN-L**, abolishing fluoridation in water.

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 565-FN-L**, relative to collection of delinquent property tax payments by manufactured housing owners; **HB 585-FN-L**, abolishing fluoridation in water; **HB 265**, relative to accessory dwelling units; **HB 303-L**, relative to filling vacancies in the office of county commissioner; **HB 313**, allowing a town to appropriate funds to create a town scholarship fund; **HB 411-L**, relative to calculation of collection dates for local property taxes; **HB 419-FN-L**, relative to real estate leased for a public charter school.

1:00 p.m. Executive session on **HB 461**, relative to the acceptance of grants by Carroll county; **HB 498**, relative to certification requirements for holding the office of sheriff; **HB 503-L**, relative to notice to property owners regarding changes in assessments of property values for tax purposes; **HB 530-FN-L**, relative to charges for services by the register of deeds; **HB 121**, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees; **HB 316**, relative to a statewide property tax exemption for commercial and industrial construction; **HB 131**, relative to the costs for notice of changes in a zoning district.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:15 a.m. **HB 512**, establishing a commission to develop a memorandum of understanding between the department of transportation and the department of resources and economic development for staffing, operating, and maintaining the state's rest areas and welcome centers.

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

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Career and Technical Student Organization visit.

10:15 a.m. Full committee work session on **HB 114**, relative to minimum electric renewable portfolio standards; **HB 141**, relative to electric renewable energy classes; **HB 199**, relative to including hydroelectric in renewable energy classes; **HB 225**, repealing the electric renewable portfolio standard; **HB 336**, relative to standards for outdoor wood-fired hydronic heaters; **HB 352-FN**, relative to the energy efficiency fund; **HB 518**, eliminating the cap on net metering; **HB 535**, relative to community net metering.

1:30 p.m. Executive session on **HB 114**, relative to minimum electric renewable portfolio standards; **HB 141**, relative to electric renewable energy classes; **HB 199**, relative to including hydroelectric in renewable energy classes; **HB 225**, repealing the electric renewable portfolio standard; **HB 336**, relative to standards for outdoor wood-fired hydronic heaters; **HB 352-FN**, relative to the energy efficiency fund; **HB 518**, eliminating the cap on net metering; **HB 535**, relative to community net metering.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 458**, relative to motorcycle headlamps.
 10:20 a.m. **HB 451**, relative to motorcycle endorsements and restrictions.
 10:40 a.m. **HB 553-FN**, relative to biennial motorcycle inspections.
 11:30 a.m. **HB 363**, repealing the laws regarding motorized locomotives and ski area plates.
 1:00 p.m. **HB 388-FN**, relative to special number plates for veterans and armed forces members.
 1:30 p.m. **HB 433**, relative to number plate decals for firefighters.
 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 315**, relative to persons who may accompany a youth operator of an OHRV or a snowmobile; **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; **HB 454**, repealing mandatory on-board diagnostic and emissions tests for motor vehicles.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. Continued public hearing on **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. Continued public hearing on **HB 539-FN-A-L**, relative to the distribution of occupancy revenues under the meals and rooms tax to towns and cities.
 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. Revenues work session.

WEDNESDAY, FEBRUARY 15**EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB**

- 3:00 p.m. or after session. 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.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 12:15 p.m. Subcommittee work session on **HB 407-FN**, requiring workers' compensation to cover prophylactic treatment for exposure.

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.
 10:30 a.m. Audits:
 The Unique College Investing Plan Annual Report, September 30, 2016
 The Fidelity Advisor 529 Plan Annual Report, September 30, 2016
 State of New Hampshire Comprehensive Annual Financial Report for Fiscal Year 2016
 State of New Hampshire Highway Fund (Fund 15) Audited Financial Statements for the Fiscal Year Ended June 30, 2016
 2016 Comprehensive Annual Financial Report New Hampshire State Liquor Commission, a Department of the State Of New Hampshire

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

- 10:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 21**CHILDREN AND FAMILY LAW, Room 206, LOB**

- 10:00 a.m. **HB 506**, relative to notice of a petition for modification of child support.

- 10:30 a.m. **HB 521**, revising the alimony statute.
- 1:00 p.m. **CACR 2**, relating to natural rights of children. Providing that children have a natural right to be protected by their parents.
- 2:00 p.m. **HB 326**, regarding immunity under the child abuse reporting law.
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. Continued public hearing on **HB 216**, relative to the procedure for expulsion of certain pupils.
- 10:45 a.m. Continued public hearing on **HB 391**, relative to checklists in other districts.
- 11:00 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; **HB 339**, relative to reimbursement of transportation costs for students attending a career and technical education center.
- 1:30 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 session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

- 10:00 a.m. Presentation from the Committee to Study Exotic Aquatic Weeds and Exotic Aquatic Species of Wildlife in the State of New Hampshire.
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 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.

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.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. Executive session on **HB 195**, establishing a committee to study temporary seasonal docks; **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.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 416**, relative to visual acuity requirements for drivers' licenses.
- 10:30 a.m. **HB 500**, relative to organizations that are authorized to issue decals.
- 11:00 a.m. **HB 487**, relative to vehicle equipment waivers for persons with disabilities.
- 11:30 a.m. **HB 479-FN**, establishing Rotary International special number plates.

- 1:00 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.
- 4:00 p.m. Continued executive session on **HB 267**, repealing the rail transit authority.

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.
- 9:45 a.m. Subcommittee work session on **HB 567-FN**, repealing the exemption for water and air pollution control facilities from local property taxation.
- 10:30 a.m. Subcommittee work session 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.
- 1:00 p.m. Revenues work session.

WEDNESDAY, FEBRUARY 22

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

- 10:00 a.m. Executive session on **HB 513**, authorizing the state veterans' advisory committee to accept gifts, grants, and donations for payment of the committee's costs; **HB 466**, relative to the selection of delegates to an article V convention; **HCR 5**, applying for a convention of the states under Article V of the Constitution of the United States; **HCR 9**, affirming states' powers based on the Constitution for the United States and the Constitution of New Hampshire; **HR 8**, urging Congress to investigate the lawsuits against Trump University.

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.

WAYS AND MEANS, Room 202, LOB

- 10:00 a.m. Revenue work session.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

THURSDAY, FEBRUARY 23

COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T), New Hampshire Medical Society, 7 North State Street, Concord

- 2:00 p.m. Regular meeting.

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.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Revenue work session.

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

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.

WEDNESDAY, MARCH 8**WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), Room 205, LOB**

8:00 a.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**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**BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 307, LOB**

1:00 p.m. Regular meeting.

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.

THURSDAY, MARCH 23**COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T), New Hampshire Medical Society, 7 North State Street, Concord**

2:00 p.m. Regular meeting.

FRIDAY, MARCH 24

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

9:30 a.m. Regular meeting.

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

9:00 a.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 **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

Pursuant to RSA 24:13, the Executive Committee of the **Merrimack** County Delegation will meet on **Friday, February 17th at 9:30 a.m.** in the Lower Level Conference Room located at the McDonnell Building 4 Court Street. The purpose of the meeting is to authorize the purchase of real estate to provide parking needed for the new courthouse, the Pitman Street Lot Line adjustment, and any other business that may appropriately come before them.

Rep. James MacKay, Chair

Pursuant to RSA 24:13, there will be a meeting for **Merrimack** County before the County Delegation at **10:00 a.m. on Friday, February 17th** at the McDonnell Building, 4 Court Street, Lower Level Conference Room, Concord. The purpose of the meeting is to authorize the purchase of real estate to provide parking needed for the new courthouse, the Pitman Street Lot Line adjustment, and to consider any other business that may appropriately come before them.

