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HOUSE RECORD

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Calendar and Journal of the 2018 Session

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No. 5

**Contains: Notices of Reconsideration; Legislative Ethics Advisory Opinion 2017-3;
House Deadlines; Bills Laid on Table; House Bills Amended by Senate;
Reports and Amendments; Revised Fiscal Notes; Meetings and Notices**

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet on Wednesday, February 7th, 2018. Please plan on meeting Thursday, February 8th, as well. Future sessions will be scheduled for February 22nd, March 7th (and 8th if necessary); March 21st (and 22nd if necessary).

The House and Senate will assemble in Joint Convention on Thursday, February 15th, at 10:00 a.m. to hear Governor Sununu's State of the State Address. Committee hearings will follow.

State offices will be closed on Monday, February 19th, in observance of Presidents' Day.

There will not be a House session during the week of February 26th, so that week may be used as a break for those committees which have already met the March 1st deadline of reporting House bills not in a second committee.

Since I have been Speaker, the following reports have been submitted: *Final Report of the 2017 Decennial Retirement Commission*; *2017 Comprehensive Annual Financial Report of the New Hampshire Liquor Commission*; *NH Lottery Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2017*; *State of New Hampshire Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017*; *2017 Annual Report of the Drug Offender Program*; *Report to the New Hampshire Insurance Department: Copayments for Chiropractic Care and Physical Therapy Services*; *State of New Hampshire Department of Transportation Turnpike System Annual Financial Report for the Fiscal Year Ended June 30, 2017*; *Pease Development Authority Division of Ports and Harbors Annual Dredge Report 2017*; *Connecticut Lakes Headwaters Tract Report of Monitoring, Stewardship, and Road Maintenance Endowments*; *New Hampshire Vaccine Association 2017 Annual Report*; *Department of Revenue Administration's 2017 Tax Expenditure Report*; *New Hampshire Retirement System's Comprehensive Annual Investment Report for the Fiscal Year Ended June 30, 2017*; *New Hampshire Retirement System Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017*. If you would like to review any of these, please see Sandy Guinan in the Speaker's Office. I will hold these and future reports in my office through the end of the session. Additionally, several reports from statutory and chaptered study committees can be found online at www.gencourt.state.nh.us/statstudcomm/. If you do not know the name of a committee, just type in a main word, such as "Education," and it will take you to active and archived committees with "Education" in the title. Financial Audits and Performance Audits from the Office of Legislative Budget Assistant may be viewed at www.gencourt.state.nh.us/LBA/auditreports.aspx. Reports generated by many state departments and state agencies are also often posted on their individual websites.

Gene G. Chandler, Speaker

NOTICE

There will be a meeting of chairs and vice chairs on Tuesday, February 6th, at 9:00 a.m. in Rooms 305-307 of the Legislative Office Building.

Gene G. Chandler, Speaker

NOTICE

There will be a Republican caucus on **Wednesday, February 7th at 9:00 a.m.** in Representatives Hall.
There will be a Republican caucus on **Thursday, February 8th at 9:00 a.m.** in Representatives Hall.

Rep. Richard W. Hinch

NOTICE

There will be a Democratic caucus on **Wednesday, February 7th at 9:00 a.m.** in Rooms 210-211, LOB.
 There will be a Democratic caucus on **Thursday, February 8th at 9:00 a.m.** in Rooms 210-211, LOB.
 Rep. Stephen Shurtleff

NOTICE OF RECONSIDERATION

On January 9, 2018 at 3:50 p.m., Representative Catt Sandler, having voted with the prevailing side, served notice of reconsideration **on the motion of Inexpedient to Legislate on HB 413 FN-A-L, relative to payment by the state of a portion of retirement system contributions of political subdivision employers**, which the House passed on a roll call vote of 172-166.

Paul C. Smith
 Clerk of the House

NOTICE OF RECONSIDERATION

On January 10, 2018 at 10:24 a.m., Representative Henry Parkhurst, having voted with the prevailing side, served notice of reconsideration **on the motion of Inexpedient to Legislate on HB 587-FN, relative to conversion therapy seeking to change a person's sexual orientation**, which the House passed on a roll call vote of 166-165.

Paul C. Smith
 Clerk of the House

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee has voted to issue the following advisory opinion, which is printed below in its entirety.

Advisory Opinion 2017-3 Response to a Request for an Advisory Opinion from Representative Joseph A. Pitre (October 30, 2017)

Representative Pitre has sought an Advisory Opinion about whether acceptance of payment for the costs related to attendance at an event in Las Vegas sponsored by the Specialty Equipment Market Association (SEMA), will qualify for exemption from the prohibition on "Gifts" under RSA 14-C:3, as "Expense Reimbursement" under RSA 14-C:2, IV(b)(10), as defined in RSA 14-C:2, III.

Joining for the majority:

Honorable Donna Sytek, Chairman, Senator Sharon M. Carson, Vice-Chairman, Representative Janet G. Wall, Senator Martha Fuller Clark, Representative David A. Welch, and David H. Bradley, Esq.

According to an agenda submitted by Representative Pitre, it appears that the educational sessions at the 2017 SEMA Show held October 30 through November 3, 2017, are geared toward sales and marketing, employee relations, and social media. While the sessions may be of interest to car aficionados, the conference clearly does not satisfy criteria required to qualify for an expense reimbursement under our ethics law and guidelines. As the Committee held in *Interpretive Ruling 2013-1*:

This exemption allows legislators to accept payment for the costs of travel to and attendance at an event, for example, fares, meals, accommodation, registration or attendance fees. The exemption applies only where the event is a *bona fide* conference, meeting, seminar, or educational or informational program that relates to the legislator's duties. In this context, a "bona fide" event is taken to mean an event that is primarily focused on communicating information relating to matters of legislative concern to New Hampshire legislators, rather than directed at providing opportunity for tourism, entertainment, or recreation. Reimbursement for "junkets" or "see the sites" trips as part of a legislative group doesn't qualify for the exemption — the event must offer, as a genuine and central element, organized learning about subjects that are or may become the focus of legislative activity in New Hampshire. (Emphasis supplied)

The SEMA Show is unlike other events that were the subject of prior advisory opinions. Those events were designed specifically for legislators to learn about an issue, such as a conference sponsored by the Republican Legislative Campaign Committee which focused on topics like U.S. energy policy, Medicaid reform, and cybersecurity (AO 2015-3), or the BIA-sponsored Legislative Leadership Summits for legislators held at the Mt. Washington Hotel which focused on issues such as New Hampshire's tax structure, energy supply and cost, and healthcare availability and expense (AO 2015-2). Those events qualified as exceptions to the gift prohibition.

Based on the information provided by Representative Pitre about the conference's purpose and activities, acceptance of the payment of expenses associated with the event would not qualify for exemption from the prohibition on "Gifts" under RSA 14-C:3, as "Expense Reimbursement" under RSA 14-C:2, IV(b)(10), as defined in RSA 14-C:2, III.

The Honorable David W. Hess, dissenting, filed the following minority report:

I dissent from the Majority Response. I believe the reliance of that Response on *Interpretive Ruling 2013-1* is misplaced and unwarranted. Rather than follow that Ruling and cite it as precedent, I believe the language quoted from that Ruling is totally erroneous, without any basis in the underlying statutory and Ethics Guidelines language, and should be explicitly overturned and reversed. Consequently, I believe acceptance of the reimbursement of expenses associated with this event does qualify under RSA 14-C:2, IV(b)(10) as an exemption from the prohibition on "Gifts" under RSA 14-C:3.

Interpretive Ruling 2013-1 states in pertinent part: "In this context, a 'bona fide' event is taken to mean an event that is primarily focused on communicating information relating to matters of legislative concern to New Hampshire legislators...the event must offer, as a genuine and central element, organized learning about subjects that are or may become the focus of legislative activity in New Hampshire." (emphasis added). The Ruling does not explain why the term "bona fide" "[was] taken to mean" what it then proceeded to baldly assert. The Ruling cites no authority or basis for reaching that conclusion, or for adding such additional criteria or interpretive gloss to the meaning of "bona fide" as that phrase appears in statute and the Ethics Guidelines. RSA 14-C:2, III uses the phrase "bona fide" without any qualifications or further restrictive language. The same is true of Ethics Guideline 4, I(e). In the absence of such language in the governing authorities, I turn to the plain meaning of the phrase as generally understood.

Webster's defines "bona fide" as: "In or with good faith; without fraud or deceit; authentic; genuine, as a bona fide transaction." I believe Ruling 2013-1 came close to correctly interpreting this phrase consistent with this definition when it held that an event was not "bona fide" when it was "directed at providing an opportunity for tourism, entertainment or recreation...[i.e.] for junkets or 'see the sites' trips". (In further clarification, I would add the word "primarily" before the word "directed" to this description.)

There is no question that SEMA is a legitimate organization or that this SEMA Conference was anything but "genuine" or "authentic". The list of seminars - over 110 by my count - runs from 8 A.M. to 5 P.M. for four full days and an additional half-day. Legislation is a topic of some of those seminars, although concededly not the "primary" or "central" topic of the conference. Further, the fact that Representative Pitre is identified as a member of the New Hampshire Chapter of the State Automotive Enthusiast Leadership Caucus is testimony to the fact that attending this conference is related to his office. There is no evidence or allegation that this conference was primarily a junket, or that fraud, deceit, bad faith or other nefarious motive was in any way involved in either the conference or in the proffered reimbursement of Rep. Pitre's expenses to attend this conference.

In short, there is no basis for finding that this proffered reimbursement of expenses is a prohibited "gift" under RSA 14-C:3 except for what I believe to be the totally erroneous interpretive gloss put on the statutory phrase "bona fide" by *Interpretive Ruling 2013-1*.

We appreciate the opportunity to be of assistance.

For the Committee,
Donna Sytek
Chairman

[Vote: 6-1]

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 meet the Calendar deadline.

CLOSES AT 3:00 p.m. ON:

Wednesday, February 7, 2018
Wednesday, February 14, 2018
Wednesday, February 21, 2018

AVAILABLE ON:

Friday, February 9, 2018
Friday, February 16, 2018
Friday, February 23, 2018

Paul C. Smith, Clerk of the House

2018 HOUSE DEADLINES

Thursday, February 8, 2018
Thursday, March 1, 2018
Thursday, March 8, 2018
Thursday, March 15, 2018

Last day to act on House Bills going to a second committee
Last day to report House Bills not in a second committee
Last day to act on House Bills not in a second committee
Last day to report all House Bills

Thursday, March 22, 2018
 Thursday, April 5, 2018
 Thursday, April 12, 2018
 Thursday, April 26, 2018
 Thursday, May 3, 2018
 Thursday, May 10, 2018
 Thursday, May 17, 2018
 Thursday, May 24, 2018

CROSSOVER. Last day to act on all House Bills
 Last day to report Senate Bills going to a second committee
 Last day to act on Senate Bills going to a second committee
 Last day to report all remaining Senate Bills
 Last day to act on all remaining Senate Bills
 Last day to form committees of conference
 Last day to sign committee of conference reports (4:00 p.m.)
 Last day to act on committee of conference reports

AMENDMENT TO HOUSE RULES

AS PROPOSED BY THE HOUSE RULES COMMITTEE

Amendment to House Rule 30 (m): (adding the following subparagraphs 1-4)

- (1) It shall be the duty of the Subcommittee on Elections to examine and report on the credentials of the members elected to serve in the House and to consider all petitions and other matters in relation to such elections or returns as shall be presented or come into question and may be referred to it.
- (2) It shall be the duty of the Subcommittee on Mileage to determine the distance traveled by each member of the House and report to the House the names of the several members and the mileage allowed to each.
- (3) It shall be the duty of the Subcommittee on Enrolled Bills to carefully examine each bill, enroll it, and report it, on behalf of the committee, to the body. If the examination of a bill shall disclose any clerical error or formal imperfection, it shall be reported back to the body with such amendments as are required to correct the same; and any measures so reported shall be subjected to amendment in those particulars and in no other respect.
- (4) It shall be the duty of the Subcommittee on Member Conduct to hear matters in a non-public manner regarding the conduct of members (unless requested to be made public by the member accused), and find if there is merit for full committee referral, in which case the full committee shall conduct a public hearing on the matter and recommend to the full House any sanction, including letter of caution, reprimand, censure, or expulsion. Should the subcommittee determine, in its non-public proceeding, that the conduct of the member does not merit sanction, then the records of said proceedings shall be sealed.

BILLS LAID ON TABLE

HB 156-FN, including a fetus in the definition of “another” for purposes of certain criminal offenses. (Pending Question: Inexpedient To Legislate)

HB 236, relative to determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility. (No Pending Question)

HB 249, relative to showing a ballot. (Pending Question: Inexpedient To Legislate)

HB 477, relative to free speech on campuses in the university system and the community college system. (Pending Question: Refer for Interim Study)

HB 505, establishing an independent commission as an additional authorizing entity for chartered public schools. (Pending Question: Refer for Interim Study)

2018 HOUSE BILLS AMENDED BY THE SENATE

HB 143, relative to recommittal of a prisoner by the parole board. (SJ 1/3/2018)

HB 151, (New Title) establishing a committee to study the feasibility of using hemp in agricultural and industrial processes and to further study the licensing, registration, and permitting of industrial hemp growers. (SJ 1/3/2018)

HB 225-FN, (New Title) relative to information collection concerning electric renewable portfolio standards. (SJ 1/18/18)

HB 305, clarifying lessee liability for month-to-month leases. (SJ 1/3/2018)

HB 372, relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.” (SJ 1/3/2018)

HB 390, (New Title) relative to parties on certain election forms and ballots. (SJ 1/3/2018)

WEDNESDAY, FEBRUARY 7

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 1293-FN, establishing the complex divorce court within the judicial branch family division. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Itse for Children and Family Law. This bill would create a special court within the Circuit Court Family Division that would have the power to correct injustices created by the admission of evidence that was factually flawed. Previous testimony had indicated the need for such powers, but current testimony is to the contrary. The committee believes that more time is necessary to sort out the details, determine what if anything has changed, and ensure that justice is served. **Vote 13-0.**

HB 1341, relative to the definition of child abuse. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Itse for Children and Family Law. This bill would make the administration of hormone therapy or surgery for gender re-assignment abuse under RSA 169-C:3. It was the intent of the sponsor to make the administration of such procedures a crime for both parents and physicians. However, RSA 169-C is not a criminal statute and could not be enforced upon physicians. The only potential result would be the removal of an already fragile child from all existing familial support structures. The committee does not believe it is the best interest of children to expand the causes for which the State would separate them from their parents. **Vote 13-2.**

COMMERCE AND CONSUMER AFFAIRS

HB 1322, relative to risk-based capital for health maintenance organizations. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. When this statute was originally adopted in 2000, it combined the National Association of Insurance Commissioners (NAIC) Model Laws for Risk-Based Capital (RBC) and for RBC for Health Maintenance Organizations (HMOs). In so doing, HMOs were defined under life and health insurers for the purposes of calculating their RBC reports. The Insurance Department now understands that HMOs should actually use the same formula as Property and Casualty insurers for these calculations, in accordance with the model law for HMOs. This bill makes that correction and also amends the definition of life and/or health insurer to clarify that HMOs use a different formula when it comes to calculating RBC. **Vote 16-0.**

HB 1669-FN, relative to commerce in food in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Valerie Fraser for Commerce and Consumer Affairs. Although we want as little federal regulatory involvement in our NH agriculture as possible, this bill is over broad and could create more harm than good. Not too long ago the USDA proposed a new regulation that would charge a registration fee for every head of livestock. This legislature has been responsive to the needs of small farmers. Food production licenses are not required for farmers who sell less than \$20,000 worth of homestead food products or 20 gallons of raw milk or raw milk products directly from their family farms. Laws have also been adopted to make it easier for small farmers to sell large numbers of poultry and rabbits. This bill didn't address slaughter regulations. The committee thought it best to recommend that the bill be found Inexpedient to Legislate. **Vote 18-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1357, relative to the delivery of articles to a prisoner in a state or county correctional facility. **OUGHT TO PASS.**

Rep. Larry Gagne for Criminal Justice and Public Safety. This bill permits the commissioner of the department of corrections and the superintendent of a county correctional facility to appoint a designee to manage issues relating to the delivery of prohibited articles to prisoners. This bill will make it easier to process reports of contraband without having to wait for the superintendent to give permission in person. **Vote 20-0.**

HB 1380, relative to unauthorized use of firearms. **INEXPEDIENT TO LEGISLATE.**

Rep. Shannon Chandley for Criminal Justice and Public Safety. This bill sought to replace existing local authority from the process by which an individual might seek to gain permission to discharge a firearm in a compact district. Rather than securing written permission from the local chief of police or governing body, a person could, instead, get signatures from all abutting property owners. Such a change raises obvious questions as to how abutters would be identified, who would be responsible for verifying and maintaining the written document, and how often written permission would be required (e.g. before each outing or once a year). The strong, bipartisan majority of the committee agreed that existing law provides for a reasonable determination of public safety with minimal burden to the person seeking to discharge a firearm in a compact district. **Vote 17-3.**

HB 1406, relative to canceled carry licenses and evidence of domicile for voting purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. Scott Wallace for Criminal Justice and Public Safety. This bill intends to add a concealed carry license to the acceptable forms of proof of domicile for the purpose of voting. There is no need to amend RSA 159:6, I, only RSA 654:12, II (a) needs to be amended to add a concealed carry license to the list of acceptable documents. The fact that RSA 159:6, I was amended last year by SB12 setting the term of issue for a CCW license to 5 years makes this a bill unnecessary. **Vote 20-0.**

HB 1426-FN, requiring persons convicted of nonconsensual dissemination of private sexual images to register as a sexual offender. **REFER FOR INTERIM STUDY.**

Rep. John Burt for Criminal Justice and Public Safety. The committee believes that this behavior is unacceptable yet does not fall to the level of being placed on the sexual offender list for 10 years. The committee knows current laws dealing with this unacceptable act are sufficient, but will search out penalties to fit the crime. **Vote 20-0.**

HB 1437, relative to tattoos on state law enforcement officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Scott Wallace for Criminal Justice and Public Safety. This bill would regulate tattoos on state law enforcement officers by law. This is unnecessary legislation as tattoos are already unauthorized by NH State Police hiring and human resources policies. Passing this law would require its rescission should the NHSP need to adjust its policies in the future. **Vote 20-0.**