Rep. Dianne Schuett, Chair

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

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

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 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

Members of NH's Career and Technical Student Organizations will be visiting with legislators on **Tuesday, February 14th from 10:00 a.m. to 2:00 p.m.** Displays will be set up in the cafeteria beginning at 10:30, and a food drive will be held from Tuesday through Thursday. Please place non-perishable items in the boxes provided in the cafeteria.

Reps. Dick Hinch and Stephen Shurtleff

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

All members are invited to attend Capitol Prayer and Bible Study with Pastor Peter Chamberland on **Thursday, February 16th at 8:00 a.m.** in Room 206, LOB. Join us for a time of devotion before Session.

Rep. Valerie Frasier

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

Former Rep. Peter Ramsey, the executive director of the Palace Theatre in Manchester, cordially invites all House members and staff (and one guest each) to attend the dress rehearsal of the musical "Hairspray" on **Thursday, March 2nd at 7:00 p.m.** All dress rehearsals at the Palace are by invitation and free of charge. Please call the Palace Theatre box office at 603-668-5588 on or before Wednesday, March 1st, if you plan to attend.

Reps. Dick Hinch and Stephen Shurtleff

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

All legislators and legislative employees are cordially invited to attend the New Hampshire Energy Future Breakfast at the Grappone Center on **Wednesday, March 8th**. Check-in for the event begins at **7:00 a.m.** with a breakfast buffet. Municipal and business panels, moderated by Kevin Smith and Steve Duprey will discuss challenges and opportunities related to energy in New Hampshire. This breakfast is hosted by NH Clean Tech Council, NH Community Development Finance Authority, The Nature Conservancy, NH Businesses for Social Responsibility and others. For more information and to register for this event and other events taking place during Energy Week please email: info@bfreshconsulting.com

Rep. Richard Barry

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. 10	9:00	Peter Woodbury School – Bedford	60/4
Feb. 13	9:00	Victory Baptist School – Londonderry	11/4
Feb. 13	9:45/11:00 SH/HM	Chester Academy (RESCHEDULED)	62/4

DATE	TIME	GROUP	#/GRADE
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. 15	10:00	Holy Trinity Catholic School – Laconia (rescheduled)	17/4&5
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. 24	12:00	Pittsfield Elementary School (RESCHEDULED)	40/4
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	Tuftonboro Elementary School	22/4
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 8	1:00	League of Women Voters of NH	15/adults
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 17	10:15	Portsmouth Christian Academy – Dover	35/4
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	9:00	UNH- Social Work Students	45/col
March 22	9:45/11:00 SH/HM	Lincoln St. School – Exeter	80/4
March 22	10:00	Friend's Retired & Senior Volunteer Program	10/Srs
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
March 27	9:00	Second Start	18/adults
March 27	10:15	St. John Regional School – Concord	21/4
March 28	9:15	Second Start	18/adults
March 28	10:00	New Franklin School – Portsmouth	47/4
March 29	9:30 * 2 tours	Penacook Elementary School	64/4
March 30	9:45/11:15	Little Harbour School – Portsmouth	75/4
March 31	9:30	Merrimack Middle School	24/MS
March 31	10:15/11:30	Dr. Crisp Elementary School – Nashua	75/4

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 84

(2017-0160h)

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

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

AN ACT relative to having a loaded firearm in a motorhome.

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

1 New Paragraph; Fish and Game; Hunting From a Motor Vehicle, OHRV, Snowmobile, Boat, or Aircraft; Exception Added. Amend RSA 207:7 by inserting after paragraph IV the following new paragraph:

V.(a) Nothing in this section shall be construed to prohibit the possession of a loaded rifle or loaded shotgun, or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun, in a motorhome when:

(1) The motorhome is connected to water, electricity, sewage disposal, or other utility service and is not capable of being driven; or

(2) The motorhome is immobile and the keys or keyless ignition device are locked up or secured from operation.

(b) For purposes of this section, "motorhome" means a self-propelled vehicle that is equipped to serve as temporary living quarters for recreational, camping, or travel purposes and is used solely as a family or personal conveyance.

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

2017-0160h

AMENDED ANALYSIS

This bill allows the possession of a loaded rifle or loaded shotgun, or a rifle or shotgun with a cartridge in a magazine or clip attached to the gun in a motorhome when not driven.

Amendment to HB 97-FN

(2017-0296h)

Proposed by the Committee on Executive Departments and Administration - r

Amend RSA 422-D:1, IV as inserted by section 1 of the bill by replacing it with the following:

IV.(a) "Critical infrastructure" means a county, city, or town jail or detention facility, police station or fire station; any prison, facility, or institution under the control of the department of corrections; and any additional structure designated by the Federal Aviation Administration as critical infrastructure.

(b) The department of transportation, bureau of aeronautics, shall apply to the Federal Aviation Administration to request the structures specified in subparagraph (a) to be designated as critical infrastructures. Amend RSA 422-D:2, I as inserted by section 1 of the bill by replacing it with the following:

I. Except as provided in paragraph II or III:

(a) No government shall use a drone, or obtain, receive, use, or retain information acquired by or through a drone, to engage in surveillance, to acquire evidence, or to enforce laws; and

(b) No government shall use a drone equipped with an imaging device to record an image of an identifiable individual on privately-owned real property in violation of such individual's reasonable expectation of privacy without his or her consent. For purposes of this subparagraph, an individual is presumed to have a reasonable expectation of privacy on privately-owned real property if he or she (1) is within an enclosed structure or (2) is not observable by individuals located at ground level in a public place where they have a legal right to be, regardless of whether he or she is observable from the air.

Amend RSA 422-D:2 as inserted by section 1 of the bill by inserting after paragraph II the following new paragraph and renumbering the original paragraphs III-VII to read as IV-VIII, respectively:

III. Notwithstanding the provisions of paragraph I, a government may use a drone, or obtain, receive, use, or retain information acquired by or through a drone for non-law enforcement purposes if, in an emergency, a government determines that, under particular circumstances, swift action is needed to prevent imminent harm to life or serious damage to property, or to assist in locating missing, abducted, or lost individuals, hunters, or hikers, or to rescue persons in natural disasters, injured persons, or persons in need of medical assistance.

Amend RSA 422-D:3, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Operate a drone over critical infrastructure without the written consent of the owner of the critical infrastructure;

Amend RSA 422-D:3, VIII as inserted by section 1 of the bill by replacing it with the following:

VIII. Paragraphs I, II, and III of this section shall not apply to a person engaged in a business or profession licensed by the state, or by an agent, employee, or contractor of such person, if the drone is used solely to perform reasonable tasks within the scope of practice or activities permitted under such person's license, and provided that the drone shall not be used to obtain information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any individual.

Amend RSA 422-D:5 as inserted by section 1 of the bill by replacing it with the following:

422-D:5 Identification. Except for the drone's original equipment manufacturer, each owner of a drone shall identify the drone with the owner's telephone number in permanent ink or other indelible manner of identification. If space allows, the owner's name shall also be included. Identification shall be readily accessible and legible upon close visual inspection.

Amend RSA 422-D:9, I as inserted by section 1 of the bill by replacing it with the following:

I. A government employee or agent who knowingly violates RSA 422-D:2, except for the reporting requirements in 422-D:2, II(c) and 422-D:2, VIII, shall be guilty of a misdemeanor. A government employee or agent who violates the reporting requirements in RSA 422-D:2, II(c) or 422-D:2, VIII shall be guilty of a violation for a first offense and a misdemeanor for any subsequent offense.