HB 1447, relative to the use of video conferencing for arraignments. **INEXPEDIENT TO LEGISLATE.**

Rep. Beth Rodd for Criminal Justice and Public Safety. This legislation would require mandatory video conferencing. This legislation would be impractical and expensive. A public defender would be required to be in the courtroom with the prosecutor and their public defender would be required to be with the client. This mandatory legislation would hamper the defendant's ability to confer with counsel privately in reference to questions about process and bail status issues. Counties should remain free to utilize video conferencing as they deem appropriate. **Vote 18-2.**

HB 1537, relative to a second opinion on health care matters for state or county prisoners. **OUGHT TO PASS.**

Rep. John Burt for Criminal Justice and Public Safety. This bill clarifies "necessary" medical care to include a second opinion. There is no fiscal note because there is no impact on state or county budgets. This bill would give prisoners the right to seek a second opinion out-of-pocket. Testimony showed support from state and county corrections facilities. The committee agreed that this legislation is a simple, commonsense way to tackle the complex issue of healthcare within a correctional environment. **Vote 19-0.**

HB 1564-FN, relative to sexual assault of a victim who is incarcerated in a correctional institution by a person with supervisory or disciplinary authority over the victim. **OUGHT TO PASS.**

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. This bill strengthens and clarifies the current law governing custodial rape, which is sex with a prisoner by someone who has direct supervisory or disciplinary authority over, or direct responsibility for maintaining custody of, a person being detained or incarcerated in a correctional institution, the secure psychiatric unit, a juvenile detention facility or other custodial setting. It has long been the policy in New Hampshire that a person engaging in sexual activity, sexual harassment or abuse of a detained or incarcerated individual is in clear violation of ethical and professional standards and such conduct is illegal. A recent N.H. Supreme Court decision in *State v Blanchette* overturned a conviction of felonious sexual assault of a deputy sheriff for having sex with a prisoner and identified a flaw in the current law. The Attorney General's office told the committee that, in that case, while transporting a prisoner, the sheriff stopped along the way, unshackled the prisoner's arms and legs to have sex with her, then re-shackled the prisoner and continued on deliver her to the state prison. When the sheriff's having sex with the prisoner was uncovered, he was arrested for and convicted of felonious sexual assault. Upon appeal, the N.H. Supreme Court ruled the law as written only applied to Department of Corrections employees transporting a prisoner, and set aside the conviction. Rape is never a part of a prisoner's sentence, and passage of this bill will ensure that prisoners will be protected from coercive sexual assault by those who hold them in custody. **Vote 20-0.**

HB 1567-FN, relative to the penalties for prostitution and related offenses. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. Although well-intentioned, this bill falls short in a few places. First, it was written without input from the people it purports to help, sex workers. Second, it does not solve the problem of stigma, which begets violence or the problem of mistrust between sex workers and police, which enables so much harm. Further, it leaves the most vulnerable street-based worker in arguably a worse position, since most cannot afford the fine and would lose their right to legal counsel. These are just a few of the problems that lead the committee to recommend ITL. **Vote 20-0.**

HB 1739-FN, prohibiting female genital mutilation. **OUGHT TO PASS.**

Rep. John Burt for Criminal Justice and Public Safety. The committee felt that New Hampshire's young girls deserve protection from Female Genital Mutilation or FGM. FGM has been listed by the World Health Organization as a violation of human rights. There is no medical reason to ever have this procedure. FGM is not a religious ritual as is commonly thought. In fact it pre-dates most organized religions. This is simply a cultural practice that mutilates the genitals of young girls as a way to control their sexuality. This barbaric procedure often results in severe bleeding, lifelong problems urinating, infections, painful intercourse, cysts later in life, complications in childbirth, increased risk of newborn fatalities and death of the mother during delivery. This procedure is often performed underground within immigrant communities and young girls have no protections. This legislation protects these young girls, and the women around them. It will give the women in these communities the support they need to stand up against the cultural norm. **Vote 21-0.**

HB 1820-FN, relative to requiring the use of body cameras by law enforcement officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for Criminal Justice and Public Safety. This bill amends RSA 105-D to require the use of body-worn cameras by law enforcement officers. Based on information provided from the various agencies subject to this bill, compliance would include costs related to camera purchases, software licenses and data storage, plus administration of the program. Ultimately, it appears this bill will result in general a fund expenditure increase in excess of the additional revenue generated by the penalty assessment increase. Although well-intentioned, the committee felt that the cost would be prohibitive and should leave it to the discretion of the local departments. **Vote 19-1.**

EDUCATION

HB 1311, prohibiting schools from prohibiting the wearing or display of the American flag. **INEXPEDIENT TO LEGISLATE.**

Rep. Victoria Sullivan for Education. This bill originated in response to an incident at a local school. The situation was a misunderstanding and has been resolved. The wording of this bill was a concern as it could be interpreted to mean that the flag itself could be worn resulting in the violation of U.S. Flag Code. The committee supports the respectful display of the U.S. flag. **Vote 20-0.**

HB 1351, relative to notification to parents by charter schools when a child's teacher has not met certification requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Dan Wolf for Education. This bill would require chartered public schools to provide parents certain notifications. The information is currently and readily available for any parent that desires the information. The bill is not needed. **Vote 20-0.**

HB 1353, establishing a commission to study equal access and opportunity for students with disabilities to participate in athletics. **REFER FOR INTERIM STUDY.**

Rep. Mel Myler for Education. The committee is committed to the intent of this bill, but had concern over the process to consider action on the topic. The committee supports interim study because it can be initiated immediately and include various stake holders in the dialogue around the mission and purpose of the bill. **Vote 20-0.**

HB 1370, relative to a school's emergency management plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Heath for Education. The majority finds that this bill as amended requires every public and non-public school to develop a site-specific school emergency plan, which is based on and conforms to the Incident Command System and the National Incident Management System, and submit the plan to the NH Department of Education by September 1 of each year. The department will submit a copy to the Director of Homeland Security and Emergency Management, Department of Safety. Schools will conduct an emergency response drill within one year of the plan's completion. If the school has a building schematic floor plan, the school may, with school board approval, submit the diagram which will enable the state to better prepare and respond to a situation should the need arise. **Vote 15-0.**

HB 1452, relative to equalized property valuation used to apportion expenses in cooperative school districts. **INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for Education. There are 33 cooperative school districts. Each has an existing and differing agreement on the apportionment formula to determine the amount to be paid by each town. While this bill raises the valid discussion of the formula of attendance vs. town equalized valuation, it would not be appropriate for the state to intercede in these local agreements. **Vote 19-0.**

HB 1551, relative to the retention of records of individualized education programs. **OUGHT TO PASS.**

Rep. Dan Wolf for Education. This bill reduces the number of years that a student's special education (IEP) records are kept by the local education agency. The bill reduces the time frame from the 60th birthday to the 30th birthday of the former student. This is a sensible solution to reduce record keeping. **Vote 20-0.**

HB 1593, authorizing a school district meeting to adopt an article authorizing the trustees of the trust fund to charge certain expenses against capital reserve funds. **OUGHT TO PASS.**

Rep. Terry Wolf for Education. The legislature passed HB 297 in 2014, which allowed voters to authorize the trustee of the trust funds to pay for professional investment advice directly from the capital reserve funds. After HB 297 became law, questions arose around the applicability to school district capital reserve funds. The bill corrects the ambiguity. **Vote 20-0.**

HB 1698-FN-LOCAL, relative to the cost of special education services for foster children. **OUGHT TO PASS.**

Rep. James Grenier for Education. This bill will establish the fiscal liability for a foster child receiving special education services placed in a school district. The sending district will be liable for the actual prorated cost of special education and related services. This change will help reduce the unexpected costs incurred by a receiving school district when a foster child receiving special education services is placed in a school district. **Vote 20-0.**

HB 1765, relative to policies regarding chartered public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for Education. This bill attempts to link requirements of school districts to public charter schools under the responsibilities of the State Board of Education. In addition, it adds language that students cannot be excluded from activities because of refusal to participate in the pledge or national anthem. In that same paragraph, however, it is already in statute that participation is voluntary. This bill is not needed. **Vote 20-0.**

ENVIRONMENT AND AGRICULTURE

HB 1212, establishing a local option for commercial buildings with environmental liability that are delinquent on property taxes. **INEXPEDIENT TO LEGISLATE.**

Rep. Howard Pearl for Environment and Agriculture. The committee believes that current statute provides municipalities with the ability to take a delinquent tax property. This bill would have allowed a municipality to revoke a certificate of occupancy in lieu of taking the property. Revoking the occupancy permit would cause tenant businesses to unfairly lose their ability to operate. Additional unintended consequences could occur relating to loss of funding that may be used to mitigate environmental issues, property maintenance, and settling past due taxes. **Vote 13-0.**

HB 1231-FN-LOCAL, relative to dog licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Gordon for Environment and Agriculture. This bill would have raised by \$0.50 the dog license fee for seniors, those 65 years or older. The increase was requested solely by one town clerk who thought that the currently discounted dog license fee for seniors set in statute causes his or her office to receive \$0.50 less of the normal \$1 administrative fee for processing dog licenses. Since this is not true, the fee for seniors does not need to be raised. **Vote 13-0.**

HB 1349, relative to biological products and diagnostic reagents for animal use. **OUGHT TO PASS.**

Rep. Barbara Comtois for Environment and Agriculture. Current statute requires certification of licensure by the US Department of Agriculture (USDA) before biological products and animal reagents can be approved for use in the state by the Commissioner of the NH Department of Agriculture, Markets and Food. However, the department has received several requests for use of certain of these products for which the USDA does not require licensure. The bill will allow the department to approve the use of such products, provided the requests for use are accompanied by a letter from the USDA stating the exemption in lieu of licensure. **Vote 12-0.**

HB 1407, repealing the prohibition on the use of milk containers. **OUGHT TO PASS.**

Rep. Matthew Scruton for Environment and Agriculture. This bill repeals the prohibition on the use of milk containers for substances other than milk. The committee supports the bill as there is a memorandum of understanding between the Health and Human Services Department and the federal government that adopts the federal Pasteurized Milk Ordinance and it does not include a financial penalty. **Vote 13-0.**

HB 1723-FN, relative to the reckless beating of animals. **INEXPEDIENT TO LEGISLATE.**

Rep. Anne Copp for Environment and Agriculture. This bill has unintended consequences with grave results by making it a felony for an individual to cause the death of an animal through negligence, even for a first offense, or to cause harm to an animal unknowingly. Other bills were introduced this session that may better address this important issue, in particular, one that is now working its way through the Senate. **Vote 13-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1708-FN-A, requiring the state to remove standing deadwood trees and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill sought to mandate conditions for clearing deadwood trees adjacent to developed property and made an appropriation for this purpose. The state argued that the Department of Natural and Cultural Resources currently uses forest management plans for state property that is based on standards of prudent forest management. The committee believes that this bill has the potential to interfere with such plans and believes state forests are best left in the hands of forestry experts. **Vote 18-0.**

FISH AND GAME AND MARINE RESOURCES

HB 1411-FN-A, relative to funds transferred to the nongame species account. **OUGHT TO PASS.**

Rep. Ellen Read for Fish and Game and Marine Resources. This bill increases the cap, from \$50,000 to \$100,000, on the amount that the state will match of private donations made to the nongame species account. The account and match were established in 1988 to supplement and encourage such donations. The work that this fund allows has prevented numerous species from being placed on state and federal threatened lists and resulted in many species being removed from such lists. The wildlife protected by this work results in \$281 million in economic activity and \$36 million in state and local taxes, due to non-hunting recreational activity. Therefore, it is the unanimous opinion of this committee that this bill protects the ecology of New Hampshire and boosts our economy. **Vote 15-0.**

HB 1714-FN, relative to chemical analysis of fish in stocked waterways. **INEXPEDIENT TO LEGISLATE.** Rep. James Spillane for Fish and Game and Marine Resources. This bill should be directed at the Department of Environmental Services, not the Fish and Game Department. Detections from tissue testing would be due to water contamination, as the fish stocked by the Fish and Game Department are healthy and clean. The unknown costs to the department are beyond their budgetary means. **Vote 18-0.**

HB 1794-FN, requiring a portion of rental fees for canoes, kayaks, and personal watercraft to be deposited in the fish and game search and rescue fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert L'Heureux for Fish and Game and Marine Resources. The committee established a subcommittee to analyze and evaluate this legislation. After receiving testimony from various individuals and the Fish and Game Department, the committee determined that this legislation was not necessary to accomplish the sponsor's goal since the department has the authority to receive donations for their various projects through electronic and written promotions. **Vote 18-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1375, repealing the prohibition on inhaling toxic vapors for effect. **INEXPEDIENT TO LEGISLATE.** Rep. Jess Edwards for Health, Human Services and Elderly Affairs. The committee recognizes that the act of inhaling toxic materials is detrimental to the individual and creates social costs that should be avoided, and is therefore recommended to be Inexpedient to Legislate. **Vote 18-0.**

HB 1503, authorizing minors 16 years of age or older to independently consent to medical procedures. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. The committee found the bill ambiguous as to whether it was advocating that minors 16 years of age or older could consent to medical procedures independent of any parental consent, or whether such minors' consent was necessary alongside parental consent. Because of this ambiguity, the committee unanimously voted ITL. **Vote 18-0.**

HB 1574, requiring health care providers to provide an opioid disclosure form to patients for whom an opioid is prescribed. **INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. This bill is unnecessary as it is redundant and layered on top of a robust consent process which was adopted as a new regulation in May 2016. This bill would burden providers with unnecessary paperwork. **Vote 18-0.**

HB 1695, relative to payment for child care services by the department of health and human services. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill was presented as a solution to a payment process that clearly is a banking issue. The committee unanimously voted to recommend Inexpedient to Legislate, as passing the bill would not solve the problem. **Vote 21-0.**

HB 1747-FN, relative to packaging of certain controlled drugs. **INEXPEDIENT TO LEGISLATE.**

Rep. Martin Bove for Health, Human Services and Elderly Affairs. We acknowledge that the idea of this bill has merit, but we recognize that there are many concerns for implementation as well as undetermined cost to the state and consumers. We believe that this may interfere with federal authority regarding drug packaging and interstate commerce issues. **Vote 18-1.**

HB 1785, changing "hearing impaired" to "deaf" or "hard of hearing" in the New Hampshire laws. **OUGHT TO PASS.**

Rep. Mariellen MacKay for Health, Human Services and Elderly Affairs. This legislation was brought at the request of the deaf community and the Commission on Deafness and Hearing Loss. This community does not consider themselves as impaired. The word impaired means weakened or damaged, which individuals who are deaf or hard of hearing are not. This legislation changes the word "hearing impaired" to "deaf" or "hard of hearing" which is a language change and not a medical diagnosis change or a definition change. This bill does not have a fiscal impact as the services to the deaf and hard of hearing are provided currently under the law through Vocational Rehabilitation and the Governor's Commission on Disability. This is a change in language which is identifying individuals by a medical diagnosis and/or condition and does not any longer identify them as damaged or weakened. **Vote 18-0.**

HB 1799-FN, relative to blood testing for individuals exposed to perfluorinated chemicals in private or public water supplies. **REFER FOR INTERIM STUDY.**

Rep. Charles McMahon for Health, Human Services and Elderly Affairs. The consensus of the committee upon review of the information provided and testimony heard during the hearing was that the bill requires substantial work and study to ensure it presents a viable course of action. Therefore, interim study is required. **Vote 21-0.**

HB 1807-FN, relative to exploitation of elderly, disabled, or impaired adults and establishing a protective order for vulnerable adults. **OUGHT TO PASS.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. From the committee's point of view, this bill is needed. This bill expands RSA 631:8-10 to include criminal liability if the perpetrator sought consent from a vulnerable adult whom they knew lacked capacity to consent to give away control of their property. The bill also establishes civil protective orders to stop abuse and an opportunity for the victim to recoup damages. The Criminal Justice Committee will need to evaluate the penalty components. **Vote 18-0.**

JUDICIARY

HB 1204, relative to the duties of the judicial council. **INEXPEDIENT TO LEGISLATE.**

Rep. Sandra Keans for Judiciary. The sponsor of this bill would like to expand the duties of the Judicial Council. He would like to see more analysis of criminal trends. The committee believes the Judicial Council is fulfilling their responsibilities and that there are other agencies that have the ability to compile statistics. **Vote 11-0.**

HB 1205, amending a duty of the judicial council. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill sought to require the Judicial Council have "open conversations" with litigants about their experiences with the judicial system. The committee found the bill unnecessary. **Vote 12-0.**

HB 1209, requiring bonding for clerks of court. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill seeks to require clerks of court to have personal bonding. Court employees are already bonded. Personal bonding is not necessary and furthermore this bill discriminates by only adding clerks of court and not all court employees. **Vote 12-0.**

HB 1296, relative to rules of the judicial council. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for Judiciary. This bill seeks to change the rules under which the Judicial Council may operate. As the statute does not mandate rules, nor does the bill, the bill makes no meaningful change. **Vote 11-0.**

HB 1297, relative to compensation of jurors. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to put payment to jurors under the employment statute. This statute is already being followed, making the bill redundant. **Vote 11-0.**

HB 1387, relative to the penalty for tampering with public records or information. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for Judiciary. Current statute is sufficient in that it already carries a misdemeanor penalty for all acts described in the proposed statute; therefore, this bill is unnecessary. **Vote 11-1.**

HB 1399, relative to statutes of limitations in civil actions against public servants. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Graham for Judiciary. This bill amends the current statute of limitations and subjects public servants to being served at any time in their career plus three years thereafter. The committee believes that the current law is sufficient and that this bill is unnecessary. **Vote 12-0.**

HB 1408, relative to fraudulent documents purporting to create a lien or assert a claim against property. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. The majority agreed that liens should continue to be issued only by the state or federal courts. This bill, if passed, would have extended this power to the general court, which, in spite of its name, is a legislative body. **Vote 12-0.**

HB 1410, establishing a penalty for violations related to statutory liens on personal property. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to make failure to make certain postings and recordings a violation. The committee did not think we should make violations for failure to properly follow administrative procedures. **Vote 12-0.**

HB 1504, expanding the jurisdiction of the state commission for human rights to hear civil rights and civil liberty issues. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. The purpose of this bill is to add additional responsibilities to the Human Rights Commission to provide an additional forum to hear individual grievances. The Human Rights Commission is an administrative agency created by the statute. Cases are very narrow per the statute. This bill would significantly expand its responsibilities, require more staff and expand financial needs substantially. **Vote 14-0.**

HB 1735-FN-A, relative to the use of funds in the drug forfeiture fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill proposed to take some money that now goes to law enforcement from the Drug Forfeiture Fund and re-allocate it to grants for drug and alcohol treatment programs. The committee thought this could not be done without changing other statutes relating to forfeiture. **Vote 14-1.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 1314, repealing the board of conciliation and arbitration. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. This bill was submitted as a housekeeping bill for the department. Comment has come back suggesting complications and, with the department's concurrence, the sponsor requested a recommendation of Inexpedient to Legislate. The committee unanimously agreed. **Vote 11-0.**

HB 1326, repealing the compensation appeals advisory board. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. Intended to be a housekeeping bill, this concept turned out to be more complex. With the support of the department, the sponsor requested a recommendation of Inexpedient to Legislate. The committee unanimously agreed. **Vote 12-0.**

HB 1330, relative to the wrongful discharge of an employee. **INEXPEDIENT TO LEGISLATE.**

Rep. Troy Merner for Labor, Industrial and Rehabilitative Services. This bill was well-intentioned, but we have learned information that this would actually hurt employees. Both employers and employees voiced opposition to this proposal, and the sole sponsor asked for a unanimous recommendation of Inexpedient to Legislate on consent. **Vote 14-0.**

LEGISLATIVE ADMINISTRATION

CACR 10, relating to sessions of the legislature. Providing that there be no secret sessions of the legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen Hoelzel for Legislative Administration. Under the State Constitution and House Rules, which require all committees to operate under RSA 91-A, all sessions of the legislature are open to the public. The State Constitution does include an exception permitting the legislature to meet in secrecy only if such an action is required for the welfare of the state. This provision was adopted in 1792 and has never been amended. The last time the New Hampshire House held a closed session was during the Civil War. That closed session was for the purposes of national security. **Vote 11-0.**

HB 1225, relative to removal of public officers for cause. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Thomas for Legislative Administration. This bill permits any member of the legislature to petition the Governor and Council for removal of certain public officials for cause. Under current law the Attorney General, the Governor, an Executive Councilor or the person who appointed an unclassified public official, such as a commissioner or assistant commissioner, may petition for the removal of such official. The committee sees no need to change this law. **Vote 11-0.**

HB 1268, relative to selection of delegates to an Article V convention. **INEXPEDIENT TO LEGISLATE.**

Rep. Phyllis Katsakiores for Legislative Administration. Under Article V of the United States Constitution, constitutional amendments may be proposed by a convention of states called for by two-thirds of the state legislatures. This bill establishes a procedure for the selection of delegates to an Article V convention. Since no such convention is currently scheduled, the committee felt that this bill is not needed. If one is scheduled in the future, the legislature can decide at that time how to elect delegates. **Vote 10-0.**

HB 1336, establishing a commission to study the construction of a memorial wall to honor state legislators. **INEXPEDIENT TO LEGISLATE.**

Rep. Skylar Boutin for Legislative Administration. This bill establishes an 8-member legislative committee to study the construction of a memorial wall to honor state legislators who have served 10 consecutive terms in the General Court and either retired or died while in office. The committee is required to report by November 1, 2018. Though it is a very interesting and generous idea we find there to be a variety of hurdles that must be addressed before we take action. Work would need to be done on developing a budget, identifying funding sources, and identifying the appropriate location for such a wall. **Vote 10-0.**

HB 1481, relative to intervention in administrative law cases and matters before the public utilities commission by members of the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen Hoelzel for Legislative Administration. This bill requires members of the legislature to be permitted to intervene in contested cases before administrative agencies in general, and before the Public Utilities Commission specifically. The committee felt that this legislation is not necessary as citizens already have the option to be heard. According to testimony received, the commissions and agencies allow testimony from the public when the person is directly impacted by the proposed rules or actions. A person can also submit written testimony or have a legislator speak on her or his behalf, provided the person has submitted written permission for the legislator to speak. **Vote 9-1.**

HB 1557-FN, requiring meetings and sessions of committees of the house of representatives to be recorded and made available on the Internet. **INEXPEDIENT TO LEGISLATE.**

Rep. Brad Bailey for Legislative Administration. While the committee was in agreement that the sponsors brought forward a bill with the intention of providing the public with more transparency, several issues were

raised that the committee felt make this bill problematic. The bill would place a camera and microphones in each House committee room and require each meeting printed in the House Calendar, including public hearings, work sessions, executive sessions, and House committees of conference, to be recorded and available to the public. The start-up cost was projected to be almost \$300,000 with a yearly cost of close to \$200,000. Some members were concerned this was a large and ongoing expense. Secondly, it was pointed out that not all committee meetings convene within the State House or during the week, defeating the purpose of having all committee meetings available to the public in digital form. Another issue raised was the possibility of whether the microphones could clearly record all audio. The manager of the General Court Information Systems Office (GCIS) stated he could not guarantee that all comments would be audible. The prime sponsor stated that one of the advantages of the recordings included the ability of the courts to use the archived meetings to go back and determine what the intent of the committee was on a particular bill. The Clerk of the House pointed out that in any case before the courts, the permanent journal is the official record of House proceedings and is the source used for determining legislative intent in such cases. Also of concern was the sensitivity of some hearings. The bill does not address the issue that members of the public may be intimidated by a requirement to speak about highly personal and sensitive issues in front of a camera which would be recorded, available to the public and archived indefinitely, such as in a Children and Family Law hearing. This could have a chilling effect on public participation. Finally, the bill states that this new system would take effect within 60 days of passage and the manager of GCIS said that it is unlikely that this deadline could be met. **Vote 10-0.**

HB 1639, relative to compensation of members of the New Hampshire legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Phyllis Katsakiores for Legislative Administration. This bill requires that legislators be paid in quarterly installments at the completion of each 6 months of service. No one appeared to testify on this bill and the committee could see no reason to change the manner in which legislative compensation is disbursed. **Vote 10-0.**

HB 1642-FN, relative to the compensation of the house chief of staff. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Shurtleff for Legislative Administration. This bill would reduce the salary of the House Chief of Staff to the lowest level possible on the legislative personnel pay scale. This committee appreciates the amount of work performed by the Chief of Staff. We appreciate all of the efforts the current Chief of Staff has undertaken for the staff and members of the House, and do not support this legislation. **Vote 10-0.**

HB 1649, relative to the determination of mileage for legislators and legislative officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen Hoelzel for Legislative Administration. This bill would authorize the Joint Committee on Legislative Facilities to determine the mileage for legislators. House Rule 30(m) states that it shall be the duty of the Committee on Legislative Administration to consider all matters pertaining to the legislative process including mileage, elections, the journal, house resolutions, etc. This process has worked well for a very long time, and should not be changed. It is fair and equitable as is. **Vote 8-0.**

HB 1675, relative to state house Internet service and relative to calendars and journals of the house and senate. **OUGHT TO PASS.**

Rep. Brad Bailey for Legislative Administration. This bill requires the members of the legislature to be provided with access to secure wireless Internet service. It also requires that House and Senate calendars and journals be made available to the public through an e-mail subscription service. In the opinion of the committee that this bill will, at no cost, increase government transparency and public engagement with the General Court. **Vote 9-0.**

HB 1776-FN-A, requiring installation of electric vehicle charging stations for use by members of the general court and making an appropriation therefor. **REFER FOR INTERIM STUDY.**

Rep. Stephen Shurtleff for Legislative Administration. This bill would require the installation of charging stations for electric vehicles in legislative parking facilities. The committee could see the merit in this legislation. However, there are several factors that would make it more feasible to wait before this legislation is passed. Among these factors is the current pilot study being done by the state to determine the need for charging stations at state facilities. Also, the Department of Environmental Services is still in the decision making process as how best to use the \$31 million dollars from the Volkswagen settlement. Lastly the state is also looking at the feasibility of constructing a new legislative parking garage. For these reasons the committee recommended referring the bill for Interim Study. **Vote 10-0.**

HJR 5, that the New Hampshire house of representatives and senate reject hate, bigotry, and violence in all their forms. **OUGHT TO PASS.**

Rep. Allison Nutting for Legislative Administration. The resolution recognizes the importance of the worth of all people, and states that hate, bigotry and violence is wrong for the State of New Hampshire. The committee feels it is important for the House and Senate to affirm this statement. **Vote 9-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 1202-LOCAL, relative to town revolving funds for group net metering. **OUGHT TO PASS.**

Rep. Clyde Carson for Municipal and County Government. This bill adds municipal group net metering to the list of allowable revolving fund purposes. Under the state's group net metering rules, towns receive a check from their electricity provider for excess electricity produced, but not used by the host site and pumped into the grid. They also receive revenue from the sale of renewable energy credits. Locations in the group not directly connected, continue to receive and pay electric bills from the local electric company. There may also be financing costs associated with the project. Allowing municipalities to set up a revolving fund would enable them to ensure that the revenue received under the group net metering program would be applied to the costs associated with the program. **Vote 13-0.**

HB 1221, relative to petitioned warrant articles. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Stone for Municipal and County Government. The majority of the committee believes that the language in this bill is too vague in regards to how 'intent' would be determined by a moderator. Since 2007 several similar bills have been brought to the committee with the same issues and were deemed ITL. Passage of this bill could open up the issue to potential litigation in court where a judge may decide on a case-by-case basis what the intent of a particular warrant article is. It is also concerning that an amended warrant article may not reflect the wishes of voters who petitioned the warrant in the first place and would, therefore, interfere with the democratic process. The Bi-partisan majority of the committee recommends ITL. **Vote 15-1.**

HB 1244, relative to applicability of local zoning ordinances. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane Beaulieu for Municipal and County Government. After a thorough discussion in committee, the majority of members were confused with the language in the bill and could not support the bill as drafted. **Vote 17-0.**

HB 1266, relative to apportionment of property taxes in municipalities that are part of cooperative school districts. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Rand for Municipal and County Government. This bill allows for the value of cooperative school district property, which is not subject to a local property tax, to be added to the taxable property valuation portion of the formula that determines the allocation of school costs between the member towns. It is unreasonable to expect that any school district host town would choose to increase its share of the costs of the school district by doing this voluntarily. Host towns already bear the extra costs of safety services and lose the taxable property value of the land used for the school. The committee finds this bill to be impractical and unnecessary. **Vote 15-0.**

HB 1299-FN-LOCAL, relative to the recall of selectmen. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. The purpose of this bill is to establish a process by which to remove a selectman from office by way of a recall petition. The process contained in the bill would require that 30 percent of the number of voters voting in the election to elect the selectman named in the recall petition to sign the petition. A special election would then be called at which 50 percent of the qualified voters in a town would then have to vote in favor of the recall. The committee found that the atmosphere of a special election would become very divisive and lead to strained relationships amongst the voters. The bill does not contain a method or forum through which a selectman named in the petition could defend him or herself from the charges listed in the recall petition. The committee believes that the process of filing a writ in superior court to remove a selectman is preferable. At trial a selectman can present evidence against his or her removal in front of a judge in a forum removed from the turmoil of a political action. **Vote 14-1.**

HB 1332, allowing warrant articles to be split by the deliberative session. **OUGHT TO PASS.**

Rep. Franklin Sterling for Municipal and County Government. HB 1392 will give the state's political subdivisions that have adopted the official ballot form of government (RSA 40-13 or SB2) the long standing legislative practice of separating a warrant article that contains sections that can stand independently of each other into two or more separate warrant articles, each to be voted on separately. **Vote 15-1.**

HB 1392, relative to publishing the tallies of votes of municipal budget committee members on warrant articles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank McCarthy for Municipal and County Government. Current law allows the town, school district or village district to require budget committees to record their votes on warrant articles with budget implications. However, if the town, school district or village district has not voted to require the votes of the budget committee be posted, the posting of such votes is not specifically allowed, which makes it unclear if this is permitted. This bill specifically allows the budget committee, on its own initiative, to post its votes on the warrant article, eliminating any uncertainty about this action. As amended this bill allows advisory budget committees or municipal budget committees to record voting tallies on any warrant article on their own initiative unless the legislative body has voted otherwise. Since municipal governing bodies already have this authority, this bill will even the field between two elected bodies. **Vote 11-0.**

HB 1402, relative to ordinances regarding forestry activities. **OUGHT TO PASS.**

Rep. James Belanger for Municipal and County Government. The General Court has long supported forestland ownership and management. This bill addresses an emerging problem forestland owners and managers are facing – inconsistent, unreasonable, and adverse local regulations. The problem is addressed by this bill in three ways. First, it bundles the spirit of New Hampshire law towards forestland ownership and management in RSA chapter 47, *Powers of City Councils*, and RSA chapter 31, *Powers and Duties of Towns*. Second, it establishes a standard that a town or city must meet when seeking to enact an ordinance that will adversely affect forestry activities by requiring that the town or city consider the effects and take any reasonably available steps to minimize such effects. Lastly, it prohibits a town or city from adopting an ordinance that discriminates against forestry activities. This bill does not prohibit local ordinances. Instead it facilitates bringing the stakeholders together to minimize the potential adverse impacts before the ordinance is enacted. The committee heard no testimony opposing this bill and voted unanimously to recommend this bill Ought to Pass. **Vote 17-0.**

HB 1431, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane Beaulieu for Municipal and County Government. This bill is filled with several unintended consequences including disarming the National Guard. The New Hampshire Division of Forests and Lands sees no justification for government red-tape to stand in the way of helping first responders getting the equipment they need to respond to wild fires, floods, and other natural disasters. In addition, only 16 percent of this military surplus equipment acquired is for vehicles and weapons. **Vote 13-0.**

HB 1444, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Tripp for Municipal and County Government. This bill adds new regulations which impact the ability of the municipality to operate on a daily basis by denying it the ability to appoint a town manager or administrator and make use of contractors for the performance of specialized or infrequent tasks. The bill would require legislative body approval, and that only happens once a year unless special town meetings are called. It further makes any official violating these new regulations subject to dismissal. It was determined by the committee these new regulations would create an unnecessary impediment to the town's ability to function in a timely and cost efficient manner. **Vote 15-0.**

HB 1461, relative to penalties for unconstitutional actions by municipal officials. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce Tatro for Municipal and County Government. This bill provides for the dismissal of municipal officials in the event that the municipality takes action that is later determined to be unconstitutional, even if those officials had no part in the unconstitutional action. **Vote 15-0.**

HB 1631-LOCAL, relative to the assessment of property in municipalities that are part of a multi-town school district. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. There are no other towns except one cooperative school district that this bill would affect, now or in the future. The committee felt that this district can, and has, negotiated to arrive at an agreement and that this bill is not needed. **Vote 13-2.**

HB 1655-LOCAL, relative to fines for violations of town or city code violations. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce Tatro for Municipal and County Government. This bill is intended to alter the amount of a fine issued for planning and zoning violations. The bill as written accomplishes this intent, but also increases the amount of the fine instead of reducing it. The intent of the sponsor was to reduce the fine. **Vote 14-0.**

HB 1657, relative to the removal of an elected treasurer. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. This bill provides for the removal of an elected treasurer if the Department of Revenue Administration (DRA) determines that the treasurer is not in compliance with his or her oath of office. It does not provide for legal action, court trial or any other opinion other than the DRA. There are existing statutes that deal with removal elected officials and this bill is not necessary. **Vote 15-0.**

PUBLIC WORKS AND HIGHWAYS

HB 1232, naming a portion of Route 4A as the Alan Leslie Seamans highway. **INEXPEDIENT TO LEGISLATE.**

Rep. Virginia Irwin for Public Works and Highways. The committee voted to recommend this bill inexpedient to legislate because the sponsor had not obtained letters of support from the town or towns on Route 4A. While the committee did not opine on the merits of naming a section of Route 4A, they did suggest to the sponsor that if he obtained letters of support, he could file a new bill in the next session. **Vote 19-0.**

HB 1248, establishing a committee to study the construction of a parking facility at Hampton Beach. **INEXPEDIENT TO LEGISLATE.**

Rep. David Milz for Public Works and Highways. The committee felt that a study regarding this matter should be initiated at the local level, in Hampton, and the findings regarding issues such as ownership, revenue, financing, private/public partnership, etc. should be resubmitted to the House for consideration. **Vote 18-1.**

HB 1536-FN, requiring certain signs on divided highways. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. This bill requires the Commissioner of the Department of Transportation (DOT) to erect signs on divided highways directing motorists to keep right except to pass. While a laudable sentiment, there is currently no prohibition on driving in the left lane. The committee was aware that another bill on this issue was being considered by the Transportation Committee this session. Additionally, the DOT estimates that to implement this plan in FY 2019 would cost approximately \$180,960 all of which would come from the Highway Fund. For these reasons the committee recommends that this bill be found inexpedient to legislate. **Vote 19-0.**

HB 1640-LOCAL, relative to the definition of “occasion” relating to the laying out of roads. **INEXPEDIENT TO LEGISLATE.**

Rep. Virginia Irwin for Public Works and Highways. The committee voted to recommend this bill inexpedient to legislate because they felt that the language in the bill was too obscure. The sponsor was unable to provide support for the proposed change. Furthermore, the committee believes that the current process for laying out new class IV, V or VI highways is sufficient. **Vote 19-0.**

HB 1693, relative to appropriations for bridge construction or reconstruction. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. This bill would modify the definition of “bridge” for the purpose of qualification for state bridge aid. This bill would also permit the Commissioner of the Department of Transportation (DOT) to reduce or eliminate aid for the construction or reconstruction of certain bridges. State bridge aid is a collaborative program between the state and a municipality providing for the construction or reconstruction of a municipally owned bridge. This process begins at the local level, and the committee feels that the current program is working and should not be modified at this time. The committee also feels that since it is a collaborative process, the Commissioner of DOT should not be given more control over spending within the program than the Commissioner currently has. **Vote 19-0.**