Amendment to HB 117

(2017-0036h)

Proposed by the Committee on Municipal and County Government - c

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

1 Property Taxation; Exemption for Improvements to Assist Persons with Disabilities; Generators. Amend RSA 72:37-a to read as follows:

72:37-a Exemption for Improvements to Assist Persons With Disabilities.

I. In this section:

(a) "Person with a disability" means a person who by reason of a physical defect or infirmity permanently requires the use of special aids to enable him *or her* to propel himself *or herself*.

(b) "Residential real estate" has the meaning set forth under RSA 72:29, II.

II. Every owner of residential real estate upon which ~~he~~ *the owner* resides, and to which he *or she* has made improvements for the purpose of assisting a person with a disability who also resides on such real estate, is each year entitled to an exemption from the assessed value, for property tax purposes, upon such residential real estate determined by deducting the value of such improvements from the assessed value of the residential real estate before determining the taxes upon such real estate.

II-a. Improvements qualifying for the exemption under this section shall include the installation and use of a standby generator system when such system is included in the assessed value of the residential real estate.

III. The exemption under this section shall apply only in taxable years during which the person with a disability resided on the residential real estate for which the exemption is claimed on April 1 in any given year.

IV. No person shall be entitled to an exemption under this section unless he *or she* has filed with the selectmen or assessors, on or before April 15 of some year, a permanent application therefor, signed under the penalty of perjury, on a form approved and provided by the commissioner of revenue administration showing that the applicant is duly entitled and is the true and lawful owner and occupant of the property on which the exemption is claimed. If any person, otherwise qualified to receive an exemption, shall satisfy the selectmen or assessors that he was prevented by accident, mistake or misfortune from filing an application on or before April 15 of the year in which he *or she* desires the exemption, said officials may receive said application at a later date and grant an exemption thereunder for that year; but no such application shall be received or exemption granted after the local tax rate has been approved for that year.

V. Whenever the selectmen or assessors refuse to grant an applicant an exemption to which he may be entitled under this section, said applicant may appeal the decision in accordance with RSA 72:34-a.

VI. An exemption granted under this section shall have no effect on an applicant's eligibility for other exemptions as authorized under this chapter.

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

2017-0036h

AMENDED ANALYSIS

This bill applies the property tax exemption for improvements to assist persons with disabilities to the installation and use of a standby generator system.

Amendment to HB 120

(2017-0035h)

Proposed by the Committee on Municipal and County Government - c

Amend RSA 24:13, V(c) and (d) as inserted by section 1 of the bill by replacing it with the following:

(c) In the event of a general fund operating budget deficit at the close of any fiscal year, as determined by official audit, the treasurer shall notify the county executive committee and the county commissioners of such deficit. The treasurer shall request that sufficient funds, to the extent available, be transferred from the revenue stabilization reserve account to eliminate such deficit. Such transfer may be made only after majority approval by the county executive committee and when both of the following conditions have been met:

(1) A general fund operating budget deficit occurred for the most recently completed fiscal year; and

(2) General fund revenues in the most recently completed fiscal year were less than the budget estimate.

(d) The amount of said transfer shall not exceed a sum equal to the lower of the amount of the deficit in subparagraph (c)(1) or the revenue shortfall in subparagraph (c)(2). Upon receipt of approval from the county executive committee, the treasurer shall immediately transfer the sums approved to the general fund surplus account.

**Amendment to HB 190
(2017-0022h)**

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

Amend RSA 214:1-f, IX as inserted by section 1 of the bill by replacing it with the following:

IX. The executive director, with the approval of the commission, shall expend the funds in the wildlife habitat account. Prior to the expenditure of any funds, the fish and game department shall analyze the proposed project and provide the executive director and the commission with recommendations as to the project's usefulness and feasibility. ***No funds in the wildlife habitat account shall be expended for the purchase of equipment or materials, with the exception of expenditures for necessary equipment purchases, leases, or rentals for the completion of projects authorized under subparagraphs VII(a)(1) and (2).*** Amend RSA 214:1-g, VI as inserted by section 2 of the bill by replacing it with the following:

VI. The executive director, with the approval of the commission, shall expend the funds in the fisheries habitat account. Prior to the expenditure of any funds, the fish and game department shall analyze the proposed project and provide the executive director and the commission with recommendations as to the project's usefulness and feasibility. ***No funds in the fisheries habitat account shall be expended for the purchase of equipment or materials, with the exception of expenditures for necessary equipment purchases, leases, or rentals for the completion of projects authorized under subparagraph IV(a).***

2017-0022h

AMENDED ANALYSIS

This bill provides for a portion of funds in the wildlife habitat account to be used for fish and game department boundary work, and limits expenditures from the wildlife habitat account and fisheries habitat account for equipment and materials. The bill also corrects references to legislative committees.

**Amendment to HB 196
(2017-0149h)**

Proposed by the Committee on Transportation - c

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

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

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

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

Amend the bill by replacing section 4 with the following:

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.

**Amendment to HB 198
(2017-0042h)**

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

Amend RSA 363:28, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) A consumer advocate, appointed by the governor and council, who shall be *either* a qualified attorney admitted to practice in this state ***or who shall have background or experience, or both, in one or more of the following: engineering, economics, accounting, or finance. If the consumer advocate is other than an attorney, an attorney shall be on the consumer advocate's staff.*** The consumer advocate shall serve a 4-year term and until a successor is appointed and qualified.

**Amendment to HB 208
(2017-0203h)**

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

Amend RSA 135-C:63-c, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) There is established a commission to study mental health procedures for involuntary commitment. The members of the commission shall be as follows:

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

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

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

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

(5) The attorney general, or designee.

(6) The chief executive officer of the New Hampshire hospital, or designee.

(7) A representative of the New Hampshire Community Behavioral Health Association, appointed by the association.

(8) A representative of the National Alliance on Mental Illness New Hampshire, appointed by such agency.

(9) A representative of the New Hampshire Disability Rights Center, appointed by the center.

(10) A representative of the New Hampshire Psychiatric Society, appointed by the society.

(11) The executive director of New Futures, or designee.

(12) A representative of the Campaign to Change Direction New Hampshire, appointed by the campaign.

(13) The chief justice of the superior court, or designee.

(14) The administrative justice of the circuit court, or designee.

(15) The administrative justice of the probate court, or designee.

(16) A public member, appointed by the governor.

(17) A family member of a person who was held in an emergency room awaiting transfer to a designated receiving facility, appointed by the governor.

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

(19) A registered nurse, appointed by the New Hampshire Nursing Association.

(20) Two representatives of the New Hampshire Hospital Association, one of whom shall be a representative of a community hospital which operates a designated receiving facility, appointed by the association. Amend RSA 135-C:63-c, III and IV as inserted by section 1 of the bill by replacing them with the following:

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

IV. The commission shall submit an interim report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, the chair of the oversight committee on health and human services, and the state library on or before November 1, 2017 and shall submit a final report on or before November 1, 2018.

Amendment to HB 218

(2017-0056h)

Proposed by the Committee on Election Law - c

Amend the bill by replacing section 1 with the following:

1 Electioneering at the Polling Place. Amend RSA 659:43, II to read as follows:

II. No person [~~who is a candidate for office or who is representing or working for a candidate~~] shall distribute any campaign materials or perform any electioneering activities or any activity which affects the safety, welfare, and rights of voters within a corridor 10 feet wide and extending a distance from the entrance door of the building as determined by the moderator where the election is being held, ***or inside the polling place.***

2017-0056h

AMENDED ANALYSIS

This bill prohibits distributing campaign materials and electioneering inside the polling place. This bill also expands the applicability of exiting electioneering prohibitions.