HB 1696-FN, relative to the Hampton Beach capital improvement fund. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. This bill would change the name of the Hampton Beach capital improvement fund to the Hampton Beach capital improvement and maintenance fund, and double the amount transferred to this fund from the Hampton Beach parking revenues fund. The current amount transferred annually is \$200,000 and doubling it to \$400,000 would adversely impact the operations and maintenance activities at the remainder of the state parks. Additionally, the bill proposes that the money in this improvement fund be used “for infrastructure, equipment, and maintenance expenses of the town of Hampton,” a concept the committee cannot accept. Finally, the bill proposes allowing the town to directly become involved in making recommendations on state funding in the Hampton area. The committee feels that Hampton is currently well-represented in the General Court and any issue dealing with state spending in either the capital or operating budgets can be addressed by these elected members. **Vote 18-1.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1470-FN, repealing the timber tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith Spang for Resources, Recreation and Development. Testimony indicated dissatisfaction with the present timber tax and the cumbersome way it has been administered. The committee decided that rather than just repealing the tax, first it should be evaluated by the many affected interests. A group of representative interests have agreed to do this with the goal of suggesting legislation for next session. **Vote 19-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 1777-FN, relative to energy infrastructure corridor revenue. **OUGHT TO PASS.**

Rep. Jeanine Notter for Science, Technology and Energy. This bill requires all revenue generated from the use of state-owned land or assets within energy infrastructure corridors within a turnpike to be deposited in the Turnpike Fund, rather than the Highway Fund. All other funds generated by such energy infrastructure corridor will continue to be used to fund state transportation programs funded by state and federal monies and included in the state Ten Year Transportation Improvement Plan. **Vote 12-0.**

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1249, relative to the Honor and Remember Flag as an official symbol to recognize and honor members of the armed forces. **INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for State-Federal Relations and Veterans Affairs. The committee supported the request of the sponsor of this bill that it be recommended Inexpedient to Legislate. This flag bill has come forward three times and was voted Inexpedient to Legislate each time. There are many issues within the veteran's community, and they are divided on this flag. Vietnam Veterans have stated the flag reminds them of the North Vietnamese Flag and the State Veterans Advisory Committee (SVAC) does not support this bill. There is a constitutional monopoly issue about flags with this bill. **Vote 14-0.**

HB 1273, relative to the National Guard force protection policy. **OUGHT TO PASS WITH AMENDMENT.** Rep. Skip Rollins for State-Federal Relations and Veterans Affairs. As amended this bill suspends New Hampshire state licensure laws, rules, and regulations for certain physicians and physician assistants employed by the United States Department of Veterans Affairs. The amendment also changes the reporting date of the State Veterans Advisory Committee. This means more physicians for veterans' medical issues. **Vote 19-0.**

HB 1346, establishing a committee to study the New Hampshire veterans cemetery. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Reed Panasiti for State-Federal Relations and Veterans Affairs. As amended this bill would create a commission to study the New Hampshire Veterans Cemetery, in order to address issues including, but not limited to, the following: 1. Whether non-veterans should be eligible to be interred at the cemetery at no expense. Currently spouses and eligible dependents pay \$350. 2. Whether the non-veteran fee should be the same as the plot allowance for a veteran. 3. If a fee is charged for a non-veteran whether there should be a mechanism for prepaying the fee. The commission members shall be comprised of three members of the House, two members of the Senate, with the direction of the New Hampshire Veterans Cemetery. **Vote 19-0.**

HR 21, urging Congress to repeal or amend the Apportionment Act of 1911. **INEXPEDIENT TO LEGISLATE.** Rep. Richard Lascelles for State-Federal Relations and Veterans Affairs. The committee understands the attempt to increase representation, but feels the resolution would: a) make progress on legislation more difficult, b) would negatively affect New Hampshire's role in the electoral college, and c) would be very expensive to implement. **Vote 19-0.**

TRANSPORTATION

HB 1219, relative to drivers' licenses renewals. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. As written, this bill would provide the opportunity to renew a driver's license online once. After that, a driver could not renew online again. This is an unintended consequence that we are seeking to prevent. **Vote 15-0.**

HB 1256, relative to decal fees for multi-use veterans decal plates. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. This bill clarifies a grammatical error in current statute. The legislature's intent when creating the veterans decal program was for each veteran to pay ten dollars to the State Office of Veterans Services for a set of stickers, one for each plate. The wording implies that they pay ten dollars per sticker, or twenty dollars per car. This bill fixes the language. **Vote 14-0.**

HB 1334, establishing a commission to review the structure of motor vehicle laws. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill creates a commission to study the structure of motor vehicle laws. The commission will be charged with recommending legislation that could clean up and streamline decades of accumulating and possibly unneeded statutes. **Vote 15-1.**

HB 1364, relative to use of amber lights on vehicles. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. This bill as proposed will amend RSA 266:78-i with regard to the use of amber lights on wreckers and emergency tow vehicles. This bill will no longer require these vehicles to operate amber lights when transporting a disabled vehicle. The committee felt that due to new high intensity LED lights, this would help reduce distraction and stop desensitizing drivers of surrounding vehicles on the roadway to hazardous conditions. **Vote 16-0.**

HB 1455, relative to vehicle operation at uncontrolled intersections. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill corrects an omission in the law concerning rules of the road. This bill puts into statute how vehicles are to yield at intersections where a traffic control device is not operational. **Vote 16-0.**

HB 1509-FN, authorizing Granite Pathways to issue decals for multi-use decal number plates. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill allows Granite State Pathways, a 501(c)(3), to issue decals for multi-use decal number plates. **Vote 14-0.**

HB 1513-FN, authorizing the New Hampshire Law Enforcement Officers Memorial Association to issue decals for multi-use decal plates. **OUGHT TO PASS.**

Rep. Werner Horn for Transportation. Qualifying organizations have an opportunity to raise funds through participating in the multi-use decal plate program. The transportation committee fully supports the New Hampshire Law Enforcement Officers Memorial Association in their efforts to support their organization. **Vote 14-0.**

HB 1518, repealing the requirement that motor vehicle lighting and safety equipment be approved by the director of the division of motor vehicles. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. This bill frees up the Director of the Division of Motor Vehicles from approving vehicle lighting and safety equipment. Motor vehicle manufacturers already conduct extensive testing and use vigorous industry standards to ensure that safe lighting and safety equipment are installed on motor vehicles and approved by NHTSA. **Vote 15-0.**

HB 1525, relative to reporting medically unfit drivers. **INEXPEDIENT TO LEGISLATE.**

Rep. Karel Crawford for Transportation. This bill would allow any person to report a driver's lack of ability to operate a motor vehicle confidentially to the division of motor vehicles. The committee was concerned about false reporting by persons with vendettas, and not actual poor performance on the road and the inability of the reported driver to face their accuser. **Vote 15-0.**

HB 1538-FN, authorizing Friends of the Hampton Falls Bandstand, Inc. to issue decals for multi-use decal plates. **OUGHT TO PASS.**

Rep. Charlie St. Clair for Transportation. This bill will authorize Friends of the Hampton Falls Bandstand, Inc. to issue decals for multi-use decal plates. **Vote 15-0.**

HB 1539-FN, authorizing official cover plates for former elected officials. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill authorizes official cover plates for any former legislator in NH forever. This is the third largest legislative body in the English-speaking world, thus the number of plates could be astronomical. Questions arose on how to differentiate between current and former legislators, and more importantly, how that will be done at the tolls. For those reasons the committee recommended ITL, unanimously. **Vote 15-0.**

HB 1546-FN, authorizing Seacoast Youth Services to issue decals for multi-use decal plates. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill allows Seacoast Youth Services, a 501(c)(3), to issue decals for multi-use decal number plates. **Vote 13-0.**

HB 1580, relative to equipment required for vehicle inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Torosian for Transportation. The list of equipment required on NH vehicles is contained in both RSA 266:1 and administrative rules. It is also not clear and inclusive. By filing this bill, the sponsor has highlighted the need to clarify this. This work is proposed for a legislative commission which will review the entire motor vehicle code. Since the current list is not clear and explicit, implementation of this bill is not possible. **Vote 15-0.**

HB 1614, relative to the international registration plan. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. The international registration plan simplifies the process of complying with multiple states' permits and fees for commercial truckers. It also facilitates truck travel back and forth to Canada. This bill allows the Department of Safety to make rule changes to maintain our federal compliance, particularly when the legislature is not in session. **Vote 15-0.**

HB 1651, establishing a committee to study the use of liquid de-icers on roads. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill would establish a committee to study the effect of liquid de-icers on roads and vehicles. The committee heard testimony concerning the use of de-icers on roads and the resulting corrosion of vehicles. **Vote 15-0.**

HB 1658-FN, relative to notice of driver's license suspension or revocation. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris True for Transportation. The intent of the bill is to have the notice of driver's license suspension or revocation delivered by certified mail or hand delivered to the addressed person. Testimony stated that it could take an officer many attempts to complete the delivery. Certified mail does not guarantee it would be signed for by the addressed person. The committee could not support the cost of certified mail of over \$400,000 each year. **Vote 15-0.**

HB 1731-FN, relative to regulating bicycles and requiring that driver's license applicants be informed of and examined on laws relating to bicyclists rights and safety. **OUGHT TO PASS WITH AMENDMENT.**

Rep. George Sykes for Transportation. The committee amendment replaces the original bill and adds an additionally approved right turn hand signal to the already approved right turn hand and arm extended upward, and optionally extending the right hand and arm horizontally. It also adds bicycles to the approved list of vehicles that may be equipped with a device that provides alternate flashing of headlamps. Finally, a vehicle may cross two immediately adjacent solid yellow lines in order to pass a pedestrian, or a device moved by human power, including a bicycle, skate board, or foot scooter, provided it can be done safely. **Vote 15-0.**

WAYS AND MEANS

HB 1250, establishing a committee to study the use and location of Lucky 7 machines. **REFER FOR INTERIM STUDY.**

Rep. Patrick Abrami for Ways and Means. The bill called for the establishment of a committee jointly with the Senate to study the use and location of Lucky 7 machines. The committee agreed that this issue needed to be studied, but felt it should be studied internally through House Ways and Means and thus unanimously voted interim study. The committee also agreed that HB 1534, which is related to Lucky 7, be interim studied and that the issues in both bills be studied simultaneously. **Vote 23-0.**

HB 1251, relative to indicia for payment of taxes on the transfer of real property. **OUGHT TO PASS.**

Rep. Jordan Ulery for Ways and Means. This is a housekeeping bill to allow marking of land transfers with an “indicia” of tax payment rather than force the state to expend unnecessary funds for costly, antiquated and corruptible “stamps” as required by the wording of law. Reference to “stamps” was deleted and “indicia” was inserted to allow development of modern methods compatible with the electronic age. **Vote 23-0.**

HB 1260, relative to the payout value of bingo games at private campgrounds and hotels. **OUGHT TO PASS.**

Rep. Susan Almy for Ways and Means. Bingo games are currently allowed at campgrounds and hotels for bona fide guests, without licensing, up to a maximum payout of \$1,000 for the night. Some of these venues see attendance in the hundreds when the night is rainy, and this bill increases the maximum pay out to \$2,000 to accommodate them. The law requires the entire revenue from cards sold to be paid out to the players. This bill may increase tourism and reduce traffic accidents and rainy-night moose collisions. **Vote 17-1.**

HB 1276, adding an exemption for certain raffles conducted by charitable organizations. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This bill clarifies when a charitable organization may conduct a raffle and sell tickets without a permit. The bill explicitly states that if tickets are sold at an event lasting 12 hours or less, no permit is required. The committee feels this clarification within the statutes was needed to eliminate confusion as to when a permit is required. **Vote 17-1.**

HB 1282, repealing the provisions for tax exemptions for certain chartered public school facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Ober for Ways and Means. This bill would repeal the provision of RSA 79-H which allows cities or towns to give tax breaks to chartered public schools which lease taxable real estate for their functions. State law prevents chartered public schools from owning their own property for the first five years of their existence. If towns or cities wish to encourage public charter schools to produce good students too, they should be allowed to do so. **Vote 23-0.**

HB 1292, relative to the effective dates of changes to the rates for the business profits tax and the business enterprise tax. **OUGHT TO PASS.**

Rep. Marc Abear for Ways and Means. This bill changes the effective dates of the rate reductions to the business profits tax and business enterprise tax to the beginning of the respective calendar year. This has no impact on tax rates or periods of collection. The measure is supported by the business community and the administering agency. It adds clarity to the existing law. **Vote 23-0.**

HB 1390-FN, using a portion of meals and rooms revenues for fish and game search and rescue operations. **INEXPEDIENT TO LEGISLATE.**

Rep. Arthur Barnes for Ways and Means. As written, this bill would distribute the sum of one dollar in each fiscal year from the net income of the room and meals tax revenues to the Fish and Game search and rescue fund. The only person to testify was a representative from the Fish and Game Department who said they did not know why this bill had been filed and they had not asked for it to be filed. **Vote 23-0.**

HB 1491-FN-A-LOCAL, relative to the disposition of meals and rooms tax revenues to town and cities. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for Ways and Means. Currently, the portion of the rooms and meals tax that is remitted back to the cities and towns is done so proportionally, based upon the population of each municipality. This bill maintains this concept, but then calls for a different formula to be utilized once a threshold amount of overall room and meals tax revenue is reached. This new formula for revenues that exceed the threshold would be based upon the amount of room and meals revenue generated within each municipality. The committee found three major issues with this proposed changes. First, this is a departure from the long held practice in the state that all revenues in the state should benefit all those in the state in a proportional manner. If this bill passed it would open up this concept of disproportional allocation of revenue from other revenue streams as well. This would lead to a very slippery slope when it comes to who should benefit from other revenues. Second, many businesses do not file their room and meals tax returns in the location in which their hotel or restaurant is based. Compounding this, is that owners with multiple sites across the state file consolidated returns with no break out as to the amount of revenue generated within an actual municipality. If this bill were to pass, the whole concept of consolidated returns would need to be modified so that the Department of Revenue Administration would know exactly the municipality in which the room and meals taxable revenue is generated. Finally, the tourist cities and towns that generate more of the rooms and meals tax, because of the number of hotels and restaurants they have, claim they need this extra revenue to cover the extra

police and fire demands tourists bring. Many on the committee feel that the property taxes paid by these establishments more than cover these increased protective requirements. For these reasons, the committee overwhelmingly recommends this concept inexpedient to legislate. **Vote 22-1.**

HB 1534-FN, relative to Lucky 7. **REFER FOR INTERIM STUDY.**

Rep. Patrick Abrami for Ways and Means. This bill called for Lucky 7 tickets to be sold where any licensed games of chance are operated, which is a departure from current statute linking Lucky 7 to the playing of bingo. The prime sponsor, seeing that HB 1250, which called for the study of the use and location of Lucky 7 machines, was also being considered, asked that the merits of HB 1534 be considered within this study vehicle. The committee agreed and voted unanimously to interim study this legislation as part of the larger Lucky 7 review. **Vote 23-0.**

HB 1758-FN, establishing a credit against business taxes for paid maternity and paternity leave. **INEXPEDIENT TO LEGISLATE.**

Rep. Marc Abear for Ways and Means. The bill establishes a paid maternity and paternity leave tax credit against the business profits tax (BPT) and the business enterprise tax (BET) administered by the Department of Business and Economic Affairs. The tax credit is 50% of the amount paid to an employee by the business as paid maternity or paternity leave. The tax credit is capped at \$10 million in any given year. This bill as written could reduce the BET base by approximately \$740 million if \$5 million of the credit is used against BET and reduce the BPT base by \$63 million if the other \$5 million of the credit is used against BPT. Members of the committee felt this bill should have been a credit against wages and/or profits rather than a credit against taxes due. In addition, the administrative cost to the state would be about \$89,000 per year. This should be a spending bill so its cost is visible to the tax payers. A new state-funded entitlement should not be undertaken as a tax credit. There are policy bills in the appropriate policy committees being heard on the issue. **Vote 22-1.**

WEDNESDAY, FEBRUARY 7 REGULAR CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB 628-FN, relative to a family and medical leave insurance program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie Sanborn for the **Majority** of Commerce and Consumer Affairs. This bill came to the Commerce Committee for a review of the insurance and business aspects. Testimony made it clear that the bill has many flaws and innumerable unanswered questions. Importantly, it became immediately apparent that the plan design will not bring in enough money to pay estimated claims and expenses, and as such, is unsustainable. The minority realizes this and tried to pass an amendment that raised employee contribution rates and limited the number of weeks of paid leave. Unfortunately, this still doesn't come close to solving the problem of solvency. States like Rhode Island, in comparison, charge double the rates the minority is proposing and make private sector participation mandatory. All original cost/benefit scenarios were based upon 100% participation of both public and private employers. This bill allows disinterested employees to opt-out, creating an insurmountable lack of funding. Another major concern is that this new regulation goes well beyond the Family and Medical Leave Act in terms of the size of employer it covers and the extended family members it covers, potentially creating excessive hardships for small businesses, which are the backbone of our economy. While we are compassionate and understand the challenges many families face, a Family and Medical Leave Insurance program run by state government creates more unfunded liabilities than we can afford. Let's fix our unfunded pension responsibilities first, before creating any new commitments we can't keep. **Vote 11-9.**

Rep. Edward Butler for the **Minority** of Commerce and Consumer Affairs. Following a favorable vote on the House floor this bill came to the Commerce Committee for the purpose of ensuring its viability as an insurance program. Surveys show an overwhelming majority of Granite Staters – 82% – support the establishment of a Family and Medical Leave Insurance Program and the weight of testimony to our committee underscored that this is critical to New Hampshire's efforts to address some of our most significant challenges: growing and maintaining our workforce, caring for our seniors and an aging population, and supporting recovery from the opioid public health epidemic. The House previously amended the bill to allow individuals to opt out of the program. As part of its presentation to the Commerce Committee, the Department of Employment Security (DES) provided the committee with an updated analysis to predict program performance. Deputy Commissioner Lavers reported that if premiums are set conservatively for a temporary period, and if we look at program performance after a two-year period from implementation, the Legislature can be comfortable and reassured that the necessary revenue to get the program up, running and operational will be available. The Deputy Commissioner testified that if the premium rates were increased to 0.67% and the maximum number of allowable weeks of leave changed to 6 weeks (from 0.5% and 12 weeks) the program would be financially viable at the projected 70% participation rate. In fact, they modeled the program down to a 50% participation rate and the program remained solvent with these changes. The minority of the committee recommends this bill ought to pass with an amendment. This amendment is based on the testimony presented by DES Deputy Commissioner Lavers. The amendment also adopts the department's recommendation for a review of program performance in the first two years at which time the Commissioner would recommend any changes to the benefits or premium and long-term solvency controls. And, of course, the legislature will be able to review the program performance and recommend policy changes, if needed.

HB 1793-FN-A, establishing a New Hampshire single payer health care system. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Laurie Sanborn for the **Majority** of Commerce and Consumer Affairs. The majority believes that New Hampshire has some of the best health care in the nation, but what stops us from being the best is the cost. This bill will result in millions of dollars of cost increases to our residents and taxpayers and reduce timely access to care, thus making health care in New Hampshire significantly less effective. This program provides virtually unlimited benefits, zero cost control measures and a massive increase in the size of government. States such as Vermont have studied the adoption of a single payer health care system and rejected it because it would bankrupt their state, even if double digit increases in income taxes were enacted above and beyond their existing tax rates. Testimony failed to identify a revenue source to fund the staggering cost increases of a single payer system in NH and left many unanswered questions. The majority is concerned that the only way to pay for this program is through a broad-based tax increase to every resident and business in the state. We have worked long and hard to make New Hampshire attractive to businesses, reducing tax rates and making it more cost effective to run a business here. This would completely negate any gains we have made for attracting new employers. Imposing any additional taxes on our residents would be unjustifiable and eradicate the NH Advantage. In addition to higher health care costs, this bill would result in fewer choices, no competition and fewer doctors, resulting in substantially longer wait times for appointments and

decreased access to specialty providers. It would also eliminate an entire industry of private employers in our state, along with their associated tax revenues and jobs. While the majority would like to make health insurance more affordable in New Hampshire, we don't believe a single payer or a government in charge of health care is the solution. **Vote 10-8.**

Rep. Edward Butler for the **Minority** of Commerce and Consumer Affairs. Though the minority understands that we may not be ready, yet, to embark on a one-state single-payer health care solution, it believes that it is high time that we listen to the professionals and advocates who note that our health care system is biased towards those who have the means to afford costly deductibles and insurance policies. Ours is a system that performs poorly against all of the major industrialized nations, all of which offer universal health care, in terms of infant mortality, maternal health and life expectancy among other indicators. The minority believes that we should further study this issue and work within the health care industry to begin to transform our system to one which provides good, quality, affordable health care for all.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1730-FN-A, establishing a public safety enhancement revolving fund, establishing a grant program for body cameras worn by police, and creating prestige number vanity plates. **INEXPEDIENT TO LEGISLATE.** Rep. John Burt for Criminal Justice and Public Safety. The majority of the committee found during testimony that the \$40.00, 4 digits or less vehicle plate fee would come from the elderly and veterans. Many of these elderly and veterans have had these non-vanity plates on their vehicles for 30-40 plus years and this bill would turn them into vanity plates. The money this new fee would raise would not be enough to support this program. In addition, this would cause a financial burden on our most vulnerable citizens. **Vote 12-8.**

EDUCATION

HB 1819-FN, relative to administration of the education tax credit. **OUGHT TO PASS WITH AMENDMENT.** Rep. Victoria Sullivan for Education. This bill as amended does not change the intent of existing law. It simply clarifies definitions and language. It also changes the time line from a calendar year to a fiscal year for the definition of the program year. Changing to the fiscal year parallels other established education budget processes. **Vote 17-3.**

ELECTION LAW

HB 1423-FN, relative to election assistance for cities and towns. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Lisa Freeman for the **Majority** of Election Law. This bill creates a new program which would be funded by dollars that the Secretary of State already expends in accordance with state and federal laws for the support of elections. The committee heard that the duties which the bill would require, such as maintaining a website and providing training, are already done by the Secretary of State. The money to be used is not a recurring grant, but a fund that will need general tax payer dollars to continue once depleted. The committee heard no support for the bill from municipalities. The concerns expressed about the website maintained by the Secretary of State's office arose from a report on NH Public Radio. There were no complaints made to the Secretary of State's office by users; the office heard of the issue from a reporter. The majority agrees that support to our municipalities for elections is important, but also agrees this bill adds no new support while expending funds that have no replacement mechanism. **Vote 14-5.**

Rep. William Pearson for the **Minority** of Election Law. This bill creates a municipal grant program whereby the NH Secretary of State would be able to allocate dollars retained from the Help America Vote Act to assist municipalities with elections. The bill also requires by law that the Secretary of State must maintain a current, accurate, and navigable website so that voters and election officials will be able to know their rights and responsibilities with greater ease. The minority sees these changes as being worthwhile for elections in New Hampshire and thus disagrees with the majority's recommendation. Instead, the minority would recommend that this bill Ought to Pass.

HB 1773-FN-A, relative to campaign contributions and expenditures. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Barbara Griffin for the **Majority** of Election Law. The majority of the committee believes that this bill, as proposed, fails to provide meaningful campaign finance reform in a manner that would work in New Hampshire. It would expand state government in a complex new way by establishing a Clean Elections Board to administer a Clean Elections Fund. The costs of such a board are indeterminable. The board would undermine the responsibilities of the Attorney General's office by interfering with the existing authority and powers of our Attorney General to enforce violations of existing state campaign finance laws. Since the work of this Clean Elections Board would only apply to three designated offices, the Department of Justice and

Secretary of State's office would still maintain all current duties in regards to enforcement of laws relating to other elected offices. This bill also creates new burdens by requiring certain on line data bases for campaign finances to be administered by an office other than the Secretary of State. Funding for the operations of the new Clean Elections Board is not provided for. This new government board would distribute \$100 dollars' worth of civic dollars to registered voters to contribute to candidates. These dollars would be paid for by the State in some undefined way. While the committee understands the proponents' desire for campaign finance reform, this bill does not do it. A proposed amendment, defeated by a vote of 11-8, would have replaced the bill with new language to establish a committee to study campaign financing for the offices of governor, executive councilor, state senator and state representative. **Vote 16-3.**

Rep. Marjorie Porter for the **Minority** of Election Law. The citizens of New Hampshire have long supported campaign finance reform and measures which would help to keep our elections "clean." This bill, in proposing a system of public financing for the offices of governor, executive council, and state senate, is just such a measure. The bill as presented is not ready for passage; however, the minority finds merit in the proposal and believes it deserves more study.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 636-FN, (New Title) establishing a department of military and veterans services. **REFER FOR INTERIM STUDY.**

Rep. Carol McGuire for Executive Departments and Administration. This bill would create a new Department of Veteran's Affairs, consolidating veteran's services in one location for better access and communications. Opposition from within the veterans' community, and a conviction that funds would be better spent on actual services than on reorganization, led the committee to decide to refer the bill for Interim Study. **Vote 15-2.**

HB 1415-FN-A, establishing a death benefit for a school employee killed in the line of duty. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for the **Majority** of Executive Departments and Administration. Mirroring death benefits for police and firefighters in New Hampshire, this bill provides a specific benefit for school employees killed in the line of duty. School violence has increased in the US at a dramatic rate. The public service given by school employees under these more violent conditions increases the threat to their safety and raises their status to that of New Hampshire's other first responders. The amendment ensures that a neutral party will make the determination that the incident qualifies as a line-of-duty death and that a family member who is responsible for the employee's death would not be able to collect the benefit. We support the adoption of this bill with the hope that such a benefit will never be needed. **Vote 11-6.**

Rep. J.R. Hoell for the **Minority** of Executive Departments and Administration. The minority of the committee opposed this bill for the following critical reasons. While the bill seeks to correct the current inequities of treating first responders differently, the bill does not treat all government employees equally. Clearly a violation of the Constitution, Part First, Art 10, "Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men;..." Secondly, the bill strips away local control for municipalities to decide what should be in their contracts with their teaching staff. Lastly, there are no prohibitions on allowing individual school boards to draft policies as an incentive to recruit good teaching staff. Mandating this for all will make it harder for certain schools to attract and retain the staff they would like

HB 1771-FN-A, relative to hiring a state toxicologist and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peter Hansen for the **Majority** of Executive Departments and Administration. This bill proposed establishing the position of State Toxicologist within the Department of Health and Human Services (DHHS). The committee believes that this function is being fulfilled admirably by the close coordination between a number of state and federal agencies such as the Department of Environmental Services, DHHS, the Division of Public Health, the Environmental Protection Agency, and others. With the need covered by other professionals, the majority does not believe a new position is appropriate. **Vote 11-8.**

Rep. Kristina Schultz for the **Minority** of Executive Departments and Administration. The desire for a NH State Toxicologist comes from two very important sources. First, via written and oral testimony, officials from the Department of Health and Human Services request a toxicologist to address the "gap in our response capacity" to address the growing public health concerns derived from human-made contamination of our air, water, and land. Second, the need for a toxicologist is specifically included in key recommendations from the Commission on the Seacoast Cancer Cluster Investigation. Knowing that NH's seacoast has a double cancer cluster, we owe it to our citizens to act swiftly in support of all of the recommendations that the Cancer Cluster Commission has requested. Finally, as toxicologists exist within other state governments to great benefit to their general public, New Hampshire citizens deserve the same for our own people and our own public health.

HB 1817-FN, establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare a 10-year current services budget; and requiring demographic impact notes on legislation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. The committee recognizes the ever increasing importance of demographics in informed policy making and wise governance, especially in NH, where an aging population and an outward migration of young adults combine to threaten long-term economic and population viability. This bill proposes common sense steps to supply essential data for good decision making, also to provide additional tools for evaluating proposed legislation for better budget forecasting. The committee amendment simplifies the look forward budgeting to specified programs within major departments, which still comprise most of the budget, and limits the requirement for demographic impact notes to 20 bills per year, selected by both majority and minority leadership. **Vote 19-0.**

FISH AND GAME AND MARINE RESOURCES

HB 1412-FN, relative to cruelty to non-captive wildlife. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. James Spillane for the **Majority** of Fish and Game and Marine Resources. The committee heard testimony from the public on this bill, which included many sportsmen's groups, landowners, and animal activists. Although the minority of the committee believes that New Hampshire is one of a handful of states that do not have laws protecting its wild animals, the majority of the committee was unable to verify this information. The majority also reviewed RSA 644:8 (Cruelty to Animals), and it appears to address the cruel treatment of animals. The minority submitted an amendment and then withdrew that amendment. The majority still has many concerns with this bill such as not adequately distinguishing between captive and non-captive. For example, is a fish in a live well captive or is a chipmunk in a live trap captive? The Fish and Game Department testified in writing that "this proposal would cloud, rather than clarify the manner of take." The agency goes on to say that "this proposal is conceptually flawed, and is not capable of repair." For these reasons the majority would ask that it be given more time so that these concerns, along with any others, can be thoroughly studied and vetted to eliminate the possibility of unintended consequences to the homeowners, landowners and sportsmen of New Hampshire. **Vote 12-7.**

Rep. Ellen Read for the **Minority** of Fish and Game and Marine Resources. The minority of the committee strongly believes that there are instances of cruelty to wildlife in New Hampshire, and that such cruelty should be illegal as it is virtually nationwide. The committee did not have the opportunity to vote on suggested changes to the bill, prepared by the Fish and Game Department, that would simplify this bill and ensure that all normal and otherwise legal activities, including hunting, fishing, trapping, and pest management, would be exempt from its provisions. We believe that this issue does not need further study, and that the department's language is the solution that satisfies all stakeholders' interests. In the event the majority's recommendation is overturned, the minority intends to offer an amendment based on the department's suggestions.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1471-FN, relative to telemedicine. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Charles McMahon for the **Majority** of Health, Human Services and Elderly Affairs. The committee found the bill provides enhanced access to medical counseling and support utilizing a cost-effective model called telemedicine to assist and enhance the delivery of care. Further, the bill as amended provides reasonable cost policy relative to providers' reimbursement rates and the individual's insurance coverage to incentivize participation for both, and to help improve and enhance continuing care for all in NH. **Vote 17-4.**

Rep. Donald LeBrun for the **Minority** of Health, Human Services and Elderly Affairs. It is the feeling of the minority that while telemedicine is a viable concept, this bill leaves too many unanswered questions, such as a definite definition of the frequency with which a patient must physically meet with the provider.

HB 1531, establishing a commission to study the performance of the Medicaid managed care program and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for the **Majority** of Health, Human Services and Elderly Affairs. The majority of the committee grants that the data this commission would study would be valuable. We do have significant reservations regarding the amount appropriated. We note that there is no significant variance between the two MCOs in costs, and that would indicate both organizations are managing their population well. Last, we are concerned passage of this bill would complicate efforts to negotiate the future of expanded Medicaid. **Vote 12-9.**

Rep. Jerry Knirk for the **Minority** of Health, Human Services and Elderly Affairs. The minority feels that it is important to study the performance of the Medicaid managed care program and alternative payment models with regard to cost, quality, patient satisfaction and provider satisfaction. This would provide valuable

data to guide decisions about how the Medicaid program can be improved, giving more value to the State of New Hampshire. We do not feel that studying the performance will interfere with any of the proposed bills regarding reauthorization of Medicaid expansion coming before the legislature, as this study process would be adaptable to whatever bill the legislature passes.

HB 1783-FN, relative to newborn screening for Krabbe Leukodystrophy. **INEXPEDIENT TO LEGISLATE.** Rep. William Marsh for Health, Human Services and Elderly Affairs. The committee believes the inclusion of diseases is being appropriately done by the Newborn Screening Advisory Committee. Further, we received testimony that this disease is being re-evaluated on a regular basis and that the committee would reverse its position and recommend inclusion of Krabbe Leukodystrophy upon receiving convincing evidence of the efficacy of treatment. Therefore, we conclude this bill is unnecessary. The entire committee wishes to express its sympathy to families affected by Krabbe Leukodystrophy. **Vote 15-6.**

HB 1811-FN-A, relative to the New Hampshire health protection program. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. William Marsh for the **Majority** of Health, Human Services and Elderly Affairs. This bill would reauthorize expanded Medicaid in its current form as a premium assistance program. It does include cost savings from expansion of the definition of “medically frail” amounting to \$65.97 on a per member per month basis, per Milliman data. It does not include conversion of the program to a managed care program amounting to cost savings of \$436.12 per member per month. The majority believes more work is required to create a program that the taxpayers can support and therefore recommends Interim Study. **Vote 12-8.**

Rep. Lucy Weber for the **Minority** of Health, Human Services and Elderly Affairs. This bill reauthorizes the New Hampshire Health Protection Program, New Hampshire’s unique program that provides health insurance coverage for over 50,000 low income adults who do not qualify for Medicaid. If not reauthorized, this successful program will end on December 31. Health care providers and the treatment community have been clear that the New Hampshire Health Protection Program is our best tool to address the opioid crisis. Over the three and a half years since the program began, 20,000 individuals have accessed drug treatment services, and more than 40,000 have received behavioral health treatment services. HB 1811 is structured to relieve cost pressure on commercial carriers in the individual insurance market by transferring coverage for complex, expensive patients to the managed care program where they may also benefit from improved coordination of their medical care. The Insurance Department’s actuaries testified to the Premium Assistance Program Commission last fall that moving coverage for these individuals could have a significant positive effect on premium rates. Moving the most expensive enrollees from the commercial market to managed care is projected to save money while also helping to stabilize this segment of the insurance market by keeping the size of the coverage pool higher. Recognizing that this successful program is voluntary and can be ended at any time with advance notice, no new sunset date is added. In response to the federal government’s rejection of part of the previous financing option, the bill allows the governor to draw a warrant for a fraction of the non-federal cost (equivalent to 3% in the 2019) from surplus funds. Finally, this bill aligns a potential work requirement with Temporary Assistance to Needy Families, an administrative simplification for the department of health and human services that is also consistent with the recent guidance from the Centers for Medicare and Medicaid services.

HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mindi Messmer for the **Majority** of Health, Human Services and Elderly Affairs. The majority of the committee found this bill Inexpedient to Legislate. This finding was based on concerns relating to standing orders that may expose physicians and pharmacists to liability in the case of an adverse event. The committee felt this issue rose to the level of concern especially in light of limited counseling services offered in a pharmacy setting. While the minority believes it’s important to improve access to birth control, this legislation would create unintended consequences with respect to liability. **Vote 13-8.**

Rep. William Marsh for the **Minority** of Health, Human Services and Elderly Affairs. This bill came to the committee recommended unanimously by the 2017 HB 264 study commission. The minority feels there is overwhelming support to expand access to hormonal contraceptives both among the public and professional organizations. Anything that would reduce the 41 percent incidence of unintended pregnancy in NH is in the public interest. Every concern brought up in executive session had been addressed by the commission. The minority feels this should pass.

MUNICIPAL AND COUNTY GOVERNMENT

HB 1749-FN, relative to the state’s authority to prohibit or regulate firearms and relative to the selectmen’s authority to manage town property. **REFER FOR INTERIM STUDY.**

Rep. Frank McCarthy for Municipal and County Government. This bill came about as the result of infractions of state statute by local officials. This bill should have been directed at any violation of state law by local

officials, governing bodies, etc. Since existing statutes don't specify a fine or punishment for such violations, the Attorney General does not consider it a crime and, therefore, prosecution is not administered. This bill could have corrected that issue. During the initial presentation at the first hearing in Representatives Hall, the bill's sponsor had an amendment to make changes to the bill. Since then, two other major amendments have been filed and there is a report that a third may be in the process. The committee felt this bill had merit and should not be found Inexpedient to Legislate but, at the same time, the details in the amendments needed attention which could only be ironed out in a subcommittee. Since the bill was an early bill, the only reasonable course of action was to refer it to interim study. This way the bill is not lost, the amendments can be considered and possibly combined, and the entire bill can receive the attention it deserves. It is expected to result in a correctly worded report to be presented as a bill for future action. **Vote 18-2.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1101-FN, regulating groundwater pollution caused by polluting emissions in the air. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris Christensen for Resources, Recreation and Development. This bill, as amended, sets timelines for the Department of Environmental Services (DES) to review certain contaminants that may be in drinking and ground water. It also gives DES authority to regulate air emissions devices where emissions may lead to ground water contamination. The language on these closely matches that of HB 485 which was passed by the House in January, 2018. Repeating the passage of this language demonstrates how important this clean water language is to the House and to our constituents. The bill, as amended, specifically directs the DES Commissioner to adopt a drinking water maximum contaminant limit for perfluorooctanoic acid, perfluorotanesulfonic acid, perfluorononanoic acid, and perfluorohexanesulfonic acid. In addition, the commissioner is required to adopt an ambient groundwater quality standard for PFNA and PFHxS, and to review the adequacy of the existing groundwater standards for PFOA and PFOS. **Vote 20-0.**

HB 1104-FN, relative to certain regulatory permits and forms and relative to time limits under RSA 541-A. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Chris Christensen for the **Majority** of Resources, Recreation and Development. This bill came out of recommendations from the Governor's Regulatory Reform Steering Committee which has been meeting throughout the fall of 2017. The bill was filed in anticipation of the Steering Committee's report, and the amendment, which rewrites the entire bill, was based on that report which was issued January 22, 2018. The first part of the amendment deals with tightening up timelines in permitting processes for such things as Dredge and Fill permits. To free up personnel for these changes, the bill allows certain individuals, such as permitted septic system designers and soil scientists, engineers and others licensed or certified by the Office of Professional Licensure and Certification to essentially obtain a "permit by notification" for certain minimum impact projects. The second part of the amendment deals with licensure and certification reciprocity with other states and rulemaking under RSA 541-A. These generally fall under the purview of the Committee on Executive Departments and Administration which would be the second committee to review this bill. After the committee's approval of the amendment, it was determined that some parts of the amendment, such as timelines for alteration of terrain projects, were non-germane. Consequently, that amendment will not be introduced and a floor amendment will be presented. **Vote 11-9.**

Rep. Judith Spang for the **Minority** of Resources, Recreation and Development. This bill sets significantly shorter time limits on the Department of Environmental Services for its review and action on permitting for developments affecting wetlands and water quality. As introduced, it was in such a preliminary form that an amendment was immediately presented at the hearing to replace the whole bill. It was obvious that the original bill set unreasonable and unattainable conditions for agency performance of its functions. The committee never had a subcommittee to fully review, analyze, or discuss the original flawed bill. The final 11-page amendment was presented to the committee at its executive session. It is the bipartisan opinion of the committee that any effort such as this to streamline and increase the efficiency of state agencies is beneficial. The permits that are addressed in this bill are important to sustaining a positive environment for both current and potential businesses in NH. However, greater study is needed of how to improve permitting for the heavy volume of complex development projects done by the agency with its very limited resources. A simple cut of permit time frames will have far-reaching negative consequences, including more denials of permits, costly appeals, and inadequate performance of the environmental protection responsibilities that the legislature has given the agency. Interim study will allow for a more considered evaluation of how to streamline permitting without placing unattainable time frames on this important agency responsibility.