Amendment to HB 221

(2017-0209h)

Proposed by the Committee on Education - c

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

1 National Guard Scholarship Fund; Eligible Recipients. Amend RSA 110-B:63 to read as follows:

110-B:63 Eligible Recipients.

I. The scholarships shall be awarded to members in good standing of the New Hampshire national guard for the purpose of assisting in fees, books, and tuition payments at institutions of higher learning or postsecondary education located within the state while enrolled in a degree enhancing curriculum or a non-credit professional development or certificate program that the Veterans Administration recognizes as eligible for educational assistance.

II. If for any reason an individual is dismissed from any school, curriculum, or program for academic or disciplinary reasons, the individual shall be ineligible for educational assistance under this subdivision unless the adjutant general's department reinstates eligibility.

2 Educational Assistance Authorized; Minimum Requirements. Amend RSA 110-B:63-c, II to read as follows:

II. Be enrolled in a degree-enhancing curriculum in any college that is under the authority of the chancellor of the community college system of New Hampshire, or enrolled in any degree-enhancing curriculum in any ~~[public college or university within the state]~~ **college or university which is under the authority of the chancellor of the university system of New Hampshire.**

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

2017-0209h

AMENDED ANALYSIS

This bill allows national guard scholarships to be awarded for the purpose of payment for fees and books. This bill makes individuals who are dismissed from a school, curriculum, or program for academic or disciplinary reasons ineligible for further assistance from the national guard scholarship fund unless the adjutant general's department reinstates eligibility. This bill also authorizes national guard members who are enrolled in any degree-enhancing curriculum in any college or university which is under the authority of the chancellor of the university system of New Hampshire to receive certain educational assistance.

Amendment to HB 238

(2017-0132h)

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

Amend the bill by replacing section 3 with the following:

3 Duties. Recognizing the importance of Internet access to all citizens and the need to promote access in unserved and underserved areas, the committee shall:

I. Explore opportunities for public/private partnerships to facilitate broadband availability in unserved and underserved areas.

II. Promote the adoption of wireless and wired broadband technologies to expand the reach of broadband access into rural areas with low adoption rates.

Amendment to HB 251

(2017-0231h)

Proposed by the Committee on Municipal and County Government - c

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

1 Capital Reserve Funds of Towns and Districts; Payments into Fund. Amend RSA 35:5 to read as follows:

35:5 Payments Into Fund. There may be paid into any such capital reserve fund, except as provided in RSA 35:7, such amounts as may from time to time be raised and appropriated therefor ***under a special warrant article***, from any source other than money given to the town, district, or county for charitable purposes. Such amounts shall be within the limits as provided in RSA 35:8, and any such town, district, or county may also vote to transfer to said fund, under a ~~[proper]~~ ***special warrant article*** ~~[in the warrant]~~ in the case of a town or district, any of its unencumbered surplus funds remaining on hand at the end of any fiscal year.

2 Capital Reserve Funds of Towns and Districts; Appropriation. Amend RSA 35:12 to read as follows:

35:12 Appropriation. Whenever the vote of the town is to appropriate any sum for the capital reserve fund ***pursuant to RSA 35:5***, the same duties shall devolve upon the town clerk, selectmen, and town treasurer, as specified in RSA 35:11, except that the order must be drawn, and the sum transferred on or before December 15 following the vote, or, in the case of an optional fiscal year town, after July 1, but no later than June 15, of the fiscal year for which the sum was appropriated.

3 New Paragraph; Municipal Budget Law; Lapse of Appropriation. Amend RSA 32:7 by inserting after paragraph II the following new paragraph:

II-a. The amount is appropriated to a capital reserve fund pursuant to RSA 35:5.

4 Municipal Budget Law; Transfer of Appropriation. Amend RSA 32:10, I (d) to read as follows:

(d) Any amount appropriated at the meeting under a special warrant article, ***or to a capital reserve fund pursuant to RSA 35:5***, may be used only for the purpose specified in that article and shall not be transferred.

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

2017-0231h

AMENDED ANALYSIS

This bill permits certain amounts to be paid into a capital reserve fund under a special warrant article.

This bill is a request of the department of revenue administration.

Amendment to HB 264

(2017-0119h)

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

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

AN ACT establishing a commission to study allowing pharmacists to prescribe or make available via protocol oral contraceptives and certain related medications.

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

1 New Section; Commission to Study Allowing Pharmacists to Prescribe or Make Available via Protocol Oral Contraceptives and Certain Related Medications. Amend RSA 318 by inserting after section 47-j the following new section:

318:47-k Commission to Study Allowing Pharmacists to Prescribe or Make Available via Protocol Oral Contraceptives and Certain Related Medications.

I. There is established a commission to study allowing pharmacists to prescribe or make available via protocol oral contraceptives and certain related medications.

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

(1) Three members of the house of representatives, appointed by the speaker of the house of representatives, at least one of whom shall be a member of the house health, human services and elderly affairs committee and one of whom shall be a member of the executive departments and administration committee.

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

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

(4) A representative of the New Hampshire Society of Health-System Pharmacists, appointed by the society.

(5) A representative of the New Hampshire Pharmacists Association, appointed by the association.

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

(7) A representative from the Coalition of New Hampshire Chain Drug Stores, appointed by the coalition.

(8) A representative from the New Hampshire Independent Pharmacy Association, appointed by the association.

(9) A representative of the New Hampshire Medical Society, appointed by the society.

(10) A representative of the board of nursing, appointed by the board.

(11) A representative of the New Hampshire Nurse Practitioner Association, appointed by the association.

(12) A family physician, appointed by the board of medicine.

(13) A representative of the New Hampshire Nurses Association, appointed by the association.

(14) A physician who is a member of the American Congress of Obstetricians and Gynecologists, appointed by the New Hampshire Medical Society.

(15) A physician licensed under RSA 329, appointed by the New Hampshire Hospital Association.

(16) A representative of Planned Parenthood of Northern New England, appointed by that organization.

(17) A representative of a health clinic which receives Title X funding, appointed by the Bi-State Primary Care Association.

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

III. The commission's study shall include, but not be limited to, allowing pharmacists to prescribe or make available via protocol oral contraceptives and certain related medications. The commission shall solicit information from any person or entity the commission deems relevant to its study.

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

V. The commission shall make a report of its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before December 1, 2017.

2 Repeal. RSA 318:47-k, relative to the commission to study allowing pharmacists to prescribe or make available via protocol contraceptives and certain related medications, is repealed.

3 Effective Date.

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

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

2017-0119h

AMENDED ANALYSIS

This bill establishes a commission to study allowing pharmacists to prescribe or make available via protocol oral contraceptives and certain related medications.

Amendment to HB 290

(2017-0144h)

Proposed by the Committee on Environment and Agriculture - c

Amend RSA 436:106, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) If the owner is unwilling to destroy the dog, cat, or ferret, strict isolation of the dog, cat, or ferret, in a kennel under veterinary supervision and in cooperation with the local authorities~~[, for a minimum of 6 months]~~ shall be enforced. ***A dog or cat shall be held in quarantine for a minimum of 4 months. A ferret shall be held in quarantine for a minimum of 6 months.*** The dog, cat, or ferret shall be vaccinated against rabies 30 days prior to completion of the ~~[6-month]~~ impoundment. Any illness in the dog, cat, or ferret during confinement or before release shall be evaluated by a licensed veterinarian. If signs suggestive of rabies develop, the animal shall be euthanized and the head sent for examination to the public health laboratory, department of health and human services. The expense of vaccination shall be paid in advance by the owner, and the expense of impoundment shall be paid monthly in advance by the owner. In case of default in payment, the local authority may euthanize the dog, cat, or ferret after a 10-day grace period and the head shall be sent for examination to the public health laboratory, department of health and human services. The expense of euthanizing the dog, cat, or ferret, for disposal of the remains, and for preparing and shipping the head, shall be the responsibility of the owner.