HB 1592-FN, requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris Christensen for the **Majority** of Resources, Recreation and Development. As introduced, this bill would have set a new standard for arsenic in drinking water of 4 parts per trillion (ppt), compared to the

current standard of 10 parts per billion (ppb) set in 2001. The 4 ppt standard is at a non-detect level and is unenforceable. Several options were discussed, such as setting a standard of 5 ppb. In many areas the General Court has given rulemaking authority to an agency, which provides more flexibility and quicker action when situations change. The amendment requires the Commissioner of Environmental Services to review existing standards by January 1, 2019 and initiate rulemaking if it is determined that a lower standard is feasible. **Vote 15-2.**

Rep. Chuck Grassie for the **Minority** of Resources, Recreation and Development. A recent Dartmouth College study has shown that arsenic levels in ground water sources are a major concern throughout NH. This bill sought to require the New Hampshire Department of Environmental Services (NHDES) to lower the maximum contaminant level in public water systems for arsenic, a known carcinogen, from the current federal and NH standard adopted in 2001 of 10 parts per billion, which is associated with a 1 in 300 risk of cancer. The proposed committee amendment to this bill effectively neuters this bill by removing any reference to a minimum standard. The minority offers an amendment that would reduce the amounts allowed in public drinking water systems from 10 parts per billion to a maximum of 5 parts per billion, a level NHDES concedes is technically and fiscally feasible. This reduction would effectively reduce expected cancer cases in NH.

HB 1745-FN-A, making appropriations for costs involved in controlling invasive aquatic species. **OUGHT TO PASS.**

Rep. James McConnell for Resources, Recreation and Development. This bill seeks an appropriation to address the costs associated with the control of invasive aquatic species. Current spending seeks to ensure invasive aquatics do not significantly increase their numbers or expand their range, but is insufficient to make progress towards their removal. The risk, if the problem isn't more aggressively addressed, is that invasive aquatics will continue to expand to the point where their numbers and spread become unmanageable. The proposed effort over a five year period, managed by the state's one full time employee in this area with assistance from state lake and river associations, is estimated to cost \$13.5 million beyond the \$1.2 million currently spent annually. **Vote 16-3.**

HB 1797-FN-A, adding a 50 percent charge to all amounts assessed to persons liable for costs of containment, cleanup, and remediation of water, air and soil pollution. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Andrew Renzullo for the **Majority** of Resources, Recreation and Development. This bill would enact laws assessing a penalty against anyone found to have violated any one of nine environmental statutes and the rules thereof. The penalty assessed would be a surcharge of 50% of the costs the person or business would pay for containment, cleanup, and remediation of water, air and soil pollution. So an occurrence which might not even elicit a minor fine, like an accidental fuel spill or a sewage leak, could end up costing the individual or business an additional 50% over and above the cost of containment, cleanup and remediation. Fixing the failed sewage system that might have cost \$20,000, will now cost an additional \$10,000. And where would that additional money go? Into the general fund, of course. There are already significant penalties associated with these statutes to ensure compliance, including criminal penalties and \$25,000 per day fines. The draconian penalty enumerated in this bill is anti-business and counterproductive to the role of the Department of Environmental Services in that it immediately creates an adversarial atmosphere between the department and the individual or business involved. It would also create an incentive for individuals and businesses to do as cheap a remedy as possible because a better job would actually increase the penalty. In addition, many businesses insure against accidental spills or occurrences. The penalty in this bill would probably not be covered. And finally, all (save one) of the blue sheet signers are against the bill. They represented various business interests, including contractors and timber. The sole signer in favor was a co-sponsor. **Vote 15-4.**

Rep. James McConnell for the **Minority** of Resources, Recreation and Development. This bill adds a 50% charge, payable to the general fund, to those liable for costs of containment, cleanup, and remediation of water, air and soil pollution. The purpose of this bill is to ensure that New Hampshire's penalties for pollution are no longer among the most lenient in the region. Once enacted into law, the likelihood of a company, like St. Gobain Performance Plastics, opting to bring their problems - arguably well known to the company - to New Hampshire from other states that are in the process of raising their environmental standards will be greatly reduced. It will also ensure that a new company looking for a place to start their business will recognize, should their business be a likely polluter, that other locations will be less costly in the long run.

TRANSPORTATION

HB 1328-FN, relative to motor vehicle inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill changes the annual motor vehicle inspection from every year to every two years. It also raises the inspection sticker fee from \$3.25 to \$6.50. The committee heard from an overwhelming majority present on their reasons for opposing this bill. The miles driven annually, the harshness of our climate, the effects of de-icers that NH applies, and the failure rates with the current annual

program were discussed. One statistic that was provided to the committee was that the state of Louisiana moved from annual inspections to biennial inspections in 2012. After the change they saw injury crashes increase 14.7% and fatal crashes increase 10.2%. **Vote 11-4.**

HB 1778-FN-A-LOCAL, relative to registration of commercial motor vehicles and operator's/drivers' licenses. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Craig Moore for the **Majority** of Transportation. This bill removes license and registration requirements for non-commercial vehicles. It fails to include an alternate funding mechanism for the lost highway fund revenue. It also fails to include a method of determining when a vehicle is being used commercially. These are fatal defects that make it impossible to implement. **Vote 13-1.**

Rep. Glen Dickey for the **Minority** of Transportation. The constitutionality of the right to travel has been repeatedly upheld by the courts. In the past this was understood to be the right to travel public roads and byways without hindrance by government agents. In the modern age the people have been deprived of this right through the institutions of the state. This bill seeks to remedy this loss of rights by the citizenry.

WAYS AND MEANS

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

Rep. Marc Abear for the **Majority** of Ways and Means. This bill passed the policy committee, Transportation, as well as the full House in the Session of February 15, 2017. It came to Ways and Means for revenue issue review. Proponents of the bill assert Maine takes in \$10-\$15 million from licensing of out of state trailers with multi-year registrations of up to 20 years in duration. Indiana has a similar program. Third party agents would be authorized to process such registrations and remit fees to the state. Discounts would be offered for multi-year registrations. Opponents expressed concern NH based companies can avoid municipal taxes by registering in Maine. An amendment was adopted to ensure municipal taxes and fees would be collected, remitted, and discounts would be limited to 12 years. Supporters note that NH companies currently can acquire Maine registrations to avoid NH taxes and fees by simply forming a Maine entity to own the trailers; an option which has been available for over two decades. Finally, this is a second committee bill to look at only the revenue impact, not the policy decision previously made by the Transportation Committee and the House. **Vote 13-10.**

Rep. Suzanne Gottling for the **Minority** of Ways and Means. This bill creates a new bureaucracy intended to bring revenues to New Hampshire state government by opening a revenue stream not currently available at the expense of residents and local governments. The bill mimics Maine's process, which allows registration of semi-trailers not garaged in Maine. Multi-year registrations of up to 12 years are offered at a discount price. NH registrations would be pursued by private agents trained and supervised by the Department of Safety. The Department of Safety (Motor Vehicles), the NH City and Town Clerks Association, and the New Hampshire Municipal Association strongly oppose this legislation. This bill places New Hampshire residents as well as cities and towns at a monetary disadvantage. The bill penalizes NH citizens who must pay both the state and the town portions of registration fees while out-of-state entities need only pay the state portion. The City of Manchester calls this "reverse residency." The New Hampshire City and Town Clerk's Association asserts the bill encourages a local business to register a shell company out of state in order to evade the town fee, substantially reducing revenue for our cities and towns. The Department of Motor Vehicles opposes the bill, as it requires them to set up a system and then manage it with a \$500,000 cost for the initial set-up and about \$200,000 in subsequent years, with no guarantee that revenues to cover costs will be generated. In fact, given the state of the market, it is unlikely NH will attract enough business to cover the costs that will be incurred by the Department. A final concern is the state of the market. Maine has been registering out of state semi-trailers for at least 25 years and has only acquired 111,000 of the eleven million registered trailers in the country, including trailers owned by Maine companies, Maine's total share of the market is only 1%. Federal data shows other states already have the lion's share of the market. If Maine has been unable to lure more registrations and NH is mimicking Maine, there is no reason to expect NH will be successful. Owners of semi-trailers will have no incentive to change their registrations, since Maine has exempted these trailers from their sales tax. By registering trailers for up to twelve years, New Hampshire will be locking itself into this costly revenue scheme and bureaucratic expansion for at least that long. The state should not spend taxpayer money creating a costly new bureaucracy. Scrambling for these revenue crumbs is likely to penalize our own citizens, rob our cities and towns of important revenue, and create a budget deficit at the Department of Safety.

HB 1316-FN, relative to revenue collected from concealed carry licenses. **OUGHT TO PASS.**

Rep. Charlie Burns for Ways and Means. This bill requires a portion of revenues collected from concealed carry permits to be credited to the Department of Safety permit and licensing unit of the state police instead of the general fund. It requires the first \$400,000 collected to support permit and licensing operations. Currently,

this permit and licensing unit receives funding from the general fund through the normal budgeting process. The bill has no changes to the concealed carry permit fee. The Ways and Means Committee only addressed the fee impact and did not address the appropriation impact. **Vote 17-0.**

HB 1763-FN-A, establishing a road usage fee and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Lang for Ways and Means. The means to pay for transportation infrastructure has traditionally been primarily supplied by a gas tax. Gasoline purchases serve as an imperfect proxy for wear and tear on the roads and bridges, however, because new vehicles have been trending more efficient and some vehicles have abandoned gas as a fuel for propulsion entirely. This creates a quandary on how to maintain roads and bridges with declining state gas tax revenues. This bill corrects that problem by establishing 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 20 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 non-lapsing 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 10,000 miles per year and averages 20 MPG. Such a base vehicle would pay \$111 per year in road toll (gasoline tax). The RUF for such base vehicle is \$0. The RUF for all other vehicles shall be \$111 minus the New Hampshire road toll paid per year based on 10,000 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 10,000 miles per year. The amendment simplifies the administration by reducing the number of MPG ranges by using 10 MPG ranges instead of 5 MPG ranges. It is estimated that 43% of the 1,398,718 registered vehicles would pay no RUF if implemented today. High efficiency gas and hybrid vehicles with a fuel economy range of 40-50 MPG would pay a RUF of \$62.21 (an estimated 10,862 vehicles). A vehicle that uses no gasoline (an estimated 5,019 vehicles) would pay a RUF of \$111, the same as a vehicle rated at 20 MPG or less that pays \$20 or more in gas tax. The advantage of the RUF over Vehicle Miles Traveled (VMT) are: 1) it utilizes no tracking device; 2) the state will not have to bill each owner for miles traveled; 3) no additional staff are needed to monitor and implement the program; 4) the location of miles driven is not a factor; and 5) the RUF is collected when the vehicle is registered. The RUF concept was unanimously approved in 2016 by a commission to study revenue alternatives to the road toll established under RSA 21-J:48. **Vote 23-0.**

SB 205-FN-A, establishing the small business jobs fund and tax credit. **REFER FOR INTERIM STUDY.** Rep. Jordan Ulery for Ways and Means. Due to last minute concerns raised and stake holders who recently became aware of the benefits, the committee felt that additional study was warranted. Issues included both meshing this business growth bill with recent legislation and potential increase or decrease in net revenues. The committee voted interim study on this bill to further understand its revenue and economic impact. **Vote 23-0.**

REGULAR CALENDAR- PART TWO

COMMERCE AND CONSUMER AFFAIRS

HB 427, allowing hobby distillation of liquors. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward Butler for Commerce and Consumer Affairs. The Commerce Committee is often supportive of the growth of businesses and hobbyists regarding the distillation and brewing of alcoholic beverages. However our hands are tied when it comes to allowing the home distillation of spirits because a permit from the federal Alcohol and Tobacco Tax and Trade Bureau is required. **Vote 12-1.**

ELECTION LAW

SB 33, relative to the definition of political advocacy organization. **REFER FOR INTERIM STUDY.**

Rep. Norman Silber for Election Law. This bill addresses the definition of political advocacy organizations as to registration requirements for the origination and registration of expenditures and donors. While the committee heard testimony supporting the bill, because of a belief it would provide full transparency, the committee also heard testimony that it failed to appropriately distinguish issue advocacy and candidate advocacy. While the ideas expressed were of interest for legislation, given the concerns of its effect the committee recommended referring the bill for Interim Study. **Vote 18-2.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 438, eliminating the automatic union dues payment for state employees. **INEXPEDIENT TO LEGISLATE.** Rep. Mark MacKenzie for Labor, Industrial and Rehabilitative Services. The committee determined the legislation presented which would have eliminated the ability of employers to deduct union dues was unnecessary. The proposal would have set aside negotiated provisions in collective bargaining agreements throughout the state. The sponsor of such legislation did not present a compelling argument which would have warranted this change. **Vote 19-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 114, relative to minimum electric renewable portfolio standards. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Vadney for the **Majority** of Science, Technology and Energy. This retained bill will reduce the cost of electricity by cutting costs in the renewable portfolio standard (RPS). RPS provides subsidies to renewable energy programs through an elaborate mechanism that requires power suppliers, including utilities, to purchase renewable energy credits (RECs) based on a percentage of the total megawatt-hours of electricity that they sell. If power suppliers cannot find sufficient RECs to purchase, they can comply with the RPS by making alternative compliance payments (ACPs). The cost of RECs and ACPs gets passed along to customers in the form of higher power supply rates on their bills. RPS classifies renewable energy sources, such as solar or biomass, using a class system. Class 1 renewable comprises a variety of new renewable energy sources and therefore constitutes the largest class. It also generates the most RECs. This bill caps the growth in Class 1 requirements at 6% instead of allowing that requirement to grow to 15% by 2025. This reduction in the growth of the Class 1 requirement will insure that RECs remain plentiful to meet obligations, which keeps the cost of the RPS from growing too quickly. **Vote 11-10.**

Rep. Robert Backus for the **Minority** of Science, Technology and Energy. This bill would eliminate the presently mandated increase in Class 1 renewable energy goals to be achieved by 2025. NH has long had a policy goal of achieving 25% of our electric energy needs from energy efficiency and renewable sources by the year 2025. The law today would ramp up the share to be obtained from new renewable sources from the 6% established for 2015 to 15% by 2025. This bill, on the other hand, would leave the goal at only 6%. The minority believes that the present goal should be retained. Renewable energy can and will help control electric energy costs, reduce our dependence on foreign or out-of-state fuels, improve environmental quality (with associated health benefits from improved air quality), and develop good jobs that cannot be outsourced. It seems particularly unwise to cut the goal from Class I, which is the class for new sources. At a time when many other states are increasing their goals, including Massachusetts and New York, this seems very unwise. There was far more testimony in favor of maintaining the present goal than support for leveling it. Finally, many of the witnesses emphasized the need to maintain the stability of the program. A program that changes with each new legislature makes it problematic for businesses and others to effectively participate.

HB 141, relative to electric renewable energy classes. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Murotake for the **Majority** of Science, Technology and Energy. This bill, as amended, makes a technical adjustment to the Renewable Portfolio Standards (RPS) law to allow the Public Utilities Commission (PUC) to periodically modify Classes I and II when necessary so that supply and demand are better balanced in each class in a given year and markets remain viable. This tool is currently used successfully in Classes III and IV. It has previously resulted in reducing costs to ratepayers that would have otherwise been incurred due to renewable energy certificates being sold into other markets. The PUC will be undertaking a statutorily mandated review of the RPS in 2018. The majority of the committee feels this technical change gives the PUC more appropriate flexibility and is useful in reducing energy costs. **Vote 17-4.**

Rep. Robert Backus for the **Minority** of Science, Technology and Energy. This bill, as amended, would allow the Public Utilities Commission, for cause and after notice and hearing, to modify the incremental renewable energy goals for two of the four classes of renewable energy by which NH intends to achieve its overall goal of 25% renewable energy supply by 2025, including Class I which sets the goal for new renewable energy projects. Although the minority believes the amendment eliminates the most troublesome aspects of the bill, we still believe that no reason to change the current law has been identified, and that any mechanism to lower our commitment to renewable energy is unneeded and unwise. Therefore, the minority believes the bill should not pass.

SB 128-FN, relative to the policy goal of electric utility restructuring. **REFER FOR INTERIM STUDY.**

Rep. Keith Ammon for Science, Technology and Energy. The cost of energy remains an issue for New Hampshire's commercial and residential consumers. In the late 1990's the state's electric industry was restructured to transition from a centrally planned and state-run operation to one that would establish competition between private generators within a regulated market. The vague language in parts of SB 128, such as "other measures" or "pursue measures expected to mitigate the cost of electric," could potentially grant sweeping new powers to

the Public Utilities Commission which some fear could undermine the slow and steady transition to more free market energy solutions brought about by restructuring. Also, gas supply or capacity is explicitly exempted from the bill's provisions. 50% of our generating capacity currently comes from natural gas. During public testimony, "other measures" seemed to refer solely to power purchase agreements (PPAs), specifically one between Eversource and Hydro Renewable Energy which would make use of the proposed Northern Pass transmission project to deliver the power. Since this PPA proposal has now been withdrawn by Eversource, the urgency for this aspect of the bill has passed. The committee determined that further study is necessary on this bill to ensure that well-intentioned measures to mitigate electricity costs are implemented in ways as to not inadvertently increase central planning by regulators, thereby undermining free market solutions. **Vote 17-4.**

TRANSPORTATION

HB 193, relative to traffic control measures. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. This bill takes a common sense approach to using a standard that is currently in place and used successfully when determining whether a road project requires a uniformed police officer or an approved "traffic flagger." This bill simply uses the same current standard that has been used for many years and which provides for the safe flow of traffic around work areas. This bill gives local town and city officials the discretion to make exceptions for unique circumstances in their towns. **Vote 12-0.**

HB 388-FN, relative to special number plates for veterans and armed forces members. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Soucy for Transportation. The intent of this bill is to allow veterans to be eligible for special number plates under this chapter for trailers. Vanity plates may not be issued under this section for a trailer, which keeps the cost of implementation low. The original bill called for veteran's versions of all plates. The committee amendment cuts this back to trailers only. **Vote 15-0.**

SB 160, authorizing religious nonmedical personnel, consistent with Centers for Medicare and Medicaid Services guidelines, to certify eligibility for walking disability plates and placards. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for the **Majority** of Transportation. This bill will allow religious non-medical personnel to be able to issue certifications for disability placards to individuals who do not utilize traditional medical options for religious reasons. The inclusive nature of the bill provides for the present and future needs of all granite staters. **Vote 11-3.**

Rep. Chris True for the **Minority** of Transportation. This bill will authorize non-medical religious personnel to certify the eligibility for a person to get a walking disability license plate. The minority does not believe there is a demonstrated need for this bill.

WAYS AND MEANS

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

Rep. Patrick Abrami for Ways and Means. The original bill that came out of the Transportation Committee and voted ought to pass on the consent calendar by this body called for the elimination of all aircraft registration fees. The bill came to the Ways and Means Committee as the second committee since it involved taxes and fees. Ways and Means amended the bill to be revenue neutral since it was clear no money would be forthcoming from the general fund to support aviation which in round numbers comes from \$1 million in registration fees and \$0.25 million in fuel taxes. It was apparent that we were looking at a zero-sum game and that we needed to alter fees and taxes with the end result in revenue of \$1.25 million. The reason for recasting how we achieve the \$1.25 million is that our system for coming up with registration fees for an individual aircraft is based upon millage rates and weight. This formula has resulted in new large aircraft being charged up to \$300,000 for the first year of registration. In short, this policy has chased away all aircraft owners from registering new and larger planes in NH. At the same time, Massachusetts eliminated its sales tax on planes and now has a top rate of \$300 per year to register there. We are losing these aircraft to fields like Hanscom in Massachusetts. Everyone agreed we need to fix this problem. Upon research we discovered that our fuel taxes were extremely low as compared to other states and much lower than Massachusetts. With much input from the small plane owners, the large plane owners, the small airports, the large airports, and the base operators, a compromise was reached that lowered the registration fees on average, but increased the fuel taxes but in a way that we are still well below most states. The result is this bill will generate \$1.25 million a year in revenue which would come from \$0.41 million in registration fees and \$0.84 million in fuel taxes. This compromise was supported by most of the various interest groups that participated in a total of five subcommittee meetings. We are certain that this will help bring back the aviation industry to NH. In addition, we feel this will help us retain the airplane timeshare companies that are based in our state. These changes should help companies that modernize their fleets to stay in NH and not move their operations to Massachusetts. This bill also insures that our 25 airports in this state would continue to be given modest assistance from the revenues generated from these registration fees. **Vote 22-1.**

HB 529-FN-A-LOCAL, phasing out and repealing the interest and dividends tax. **REFER FOR INTERIM STUDY.**

Rep. Patrick Abrami for Ways and Means. The committee felt that the phasing out and repealing of the interest and dividends tax was not prudent fiscal policy at this time. More specifically, many want to see the full impact of the business tax cuts on overall revenues before we consider this. However, there was support for increasing the exemptions for all filers. Being mid-biennium with the state budget set, it was felt amending the bill at this time could not be done in a revenue-neutral manner. It is important to point out that there was a bill filed to be heard in session year 2018 addressing the increasing of exemptions. The committee voted interim study on this bill to work in sync with the bill that has been filed. **Vote 20-3.**

REGULAR CALENDAR- PART THREE

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1213, removing the exception for married minors from the definition of sexual assault. **INEXPEDIENT TO LEGISLATE.**

Rep. Jody McNally for Criminal Justice and Public Safety. It makes little sense to allow our young children to get married with judicial and/or parental consent and then prosecute them for consummating their marriage. **Vote 12-8.**

HB 1511-FN, relative to the death of a fetus for the purpose of certain homicide charges. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Beth Rodd for the **Majority** of Criminal Justice and Public Safety. SB 66, defining fetus in terms of "another," went into effect January 1, 2018. There has not been time to evaluate the consequences/effectiveness of SB 66. This bill tightens the intent of SB 66 by reducing the gestational age for criminal assault charges from 20 to 8 weeks. It is possible that a pregnant woman would not even be aware of her pregnancy at 8 weeks. In addition, it would be difficult to ascertain whether the spontaneous abortion/miscarriage was a result of an assault or maternal causes. This bill also removes the ban on maternal liability. **Vote 13-7.**

Rep. John Burt for the **Minority** of Criminal Justice and Public Safety. The majority of Republicans found this bill, with amendment, to mirror current legislation with one difference: it lowers the age of legal protection to eight weeks. The committee heard testimony about a grieving grandmother who beseeched our House to recognize the existence of the grandson she lost when her daughter was killed in a vicious hammer attack in Manchester by a boyfriend. Only about ten weeks in utero, this baby was precious to the family and the lack of legal meaning in New Hampshire compounded the family's grief. N. H.'s current fetal homicide law begins protection at twenty weeks. Florida had a similar law until a tragic case occurred. A 26-year old woman, Remee Jo Lee, lost her unborn child at seven weeks. Her boyfriend had substituted an antibiotic pill for an abortion-inducing one. The Florida legislature then amended their law to cover unborn children at any age. Must we wait for a similar tragedy to happen here? No one knows whose family could be affected, perhaps one of ours. This amendment will recognize the work that went into the current law, but extend legal protection to cover most cases of fetal homicide.

HB 1566, prohibiting open carry of a firearm in certain public places. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. The majority of the committee knows that it is against the constitution to tell private bars, doctor's offices, and churches that open carrying of a firearm is prohibited. Those businesses and churches have the right to ban open carrying of a firearm if they wish. For many years New Hampshire citizens have had the right to carry a firearm in public unconcealed. This bill is not needed. **Vote 12-8.**

HCR 13, condemning hate crimes and any other form of racism in New Hampshire. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Renny Cushing for the **Majority** of Criminal Justice and Public Safety. This concurrent resolution condemns hate crimes and other forms of conduct that constitutes racism, religious or ethnic bias, discrimination based on disability, age, marriage, familial status, sexuality or gender discrimination, incitement to violence, or animus contrary to law in New Hampshire. The committee heard painful and powerful testimony about recent actions of violence in the state that were directed at vulnerable populations, including the attempted lynching of a biracial child in Claremont. The majority was inspired by the community response in rejecting hate and bigotry, and applauds the action by the governor to establish an Advisory Council on Diversity and Inclusion. It recommends passage this concurrent resolution to reinforce the legislature's commitment to a state that works for and embraces all and rejects hate. **Vote 13-7.**

Rep. John Burt for the **Minority** of Criminal Justice and Public Safety. The majority of the Republicans on the Criminal Justice committee find hate crimes and racism in New Hampshire unacceptable. The majority of the Republicans on the Criminal Justice committee know that this bill even though well intended only brings more division among the citizens of N.H. The majority of the Republicans on the Criminal Justice committee know that House Joint Resolution 5, which includes the Senate, is a more direct and to the point resolution against hate crimes and racism in New Hampshire.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 1386, establishing a joint committee on employee relations. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Philip Bean for the **Majority** of Labor, Industrial and Rehabilitative Services. This legislation simply restores the joint committee on employee relations to “pre 2009” status. The intent is to execute best practices in the appointment process to better serve the state of New Hampshire, the governing body and New Hampshire employees. **Vote 8-5.**

Rep. Douglas Ley for the **Minority** of Labor, Industrial and Rehabilitative Services. This proposal reconstitutes the membership of the Joint Committee on Employee Relations to its former membership structure; the minority believes this is due to the lack of appointments made by the Governor. In essence, it is a legislative solution to a political problem, a problem which could easily be resolved without changes to statutes.

LEGISLATIVE ADMINISTRATION

HB 1223, establishing a commission to study legislator compensation. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Nigrello for Legislative Administration. This bill would establish a 13-member commission to study legislator compensation including mileage. The committee would also be charged with comparing New Hampshire’s compensation level to the compensation paid to other state legislators. It further requires a study of the demographic composition and socioeconomic background of New Hampshire legislators in an effort to identify ways to increase participation and diversify the composition of the legislature. The committee agrees that compensation is well below all other domestic legislative bodies. The majority agreed that a study may lead us to a constitutional change, which would be extremely difficult to adopt, or a compensation change that would impact the budget. For these reasons the majority recommends that the bill be found Inexpedient to Legislate. **Vote 8-3.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 1630, relative to unfunded property tax exemptions or credits. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Franklin Sterling for the **Majority** of Municipal and County Government. This bill seeks to put into statute language that is already enshrined in the state constitution as part the first article 28-a. The committee is of the opinion that this is unnecessary and redundant. **Vote 14-1.**

Rep. Francis Gauthier for the **Minority** of Municipal and County Government. The property tax is the flagship of funding in New Hampshire. It is expensive and causes hardship to low- and middle-income individuals. There is a tremendous list of exemptions already in existence. Any time a new exemption is added, it shifts the cost to the small percentage of people who actually pay property taxes; and that percentage is shrinking all the time.

PUBLIC WORKS AND HIGHWAYS

HB 1278, naming the rest area in Colebrook after Frederick W. King, Sr. **OUGHT TO PASS.**

Rep. Gene Chandler for Public Works and Highways. This bill names the rest area on Rt. 3 in Colebrook after former representative and senator Fred King. Mr. King’s litany of public service to the state and the North Country is legendary. The Coos County Commissioners and the Colebrook Board of Selectmen enthusiastically endorsed the naming of the rest area after Mr. King. The naming of this very visible facility in the North Country is a fitting tribute to a citizen of the North Country who donated many years of public service to benefit his constituents and the citizens of NH. **Vote 19-0.**

TRANSPORTATION

HB 1581, relative to commencement of an administrative license suspension. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Werner Horn for Transportation. This bill seeks to address a potential issue where a driver loses his license at an administrative hearing and is unable to drive himself home. The solution is to move the effective date of suspension in certain instances. The amendment clarifies exactly when the suspension takes place and eliminates a conflict with suspension timing requirements for habitual offender hearings. **Vote 11-4.**

HB 1628-FN, relative to number plates for motor vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Craig Moore for Transportation. This bill authorizes certain passenger vehicles to display one number plate instead of two. The authorization is based on the activity of an E-Z Pass. If the E-Z Pass goes inactive a second plate would need to be issued or the registrant of the vehicle would be in violation of law. **Vote 11-4.**

WAYS AND MEANS

HB 1355, establishing a commission to study adaptation of the tax structure of the state to economic and demographic change. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Patrick Abrami for the **Majority** of Ways and Means. The bill called for the establishment of a commission to study the adaptation of the tax structure of the state to economic and demographic change. Since the commission would only be allowed to address current taxes in its study, and since there were no compelling arguments that our current taxes are impeding economic growth and demographic change, the majority of the committee voted this bill inexpedient to legislate. The reasoning of the majority is that the legislative process has been the best course to modify tax policy. Over the last several terms, the legislature, for instance, has indeed lowered the business profits tax and business enterprise tax to stimulate economic growth. The majority feels that our tax structure has served us well over the years, resulting in New Hampshire being ranked number one or very high on most measures of success when compared to other states. The majority may have supported this proposed commission if we were ranked below average on these measures. **Vote 13-10.**

Rep. Paul Henle for the **Minority** of Ways and Means. There have been no major changes to the tax structure of New Hampshire since 1970 when the stock and trade tax was repealed and replaced with the business profits tax. Since then, the population of the state has nearly doubled. The median age has gone from 33 years old to over 41 years old now. We have moved from an agricultural/manufacturing economy to a high-tech economy. The population density has increased dramatically in the southern part of the state and decreased dramatically in the northern part. Is our tax structure still meeting our needs? Businesses cannot find the workers they need. Millennials are leaving the state. We have a housing shortage. Are there any changes we could make to our tax structure that would help us solve these problems? This bill creates a commission to study these issues. We passed it last year on a voice vote, but it failed to become law. Times have changed since then, let's pass it and study this issue.

HB 1548-FN, relative to meals and rooms taxes applicable to room remarketers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bill Ohm for the **Majority** of Ways and Means. This bill clarifies existing law to state that the fee charged by a room remarketer is taxable, not just the net amount paid to the owner of the property. This contention of just what is taxable remains in litigation, with NH having lost a lower court case. The case is currently on appeal to the NH Supreme Court. A complication of the bill is requiring real estate agents to collect and pay the tax, which they now simply remit to the property owner. The majority feels that it would be premature to take a position while the court case is pending, and such legislation should be deferred until litigation is concluded. **Vote 14-9.**

Rep. Susan Almy for the **Minority** of Ways and Means. This bill clarifies the state of existing rooms and meals tax law as it applies to online travel companies and any other third-party, agent, or other arrangement giving a person the ability or authority to engage in the sale of taxable accommodations. It also provides that if the occupancy is reserved, booked, arranged for, or otherwise facilitated in whole or part by a room remarketer, the remarketer is the party obligated to collect and remit the full amount of rooms and meals tax due. Because there is significant confusion and noncompliance among taxpayers about the remarketer issue, this clarification would increase compliance and even the playing field among businesses and individuals that rent taxable accommodations. There is already a formal agreement with Airbnb to collect the full tax, and lawsuits claiming remarketer exemption have lost in all but one case. A lawsuit in NH is under appeal after the judge declared that our law is insufficiently specific.

HB 1679-FN, relative to the real estate transfer tax to be paid on certain acquisitions of business entities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Marc Abear for the **Majority** of Ways and Means. This bill provides for the tax on transfers of real property to apply to certain acquisitions of over 50% of the common stock of a business entity by another business entity. This bill is aimed at elimination of a tax exemption. Neither department potentially affected by this change, the Department of Revenue Administration and the Public Utilities Commission, can identify any determinable gain to the state. This move reduces economic freedom with no revenue gain demonstrated. **Vote 13-10.**

Rep. Richard Ames for the **Minority** of Ways and Means. Proponents of HB 1679 assert that a 2016 amendment to RSA Chapter 78-B, the real estate transfer tax, may have inadvertently opened a loophole in the tax by adding a broad exemption from tax of certain transactions where real estate titles are transferred in connection with changes in beneficial ownership. As an example of this, the proponents have pointed to the 2017 transaction by which Eversource avoided payment of real estate transfer tax when it acquired beneficial control and ownership of all of Aquarion NH's property. The minority believes that the question raised by HB 1679 proponents raises serious questions about the fairness and sufficiency of the current law, that these questions are complex and require further research, and accordingly that the bill should be referred for interim study.

HB 1681-FN, establishing an early childhood development tax credit against business taxes administered by the community development finance authority. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Arthur Barnes for the **Majority** of Ways and Means. This bill allows a business to contribute to the Community Development Finance Authority for the purpose of funding early childhood development projects and receive a tax credit equal to 75% of the contribution against its business taxes. This bill is one of a number of bills that would establish new programs funded using business tax credits. Without commenting on the need or value of these programs, it is the source of funding that is the concern. The majority of the committee had no issue with supporting early childhood development. The issue is with the funding of the program through tax credits. This legislation insures funding for this program without having to go through the budget process every two years like most other programs. The majority of the committee feels these types of tax credits reduce the amount of revenue available to the Finance Committee to budget all competing priorities. **Vote 14-9.**

Rep. Joelle Martin for the **Minority** of Ways and Means. There was overwhelming and compelling testimony in support of this bill due to the dire need for child care infrastructure financing in our state. The business community spoke to the workforce crisis and the challenge they are facing hiring workers due to the shortage of quality child care in NH. The child care community testified to the difficulty they are having accessing capital for both expansion and improvement projects. Child care agencies operate on shoestring budgets and are often faced with financial strains due to facility compliance requirements for safety and quality reasons. This bill, with very little impact on state revenues and no impact on our FY18-19 budget, would have a huge positive impact on our young children, their working parents, and child care providers by making the needed capital available to improve and expand high quality childcare facilities in New Hampshire.

HB 1710-FN-A, relative to the provision allowing operators to retain a portion of meals and rooms taxes collected and the appropriation of meals and rooms tax revenues to school building aid. **INEXPEDIENT TO LEGISLATE.**

Rep. Jordan Ulery for Ways and Means. Currently, a well-developed system is in place to compensate business owners as agents of the state in collecting the meals, rooms, and rental tax. The proposed bill would, if enacted, penalize businesses for the operations they are required by law to undertake. The penalty to the business is most evident when debit or credit card transactions are considered. The vast majority of the committee felt this bill only added to the overhead of a business through these penalties. **Vote 20-3.**

HB 1821-FN, repealing Keno. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Bill Ohm for the **Majority** of Ways and Means. This bill proposes to repeal keno, and consequently a source of funds for kindergarten. The amount of the reduction is approximately \$8.9 million per year. The testimony indicated that keno revenue is running ahead of projections, and the majority feels it should remain as a viable source for kindergarten. **Vote 15-8.**

Rep. Richard Ames for the **Minority** of Ways and Means. There are two parts to HB 1821. The first part, contained in sections 1, 2 and 4 of the bill, repeals Keno. The minority agrees with the majority in rejecting this proposed repeal of Keno; this part of the bill should be killed. But the second part of HB 1821, contained in section 3 of the bill, deserves support. This second part of HB 1821 simply de-links Keno revenues from full-day kindergarten. The minority supports this part of the bill believing that communities providing full-day kindergarten should be able to do so knowing that the amount of state aid that they will receive will not be subject to the ups and downs of Keno play. Accordingly, the minority believes that the majority's inexpedient to legislate recommendation goes too far and urges its rejection so that the minority's amendment may be considered. The minority amendment strips out the part of HB 1821 that would repeal Keno and leaves in place the part that de-links Keno revenues from full-day kindergarten funding. If the bill with the minority amendment is adopted, Keno revenues will continue to flow into the state education fund, as is constitutionally required, and full-day kindergarten grants will be determined in FY 2020 and later years solely on the basis of per-student base and differential education adequacy aid calculations without any further limitation.