Amendment to HB 291-FN

(2017-0321h)

Proposed by the Committee on Environment and Agriculture - c

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

AN ACT removing veterinarians from the requirements of adopting rules for prescribing opioids and querying the controlled drug prescription health and safety program.

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

1 Board of Veterinary Medicine; Rulemaking RSA 332-B:7-a, XV is repealed and reenacted to read as follows:

XV. Formulating treatment plans for chronic pain and continuing education requirements regarding opioid use and prescribing opioids.

2 Prescribers Required to Query the Program Prior to Prescribing Controlled Substances. Amend the introductory paragraph of RSA 318-B:39 to read as follows:

Except for veterinarians, prescribers required to register with the program under this subdivision shall query the program for a patient's initial prescription when prescribing schedule II, III, and IV opioids for the management or treatment of pain and then periodically and at least twice per year, except when:

3 Repeal. RSA 318-B:41, III and IV, relative to the requirement that the board of veterinary medicine adopt rules for prescribing opioids, are repealed.

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

Amendment to HB 354-FN-A-LOCAL

(2017-0076h)

Proposed by the Committee on Education - r

Amend the introductory paragraph of section 1 of the bill by replacing it with the following:

1 Appropriation; Additional Adequate Education Grants to Certain Municipalities. The sum of \$9,065,044 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of education for the purpose of providing additional adequate education grants to certain municipalities as calculated in RSA 198:40-a and 198:41 for the fiscal year ending June 30, 2016, which were not distributed to those municipalities in that fiscal year. Said sum shall be a charge against the education trust fund established in RSA 198:39. Notwithstanding RSA 198:42, the commissioner of the department of education shall disburse a lump sum to each municipality as follows:

Amend the bill by replacing section 2 with the following:

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

Amendment to HB 356-FN

(2017-0315h)

Proposed by the Committee on Education - c

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

AN ACT establishing a committee to study education funding and the cost of an opportunity for an adequate education.

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

1 Committee Established. There is established a committee to study education funding and the cost of an opportunity for an adequate education.

2 Membership and Compensation.

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

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

(b) Three members of the senate, appointed by the president of the senate.

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

3 Duties. The committee shall:

I. Evaluate the successes and shortcomings of the funding formula for kindergarten to grade 12 and propose changes to improve the funding formula.

II. Review and modify where necessary education funding formula components, including:

(a) Base adequacy pursuant to RSA 198:40-a, to include formula elements within base adequacy.

(b) Differentiated aid pursuant to RSA 198:40-a.

(c) Stabilization grants pursuant to RSA 198:41, IV.

(d) Fiscal capacity disparity aid.

(e) Other formula components the committee may deem appropriate.

III. Investigate other funding methodologies that best distribute state funding support for an adequate education. As an alternative option to using property value, the committee may consider tax effort that equals the amount of the tax rate needed to raise a certain dollar amount per pupil. The committee shall also study distribution methodologies that focus on efficiency and the minimization or preferably elimination of donor/receiver municipalities.

IV. Identify the causes of increased per pupil education costs and develop proposals to help local school districts contain increasing costs.

V. Identify trends and disparities across the state in student performance in kindergarten to grade 12 and develop policy and funding formula recommendations for improvement.

VI. Consider other policy and education funding issues as the committee may deem necessary.

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. Six 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, 2018.

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

2017-0315h

AMENDED ANALYSIS

This bill establishes a committee to study education funding and the cost of an opportunity for an adequate education.

Amendment to HB 405

(2017-0379h)

Proposed by the Committee on Executive Departments and Administration - c

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

AN ACT relative to the duties of the decennial retirement commission.

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

1 New Subparagraphs; Decennial Retirement Commission; Duties Added. Amend RSA 100-A:57, IV by inserting after subparagraph (h) the following new subparagraphs:

(i) Evaluate the plan for amortization of the unfunded accrued liability of the retirement system and the impact on contribution rates.

(j) Review the effects of retirees returning to work for retirement system employers and make recommendations for legislative changes, if necessary.

(k) Consider the effects that changes to contribution rates have on municipalities and evaluate the options to minimize the changes.

(l) Study the feasibility and cost of eliminating the reduction in a retiree's retirement allowance upon reaching the age of 65.

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

2017-0379h

AMENDED ANALYSIS

This bill adds duties to the decennial retirement commission to be established in 2017 pursuant to RSA 100-A:57.

Amendment to HB 428-FN

(2017-0153h)

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

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

1 Fish and Game; Taking by Crossbow; Rulemaking. Amend RSA 208:7-a, I to read as follows:

I. The executive director of fish and game, with the consent of the commission, may adopt rules under RSA 541-A to allow for the taking of deer by crossbow during the regular firearms season and the regular muzzleloader season, for persons holding a valid firearms or muzzleloader deer tag, or as specified in RSA 206:23-c. ***Persons 68 years of age or older holding an archery license under RSA 208:5 may use a crossbow as an alternative to traditional bow and arrow during the archery deer season without obtaining an additional permit.***

2 Repeal. RSA 207:10-c, VI, relative to a special provision for 1997 crossbow permits, is repealed.

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

2017-0153h

AMENDED ANALYSIS

This bill allows a person 68 years of age or older to hunt deer by crossbow during the archery deer season without obtaining an additional permit.

Amendment to HB 435-FN

(2017-0148h)

Proposed by the Committee on State-Federal Relations and Veterans Affairs - r

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

1 National Guard Scholarship Fund. Amend RSA 110-B:61 to read as follows:

110-B:61 Revenue for Scholarship Fund.

I. All revenue received from sources other than governmental agencies during any fiscal year from the rental of all national guard armories in this state shall be credited by the state treasurer to the New Hampshire national guard scholarship fund as established in RSA 110-B:60.

II. Revenues for the national guard scholarship fund shall include an annual appropriation of \$25,000 to be awarded by the scholarship committee under this subdivision. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2017-0148h

AMENDED ANALYSIS

This bill provides for an annual amount of \$25,000 to be appropriated for revenue for the for the national guard scholarship fund.

Amendment to HB 452-FN

(2017-0338h)

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

Amend RSA 12-A:14-a, II as inserted by section 1 of the bill by replacing it with the following:

II. The business advocate shall:

(a) Serve as a liaison between the public and private sector to facilitate communication on regulatory matters impacting business operations and growth.

(b) Assist businesses with state licensing, permitting, and regulatory requirements.

(c) Review all current and pending administrative rules affecting the business community that adversely or disproportionately affect businesses, particularly those related to small businesses, and make recommendations to alleviate those effects.

(d) Communicate the interests of the business community before state agencies and the legislature.

Amendment to HB 489

(2017-0262h)

Proposed by the Committee on Ways and Means - r

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

AN ACT establishing a commission to study adaptation of the tax structure of the state to economic and demographic change.

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

1 New Chapter; Adaptation of the Tax Structure of the State to Economic and Demographic Change; Commission Established. Amend RSA by inserting after chapter 77-G the following new chapter:

CHAPTER 77-H

ADAPTATION OF THE TAX STRUCTURE OF THE STATE TO ECONOMIC AND DEMOGRAPHIC CHANGE

77-H:1 Adaptation of the Tax Structure of the State to Economic and Demographic Change; Commission Established.

I. There is established a commission to study adaptation of the tax structure of the state to economic and demographic change.

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

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

(2) Two members of the senate, appointed by the president of the senate.

(3) The commissioner of revenue administration, or designee.

(4) The commissioner of resources and economic development, or designee.

(5) A representative from the New Hampshire Center for Public Policy Studies, appointed by the governor.

(6) A demographer from the Carsey School of Public Policy at the university of New Hampshire, appointed by the governor.

(7) An accountant who was a member of the commission to study business taxes under former RSA 77-F, established by 2010SS, 1:55, appointed by the governor.

(8) A member of the tax policy group of the New Hampshire Business and Industry Association, appointed by the governor.

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

II.(a) The commission shall evaluate the taxes and other revenue sources that provide the most revenue to the state, as enumerated below, with regard to their ability to foster or impede the goals of growth in the new service and high-tech economy and to attract and retain the young people needed to reverse current demographic trends that threaten such growth. The commission shall make proposals to adapt the state's tax structure to these needs as it sees fit. The top 7 taxes and the one non-tax revenue source for the general and education trust funds are:

(1) The business profits tax;

(2) The meals and rooms tax;

(3) The business enterprise tax;

(4) The statewide property tax;

(5) The tobacco tax;

(6) Liquor commission revenues;

(7) The real estate transfer tax; and

(8) The insurance premium tax.

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

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the house member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Six members of the commission shall constitute a quorum.

IV. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before December 1, 2018, with a preliminary report due on or before December 1, 2017.

2 Repeal. RSA 77-H, relative to the commission to study adaptation of the tax structure of the state to economic and demographic change, is repealed.

3 Effective Date.

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

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

2017-0262h

AMENDED ANALYSIS

This bill establishes a commission to study adaptation of the tax structure of the state to economic and demographic change.

Amendment to HB 531-FN

(2017-0193h)

Proposed by the Committee on Ways and Means - c

Amend the bill by replacing section 1 with the following:

1 Minimum Gross Business Income for Filing Business Profits Tax Return. Amend RSA 77-A:6, I and I-a to read as follows:

I. Every business organization having gross business income in excess of [~~\$50,000~~] **\$75,000** as defined by RSA 77-A:1, VI, during the taxable period, shall on or before the fifteenth day of the third month in the case of organizations required to file a United States partnership tax return, and the fifteenth day of the

fourth month in the case of all other business organizations, following expiration of its taxable period, make a return to the commissioner. The commissioner of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to the form of such return and the data which it must contain for the correct computation of taxable business profits and gross business income attributable to this state and the tax assessed on it. All returns shall be signed by the taxpayer or by its authorized representative, subject to the pains and penalties of perjury.

I-a. Every business organization realizing a gain or loss on the sale or exchange of an interest in the business organization shall file a return for the taxable period, regardless of whether or not the business organization's gross business income is in excess of [\$50,000] **\$75,000** during the taxable period.

**Amendment to HB 591-FN
(2017-0260h)**

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

Amend the bill by replacing section 1 with the following:

1 Recreational Prospecting. RSA 482-A:3, XI is repealed and reenacted to read as follows:

XI.(a) In this paragraph:

(1) "Hand panning" means separating minerals from water by means of washing sediments in a pan with water.

(2) "Highbanker" or "power sluice" means a sluice box that uses a water pump to transport water through the box to mimic the flow of a stream or river where there is little water and requires a withdrawal of water and a discharge.

(3) "Recreational prospecting" means searching for mineral deposits in the surface waters of the state where such searching is undertaken primarily for recreational purposes.

(4) "Rocker box" means a mechanical device used to separate gold and other minerals from lighter sediments, but it used where there is little water and requires a withdrawal of water and a discharge.

(5) "Sluice box" means a trough or box through which water is directed to separate minerals from sediments and which does not exceed 10 square feet in size.

(6) "Vacuum dredge" or "suction dredge" means a machine that uses a vacuum to draw water and sediments through a hose to a recovery unit which separates minerals from the sediments.

(b) Prospecting by hand panning or by using sluice boxes is allowed on the surface waters of the state so long as:

(1) All necessary permissions and permits have been secured prior to initiation of the prospecting activities;

(2) Reasonable efforts are made to ensure that such prospecting activities shall not result in stream bank erosion when entering, exiting, and using the surface water for recreational prospecting activities; and

(3) Reasonable efforts are made to ensure that such recreational prospecting activities shall not result in water quality degradation.

(c) Recreational prospecting shall not be conducted on surface waters traversing or bordering private, nonprofit, or conservation trust lands without prior authorization from the landowner, or on state land without permission from the department of environmental services.

(d) No person shall use vacuum or suction dredges, highbankers, or rocker boxes when engaged in recreational prospecting in any surface water of the state.

(e) The state shall retain the right to prohibit recreational prospecting at certain times or in certain locations when such activity would be detrimental to the public interest for reasons including, but not limited to, environmental and wildlife protection.

(f) The department may enter into a cooperative agreement with the fish and game department relative to enforcement of the provisions of this paragraph.

**Amendment to HB 597-FN-LOCAL
(2017-0080h)**

Proposed by the Minority of the Committee on Education - r

Amend RSA 198:40-a, II(b)(2)-(5) as inserted by section 2 of the bill by replacing it with the following:

(2) An additional \$909.02 for each pupil in the ADMA if at least 12 percent but less than 24 percent of the pupils reported in the school district's ADMA in the determination year are eligible for the free or reduced price meal program; or

(3) An additional \$1,818.03 for each pupil in the ADMA if at least 24 percent but less than 36 percent of the pupils reported in the school district's ADMA in the determination year are eligible for the free or reduced price meal program; or

(4) An additional \$2,727.05 for each pupil in the ADMA if at least 36 percent but less than 48 percent of the pupils reported in the school district's ADMA in the determination year are eligible for the free or reduced price meal program; or

(5) An additional \$3,636.06 for each pupil in the ADMA if at least 48 percent of the pupils reported in the school district's ADMA in the determination year are eligible for the free or reduced price meal program; plus

Amendment to HB 624

(2017-0336h)

Proposed by the Committee on Executive Departments and Administration - c

Amend the bill by deleting section 2 and renumbering the original sections 3-6 to read as 2-5, respectively.

Amend the bill by replacing section 2 with the following:

2 Additional Medical and Surgical Benefits; Dependent Children. Amend RSA 21-I:30-a, I(a) to read as follows:

(a) Any such child shall qualify as a dependent under the provisions of RSA 21-I:26-36 and be under 18 years of age, or if a full-time student, be under [23] **26** years of age.

2017-0336h

AMENDED ANALYSIS

This bill corrects the age for certain group II vested deferred state retirees to be eligible for retiree medical benefits. The bill changes the maximum age for certain dependent children of state employees who died in the performance of duty to participate in the state retiree group medical insurance plan. The bill also clarifies the authority for judges and retired judges to participate in the state retiree group medical insurance plan.

Amendment to HB 632-FN

(2017-0342h)

Proposed by the Committee on Commerce and Consumer Affairs - c

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

1 Suspension or Revocation; Administrative Fines; Review. Amend RSA 179:57, II to read as follows:

II. Appeals from a decision of the commission shall be in accordance with RSA 541. ***A licensee may elect, after rehearing or denial of a motion for rehearing, to have a decision reviewed by a neutral person designated by the circuit court administrative judge, as needed, who is not an employee of the commission. The licensee shall pay any fees due to the neutral person. The neutral person may affirm or reverse the decision of the commission, and the decision of the neutral person shall be binding on the licensee and the commission. Within 30 days of the neutral person's decision, the licensee or the commission may appeal by petition to the supreme court.***

2 Suspension or Revocation; Administrative Fines; Review. Amend RSA 179:57, II to read as follows:

II. Appeals from a decision of the commission shall be in accordance with RSA 541. ~~[A licensee may elect, after rehearing or denial of a motion for rehearing, to have a decision reviewed by a neutral person designated by the circuit court administrative judge, as needed, who is not an employee of the commission. The licensee shall pay any fees due to the neutral person. The neutral person may affirm or reverse the decision of the commission, and the decision of the neutral person shall be binding on the licensee and the commission. Within 30 days of the neutral person's decision, the licensee or the commission may appeal by petition to the supreme court.]~~

3 Effective Date.

I. Section 2 of this act shall take effect January 1, 2021.

II. The remainder of this act shall take effect January 1, 2018.

Amendment to HB 641-FN-A

(2017-0369h)

Proposed by the Committee on Education - r

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

1 New Subdivision; Dual and Concurrent Enrollment Program. Amend RSA 188-E by inserting after section 24 the following new subdivision:

Dual and Concurrent Enrollment Program

188-E:25 Definitions. In this subdivision:

I. "Concurrent enrollment" means courses taught at the high school by high school teachers approved by the community college system of New Hampshire (CCSNH) in which high school students earn both high school and college or university credit while students are still attending high school or a career technical education center.

II. "Dual enrollment" means college courses taught by instructors from the community college system of New Hampshire (CCSNH) in which high school students earn college credit while students are still enrolled in high school or a career technical education center.

188-E:26 Program Established. There is established a dual and concurrent enrollment program in the department of education. Participation in the program shall be offered to interested high school and career

technical education center students in grades 11 and 12. The program shall provide opportunities for New Hampshire's students in kindergarten through grade 12 to gain access and support for dual and concurrent enrollment in STEM (science, technology, engineering, and mathematics) and STEM-related courses that are fundamental for success in postsecondary education.

188-E:27 Enrollment Requirements.

I. An interested high school student in grade 11 or 12 may enroll in a course that is designated by the CCSNH as part of the dual and concurrent enrollment program.

II. A student in the program shall be provided funding for enrollment in no more than 2 dual or concurrent enrollment courses taken in grade 11 and no more than 2 dual or concurrent enrollment courses taken in grade 12. A student may take more than 2 dual or concurrent enrollment courses per year at his or her own expense.

III. The state shall pay up to \$250 to the CCSNH institution where a high school or career and technical education student successfully completes an approved course and the CCSNH shall accept such amount as full payment for course tuition.

IV. Each high school should provide a designated individual to serve as the point of contact on matters related to the program, including but not limited to, student counseling, support services, course scheduling, managing course forms and student registration, program evaluation, course transferability, and assisting with online courses. Each high school shall annually notify all high school students and their parents of dual and concurrent enrollment opportunities.

188-E:28 School Board Policy.

I. No later than July 1, 2018, the school board of each school district shall develop and adopt a policy permitting students residing in the district who are in grade 11 or 12 to participate in the dual and concurrent enrollment program. The policy shall, at a minimum, include compliance with educational standards and criteria approved by the CCSNH and the standards set by the National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not be limited to, student eligibility criteria, standards for course content, standards for faculty approval, program coordination and communication requirements, tuition and fees, textbooks and materials, course grading policy, data collection, maintenance, and security, revenue and expenditure reporting, and process for renewal of the agreement.

II. The department of education and the CCSNH shall develop a model dual and concurrent enrollment agreement which shall be used by the CCSNH and the school board of a school district participating in the dual and concurrent enrollment agreement program. The model agreement shall serve as a guide for the development, implementation, and administration of the dual and concurrent enrollment program in each school district. The department shall further develop guidelines for the program relating to reporting, accountability, and payment of available funds to the CCSNH.

188-E:29 Budget Requests. The commissioner of the department of education shall submit expenditure requests in accordance with RSA 9:4 to fund the dual and concurrent enrollment program established in this subdivision.

2 Appropriation. The sum of \$850,000 for the fiscal year ending June 30, 2018 and the sum of \$950,000 for the fiscal year ending June 30, 2019 are hereby appropriated to the department of education to fund student participation in the dual and concurrent enrollment program established in RSA 188-E:25-29. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

Amendment to HB 646-FN

(2017-0347h)

Proposed by the Committee on Children and Family Law - r

Amend the bill by replacing section 5 with the following:

5 Dispositional Hearing. Amend RSA 169-B:19, I(j) to read as follows:

(j) Commit the minor to the custody of the department of health and human services for the remainder of minority. Commitment under this subparagraph may only be made following written findings of fact by the court, supported by clear and convincing evidence, that commitment is necessary to protect the safety of the minor or of the community, and may only be made if the minor has not waived the right to counsel at any stage of the proceedings. Commitment may not be based on a finding of contempt of court if the minor has waived counsel in the contempt proceeding or at any stage of the proceedings from which the contempt arises. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release consistent with the cap on youth development center population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is notified. ***Commitment under this subparagraph shall not be ordered as a disposition for a violation of RSA 637, possession of a controlled drug without intent to sell under RSA 318-B, or violations of RSA 262, 634, 635, 641, or 644, which would be a misdemeanor if committed by an adult. However, commitment may be ordered under this subparagraph for any offense which would be a felony or class A misdemeanor if***

committed by an adult if the minor has previously been adjudicated under this chapter for at least 3 offenses which would be felonies or class A misdemeanors if committed by an adult. A court may only commit a minor based on previous adjudications if it finds by clear and convincing evidence that each of the prior offenses relied upon was not part of a common scheme or factual transaction with any of the other offenses relied upon, that the adjudications of all of the prior offenses occurred before the date of the offense for which the minor is committed, and that the minor was represented by counsel at each stage of the prior proceedings following arraignment.

Amend the bill by replacing all after section 8 with the following:

9 Youth Services Center; Population. Amend RSA 621:10, I to read as follows:

I. No residential facility at or under the control of the youth development center shall exceed, for a period of more than 24 hours, Sundays and holidays excluded, the maximum capacity for the facility as fixed by a population oversight panel composed of the fire marshal, the commissioner of the department of health and human services, and the assistant commissioner of transportation; ***provided that, beginning September 1, 2018, such maximum capacity shall not exceed 72 residents.***

10 Alternative Placement Capacity for Youth; Reporting Requirement. The commissioner shall ensure that sufficient alternative placement capacity is in place for those children who prior to this act would have been placed at the Sununu youth services center. On or before September 1, 2017, a plan for development of such capacity shall be provided to the fiscal committee of the general court, and the plan shall be updated on a monthly basis until it is fully implemented. The plan shall provide for an increase in the state's capacity for placement in Medicaid-eligible settings of not less than 60 minors who will no longer be eligible for placement at the Sununu youth services center. The increase in capacity shall be implemented no later than January 1, 2018, and include a rate structure which supports the staffing ratios and other resources necessary for the safe and effective treatment of such children in residential and other treatment settings.

11 Lease of Property; Sununu Youth Services Center. Notwithstanding RSA 10, the commissioner of the department of administrative services shall offer for lease those portions of the Sununu youth services center building that are not needed to care for maximum capacity of 72 residents established in section 9 of this act. The effective date of the lease shall be on or after September 1, 2018.

12 Applicability.

I. RSA 169-B:19, I(j), as amended by section 5 of this act, shall apply to cases pending on May 1, 2018 in which a dispositional order has not yet been entered.

II. RSA 169-B:31-c, as inserted by section 6 of this act, shall apply to cases commenced after July 1, 2016.

III. RSA 621:19, I-a, as amended by section 7 of this act, shall apply to minors confined pursuant to a commitment order at the Sununu youth services center or any successor facility after January 1, 2018.

IV. RSA 621:19, IV, as inserted by section 8 of this act, shall apply to cases in which a minor is committed to the Sununu youth services center or any successor facility after January 1, 2018.

13 Effective Date.

I. Sections 2 and 5 of this act shall take effect May 1, 2018.

II. Sections 6 and 10 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect January 1, 2018.

2017-0347h

AMENDED ANALYSIS

This bill:

I. Limits the cases for which secure detention may be ordered under RSA 169-B.

II. Requires the commissioner of health and human services to maintain certification of at least one residential treatment facility.

III. Limits the period of secure detention following an adjudicatory hearing under RSA 169-B.

IV. Requires most delinquency cases, other than those involving serious violent offenses, to be closed within 2 years of adjudication.

V. Provides for the release of a child from the youth services center 3 months from the date of commitment, unless a longer commitment period is required to protect the safety of the child or community, in which case, the board shall periodically review the case and appoint counsel for the child.

VI. Requires the department of health and human services to review the case of every child committed to the youth services center on a quarterly basis to determine whether a less restrictive placement is possible.

VII. Reduces the capacity of the youth services center and increases placement of children under RSA 169-B at alternative shelters and facilities.

Amendment to HB 649-FN

(2017-0375h)

Proposed by the Committee on Executive Departments and Administration - c

Amend RSA 21-I:29-a, I(a)-(f) and II as inserted by section 1 of the bill by replacing it with the following:

(a) "Adult child" means a child, whether by blood or adoption, of the police officer, [or] firefighter, **emergency medical technician, or rescue squad member**, age 18 or older at the time of death of such police officer, [or] firefighter, **emergency medical technician**, and who does not meet the definition of a dependent child.

(b) "Dependent child" means a child, whether by blood or adoption, of the police officer, [or] firefighter, **emergency medical technician, or rescue squad member** who:

(1) Is under the age of 25 and was dependent on the earnings of the police officer, [or] firefighter, **emergency medical technician, or rescue squad member** at the time of death. For the purposes of this subparagraph, a child is not considered dependent if the child provides more than half of his or her own support, is married, or is legally adopted by another; or

(2) Is any age and is physically or mentally incapacitated and was dependent on the earnings of the police officer, [or] firefighter, **or emergency medical technician, or rescue squad member** at the time of death.

(c) "Family" means the surviving spouse of the police officer, [or] firefighter, **emergency medical technician, or rescue squad member** who was wholly or partially dependent, in fact, upon the earnings of the police officer [or] firefighter, **emergency medical technician, or rescue squad member** or, if there is no surviving spouse, the surviving dependent child or dependent children, of such police officer or firefighter or, if there is no surviving dependent child, a surviving person qualifying as a common-law spouse pursuant to RSA 457:39, or if there is no surviving common-law spouse, the surviving adult child or adult children, or if there is no surviving adult child or adult children, the surviving parent or parents of such police officer, [or] firefighter, **emergency medical technician, or rescue squad member**.

(d) "**Emergency medical technician**" means all levels of emergency medical technician, including emergency medical responders, emergency medical technicians, advanced emergency medical technicians, and paramedics, whether auxiliary, intermittent, special, part-time, volunteer, call, or reserve, who is employed by a city, town, village district, or precinct within the state of New Hampshire, or any emergency medical technician who is a volunteer for or employed by a nonprofit corporation in New Hampshire.

(d)(e) "Firefighter" means any firefighter, including auxiliary, intermittent, special, part-time, volunteer, call, or reserve firefighters who are employed by a city, town, village district, or precinct within the state of New Hampshire, any firefighter employed by the state of New Hampshire, or any firefighter who is a volunteer for or employed by a non-profit corporation which is the primary provider of fire protection for all or part of a New Hampshire municipality.

(e)(f) "Killed in the line of duty" means a death of a police officer, [or] firefighter, **emergency medical technician, or rescue squad member** while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death. "Incident" shall include any death that is determined to be occupationally related by the worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to RSA 281-A.

(f)(g) "Police officer" means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers, or sheriffs and their deputies who are employed by a city, town, village district, county, or precinct within the state of New Hampshire, police officers employed by the university system of New Hampshire, and any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.

(h) "**Rescue squad member**" means any member of a rescue squad formed for the purposes of responding to a state of emergency as declared by the governor or as part of a search and rescue effort to recover a lost person.

II. In addition to any other benefits provided under this chapter, the state treasurer shall pay a \$100,000 death benefit to the family of a police officer, [or] firefighter, **emergency medical technician, or rescue squad member** killed in the line of duty. Payment to a dependent child under the age of 18 shall be made to the child's trustee for the benefit of the child. The governor, with the consent of the executive council, is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Amendment to HB 652-FN

(2017-0341h)

Proposed by the Committee on State-Federal Relations and Veterans Affairs - r

Amend the bill by replacing section 3 with the following:

3 Child Support Guidelines; Definition of Gross Income; Veteran's Benefits. Amend the introductory paragraph of RSA 458-C:2, IV to read as follows:

IV. "Gross income" means all income from any source, whether earned or unearned, including, but not limited to, wages, salary, commissions, tips, annuities, social security benefits, trust income, lottery or gambling winnings, interest, dividends, investment income, net rental income, self-employment income, alimony,

business profits, pensions, bonuses, and payments from other government programs (except public assistance programs, including aid to families with dependent children, aid to the permanently and totally disabled, supplemental security income, food stamps, and general assistance received from a county or town), including, but not limited to, workers' compensation, veterans' benefits *to the extent permitted by federal law*, unemployment benefits, and disability benefits; provided, however, that no income earned at an hourly rate for hours worked, on an occasional or seasonal basis, in excess of 40 hours in any week shall be considered as income for the purpose of determining gross income; and provided further that such hourly rate income is earned for actual overtime labor performed by an employee who earns wages at an hourly rate in a trade or industry which traditionally or commonly pays overtime wages, thus excluding professionals, business owners, business partners, self-employed individuals and others who may exercise sufficient control over their income so as to recharacterize payment to themselves to include overtime wages in addition to a salary. In addition, the following shall apply:

2017-0341h

AMENDED ANALYSIS

This bill permits courts to establish veterans tracks for veterans and members of the military who come into contact with the criminal justice system.

The bill also provides that gross income for purposes of calculating child support may include veterans benefits to the extent permitted by federal law.

Amendment to HB 654-FN

(2017-0374h)

Proposed by the Committee on Commerce and Consumer Affairs - c

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

AN ACT establishing a committee to study the regulation and taxation of vacation rentals and short-term rentals.

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

1 Committee Established. There is established a committee to study the regulation and taxation of vacation rentals and short-term rentals.

2 Membership and Compensation.

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

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

(b) Two members of the senate, appointed by the president of the senate.

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

3 Duties. The committee shall study the regulation and taxation of vacation rentals and short-term rentals, including:

I. Municipal regulation of vacation rentals or short-term rentals by ordinance, enforcement of housing standards, or adoption of land use regulations.

II. The enforcement of ordinances and regulations by entry and examination.

III. The taxation of vacation rentals or short-term rentals under the meals and rooms tax, including collection by room remarketers.

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.

2017-0374h

AMENDED ANALYSIS

This bill establishes a committee to study the regulation and taxation of vacation rentals and short-term rentals.