FRIDAY, FEBRUARY 2

CHILDREN AND FAMILY LAW, Room 206, LOB

1:00 p.m. Subcommittee work session on **HB 1562**, establishing a foster parent bill of rights; **HB 1234**, permitting foster parents to intervene in a legal proceeding involving the custody of a child in their care.

COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k), Room 100, SH

1:00 p.m. Regular meeting.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. Subcommittee work session on **HB 1307**, relative to the default budget in certain towns; **HB 1396-L**, relative to requirements for a default budget; **HB 1547**, requiring review of default budgets by the department of revenue administration; **HB 1652**, relative to default budgets.
- 1:00 p.m. **HB 1210**, establishing a committee to study the effect of current use taxation on small and rural municipalities.
- 1:30 p.m. **HB 1391**, relative to municipal retention of employment files.
- 2:00 p.m. **HB 1450**, relative to retention of job applications and personnel files.
- 2:30 p.m. **HB 1608**, prohibiting a municipality or school district from compensating an employee on leave of absence.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MONDAY, FEBRUARY 5**COMMISSION TO STUDY THE LEGALIZATION, REGULATION, AND TAXATION OF MARIJUANA (RSA 318-B:46)**

- 8:30 a.m. Tour of Prime Alternative Treatment Center, 380 Daniel Webster Highway, Merrimack.

Room 202, LOB

- 10:15 a.m. Regular meeting.

FISH AND GAME AND MARINE RESOURCES, Sig Sauer Academy, 233 Exeter Street, Epping

- 12:00 p.m. Tour. Sig Sauer air rifle demo at the Sig Sauer Academy in Epping. Sig Sauer will have company experts available to answer questions. This is for the Fish and Game committee members only, and representative from the New Hampshire Fish and Game Department as space is very limited.

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

- 1:00 p.m. Subcommittee meeting on foster care.

JOINT LEGISLATIVE INFORMATION TECHNOLOGY OVERSIGHT COMMITTEE (RSA 21-R:9), Room 103, LOB

- 11:00 a.m. Regular meeting.

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), New Hampshire National Guard Regional Training Institute, 722 Riverwood Drive, Pembroke

- 5:00 p.m. Regular meeting.

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

- 1:15 p.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

- 1:00 p.m. Subcommittee work session on **HB 1294**, relative to religious societies.

TUESDAY, FEBRUARY 6**CHILDREN AND FAMILY LAW, Room 206, LOB**

- 10:00 a.m. **HB 1235**, repealing the prospective repeal of the rebuttable presumption of harm due to opioid drug abuse under the Child Protection Act.
- 10:30 a.m. **HB 1267**, relative to court-ordered drug and alcohol testing under the Child Protection Act.
- 11:15 a.m. **HB 1275**, relative to the placement of minors at the Sununu Youth Drug Treatment Center.
- 1:15 p.m. **HB 1325**, relative to venue in child protection actions.
- 2:00 p.m. **HB 1383**, relative to liability for expenses for court ordered placements of children.
- 2:45 p.m. **HB 1683-FN**, relative to the definition of child abuse.
- 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. Continued subcommittee work session on **HB 1377**, relative to the emancipation of minors; **HB 1661**, relative to the protection of minors who petition the court to marry; **HB 1587**, raising the minimum age for marriage and relative to the emancipation of minors; **HB 1586**, relative to judicial review for underage marriage; **HB 1287**, relative to the age at which persons may marry.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 10:15 a.m. **HB 1715-FN**, relative to arbitrary and unreasonable rent increases in manufactured housing parks.

- 10:45 a.m. **HB 1597**, relative to grounds for receivership involving a manufactured housing park.
 11:15 a.m. **HB 1484**, relative to late fees and early payment discounts in manufactured housing parks.
 1:15 p.m. **HB 1607**, relative to the appointment of a receiver for properties which are a threat to health and safety.
 2:00 p.m. **HB 1635**, allowing a license for short-term rentals.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 203, LOB

- 9:00 a.m. Subcommittee work session on **HB 1372**, prohibiting the implanting of subcutaneous identification devices in individuals.

Room 204, LOB

- 10:00 a.m. Executive session on pending legislation.

EDUCATION, Room 207, LOB

- 10:00 a.m. Presentation by Department of Education on Every Student Succeeds Act (ESSA).
 10:30 a.m. Subcommittee work session on **HB 1493**, relative to the statewide assessment system of performance in schools; **HB 1494**, relative to the definition of academic standards; **HB 1495**, relative to standards for determining an adequate education; **HB 1496**, relative to requirements for performance based accountability for an adequate education; **HB 1497**, relative to accountability for school performance; **HB 1674**, relative to computer science and digital skills required for an adequate education.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

ENVIRONMENT AND AGRICULTURE, Rooms 305-307, LOB

- 10:00 a.m. **HB 1474**, designating the New Hampshire Red as the official state poultry.
 11:30 a.m. **HB 1309**, relative to transferring dogs, cats, and ferrets by animal shelter facilities.
 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 1556**, relative to licensing requirements for barbers, cosmetologists, estheticians, and licensed nursing assistants.
 10:30 a.m. **HB 1456**, relative to state acceptance of the lowest reasonable bid contract and relative to the sale, lease, or transfer of state property.
 11:00 a.m. **HB 1665**, relative to the authority of the governing boards of allied health professionals.
 11:30 a.m. **HB 1818-FN**, relative to penalties for certain occupational licensing violations.
 1:30 p.m. **HB 1759-FN**, regulating the use of drones.
 2:00 p.m. **HB 1356**, relative to data sharing between the department of environmental services and the department of health and human services.
 Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE - DIVISION II, Room 209, LOB

- 10:00 a.m. Division work session on **HB 609-FN-A**, establishing a student career and college investment program and making an appropriation therefor.
 11:00 a.m. Division work session on **HB 1814-FN-L**, relative to additional education grants to municipalities for the purpose of restoring reductions in stabilization grants
 1:00 p.m. Division work session on **SB 193-FN**, establishing education freedom savings accounts for students.

FINANCE - DIVISION III, Rooms 210-211, LOB

- 10:00 a.m. Division work session on **HB 596-FN**, relative to review hearings in involuntary admission cases.
 11:00 a.m. Division work session on **HB 1626-FN**, requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs.
 1:00 p.m. Division work session on **HB 1743-FN**, relative to the alcohol abuse prevention and treatment fund and funding for the Sununu Youth Services Center.

FISH AND GAME AND MARINE RESOURCES, Room 303, LOB *Please Note Room Change***

- 10:00 a.m. **HB 1527**, relative to the authority of fish and game officers regarding arrest and search and seizure.
 11:00 a.m. **HB 1526**, relative to fish and game authority to adopt rules to set fees.

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

3:00 p.m. Subcommittee work session on **HB 1575**, permitting hunting with an air rifle.

JUDICIARY, Room 208, LOB

10:00 a.m. Continued public hearing on **HB 1257**, relative to judicial review of proceedings before the human rights commission.

10:30 a.m. Continued public hearing on **HB 1443**, relative to a jury's determination as to the applicability of a law.

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

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

9:00 a.m. Subcommittee work session on **HB 1307**, relative to the default budget in certain towns; **HB 1396-L**, relative to requirements for a default budget; **HB 1547**, requiring review of default budgets by the department of revenue administration; **HB 1652**, relative to default budgets.

11:00 a.m. Executive session on **HB 1302**, relative to private practice by the Carroll county attorney; **HB 1304**, relative to the authorization for forensic audits by a county convention; **HB 1361**, relative to county audits. *****Please Note Time Change***

1:00 p.m. **HB 1269**, relative to the requirement for campground owners to provide certain information to local assessing officials.

1:30 p.m. **HB 1340**, relative to absences among officers required to be present at school district elections.

2:00 p.m. **CACR 19**, relating to right to govern. Providing that the people of the state may enact local laws that protect health, safety and welfare.

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

2:30 p.m. Subcommittee work session on **CACR 19**, relating to right to govern. Providing that the people of the state may enact local laws that protect health, safety and welfare.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. Full committee work session on **HB 1271**, changing the name of Industrial Drive at the Hugh Gallen Office Park to Ratification Way; **HB 1428-FN**, relative to removal of roadside memorials; **HB 1541-FN**, relative to registration and road toll fees for hybrid and electric vehicles.

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

3:00 p.m. Presentation by the NH State Freight Plan.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

11:00 a.m. Full committee work session on **HB 1488**, establishing a committee to study the public utilities commission's role and scope of duties in a deregulated environment; **HB 1515**, relative to an exemption from the combustion ban on construction and demolition debris.

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

TRANSPORTATION, Room 203, LOB

10:00 a.m. **HB 1259**, relative to passenger restraints.

11:00 a.m. **HB 1262-L**, relative to online driver education.

11:30 a.m. **HB 1324**, relative to driver education programming.

1:00 p.m. **HB 1442**, relative to driver education.

1:30 p.m. **HB 1363**, relative to the waiver of vehicle registration suspension fees.

2:00 p.m. **HB 1615**, relative to speed limits in work zones.

2:30 p.m. **HB 1517**, relative to vehicle inspection failures for rust.

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

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Public hearing on non-germane amendment 2018-0360h to HB 1609, establishing a local option for an additional surcharge on occupancy under the meals and rooms tax. The amendment enables municipalities to vote to collect a municipal occupancy fee from all hotels, public lodging houses, tourist cabins, and tourist trailer parks, for the purpose of establishing a municipal capital improvement or tourism support fund. Copies of the amendment are available in the Sergeant-at-Arms' Office, Room 318, State House.

10:30 a.m. Full committee work session on **HB 1554-FN**, increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes; **HB 1422-FN-A**, relative to the applicability of certain business tax rate changes;

HB 1429-FN-A, relative to exemptions from the tax on interest and dividends; **HB 1609**, establishing a local option for an additional surcharge on occupancy under the meals and rooms tax; **HB 1430-FN**, relative to emergency medical services license and fine revenue; **HB 1501-FN**, relative to regulation of consultants for operators of games of bingo and lucky 7; **HB 1629**, establishing a committee to study establishing business tax credits for companies that pay a liveable wage and provide adequate benefits to their employees; **HB 1722-FN-L**, relative to the property tax exemption for chartered public school property, including leased property; **HB 1512-FN-A**, relative to taxes applicable to certain transfers of real property; **HB 1802-FN-L**, relative to the statewide education property tax; **HB 1808**, repealing certain inactive dedicated funds.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, FEBRUARY 9

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration, Training Room, 109 Pleasant Street, Concord

9:30 a.m. Regular meeting.

1:00 p.m. Subcommittee meetings on equalization and rules.

COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73), Room 205, LOB

10:00 a.m. Regular meeting.

COMMISSION TO STUDY GRANDFAMILIES IN NEW HAMPSHIRE (RSA 170-G:17), Rooms 306-308, LOB

10:00 a.m. Regular meeting.

COMMITTEE TO STUDY CERTAIN INVESTMENTS BY MUNICIPALITIES (SB 72, Chapter 37:1, Laws of 2017), Room 102, LOB

2:30 p.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Department of Corrections, 281 North State Street, Concord.

10:00 a.m. Tour of Secure Psychiatric Unit (entry at the back).

NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R:1), Room 307, 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 303, LOB

9:00 a.m. Regular meeting.

SUNDAY, FEBRUARY 11

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

1:00 p.m. Regular meeting.

MONDAY, FEBRUARY 12

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

9:00 a.m. Regular meeting.

COMMISSION TO STUDY CURRENT MENTAL HEALTH PROCEDURES FOR INVOLUNTARY COMMITMENT (RSA 135-C:63-c), Room 206, LOB

1:00 p.m. Regular meeting.

COMMISSION TO STUDY THE LEGALIZATION, REGULATION, AND TAXATION OF MARIJUANA (RSA 318-B:46), Room 202, LOB

1:00 p.m. Regular meeting.

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

1:30 p.m. Regular meeting.

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

1:00 p.m. Regular meeting.

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

1:30 p.m. Regular meeting.

2:30 p.m. Subcommittee meeting on early learning.

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.

SEACOAST COMMISSION ON LONG TERM GOALS AND REQUIREMENTS FOR DRINKING WATER (RSA 485-F:5), New Hampshire Department of Environmental Services, Pease International Tradeport, 222 International Drive, Suite 175, Portsmouth

2:00 p.m. Regular meeting.

TUESDAY, FEBRUARY 13**CHILDREN AND FAMILY LAW, Room 206, LOB**

10:00 a.m. **HB 1775**, relative to the appointment of guardians ad litem in parenting cases.

11:00 a.m. **HB 1774**, relative to parenting plans and relocation of a child's residence.

1:00 p.m. **HB 1633**, relative to alimony.

1:45 p.m. **HB 1475**, relative to the procedure for filing a protective order.

2:30 p.m. **HB 1384**, relative to the evidence standard used in child abuse and neglect cases.

3:15 p.m. **HB 1801-FN**, relative to removal of a child under the child protection act and establishing the crime of abuse of a minor.

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

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:15 a.m. **HB 1435-FN**, relative to business registration requirements.

10:45 a.m. **HB 1733-FN**, relative to digital electronic product repair.

11:15 a.m. **HB 1662-L**, requiring radon air testing on all new residential construction.

1:15 p.m. **HB 1214**, prohibiting the sale of certain furniture with flame retardant chemicals.

1:45 p.m. **HB 1610**, requiring sellers of real property to disclose certain information concerning environmental hazards.

2:15 p.m. **HB 1602**, establishing an assurance deed and procedures therefor.

2:45 p.m. **HB 1505**, relative to the MasoniCare charter.

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. Executive session on **HB 1253**, relative to membership of the cooperative school district budget committees; **HB 1469-L**, relative to the dissolution of cooperative school districts; **HB 1594**, relative to the disposition of property upon withdrawal from cooperative school districts; **HB 1598-L**, relative to the vote to withdraw from a cooperative school district; **HB 1493**, relative to the statewide assessment system of performance in schools; **HB 1494**, relative to the definition of academic standards; **HB 1495**, relative to standards for determining an adequate education; **HB 1496**, relative to requirements for performance based accountability for an adequate education; **HB 1497**, relative to accountability for school performance; **HB 1637**, requiring school districts to establish policies relating to suspensions and expulsions.

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. **HB 1385**, establishing a committee to study animal welfare in 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 1823-FN**, relative to layered amortization of retirement system liabilities.

10:30 a.m. **HB 1805**, establishing a committee to study level dollar amortization of retirement system unfunded accrued liability.

11:00 a.m. **HB 1803-FN**, relative to payroll deductions for government employees.

11:30 a.m. **HB 1767-FN**, establishing a multiple employer public retirement plan.

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. Subcommittee work session on **HB 1600**, relative to objections to proposed rules by the joint legislative committee on administrative rules; **HB 1440**, relative to prohibiting the adoption of administrative rules after final objection by the joint legislative committee on administrative rules; **HB 1648**, relative to review by the joint legislative committee on administrative rules.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 9:00 a.m. Subcommittee work session on **CACR 19**, relating to right to govern. Providing that the people of the state may enact local laws that protect health, safety and welfare.
- 11:00 a.m. Executive session on **HB 1211**, relative to presite built housing; **HB 1318**, relative to permits required for certain fires; **HB 1414-FN**, relative to forfeiture fees regarding dog licenses; **HB 1561**, relative to the use of recycled tire rubber at village, town, municipal, and school playgrounds. ****Please Note Time Change**
- 1:00 p.m. **HB 1634**, regulating disorderly houses.
- 1:30 p.m. **HB 1702**, relative to the management of the Gunstock Area.
- 2:00 p.m. **HB 1728-FN-L**, removing the homestead exemption.
- 2:30 p.m. **HB 1463**, relative to requirements for noise ordinances in towns.
- 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

- 11:00 a.m. Full committee work session on **HB 1358**, relative to decisions by the site evaluation committee; **HB 1555**, relative to participation by the public utilities commission in regional activities.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 1270**, relative to the prohibition on the use of mobile electronic devices while driving.
- 11:00 a.m. **HB 1290**, relative to vehicle registration for new residents to New Hampshire.
- 1:00 p.m. **HB 1331**, relative to incidental uses for agricultural plates.
- 1:30 p.m. **HB 1339**, relative to motorist duties when approaching highway emergencies.
- 2:00 p.m. **HB 1795**, eliminating the oversight commission on motor vehicle fines.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WAYS AND MEANS, Rooms 210-211, LOB

- 10:00 a.m. **HB 656-FN-A-L**, relative to the legalization and regulation of marijuana.
- Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WEDNESDAY, FEBRUARY 14

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

- 9:00 a.m. **HB 1653**, relative to the uniform commercial code.
- 9:30 a.m. **HB 1800-FN-L**, relative to usury.
- 10:00 a.m. **HB 1641**, relative to the rate of interest in business transactions.
- 10:30 a.m. **HB 1632**, relative to the labeling of bottled water.
- 11:00 a.m. **HB 1812-FN**, regulating certain vapor products.
- 1:15 p.m. **HB 1382**, repealing the requirement that restaurants provide separate bathrooms for each sex.
- 2:00 p.m. **HB 1668**, relative to children's meals served by food service establishments.

EDUCATION, Room 207, LOB

- 10:00 a.m. Executive session on **HB 1228**, removing the limitation on a chartered public school incurring long term debt; **HB 1229**, relative to the teachers' voting requirement for becoming a charter conversion school; **HB 1277**, relative to the renomination of teachers; **HB 1333**, relative to the criteria for teachers in charter schools; **HB 1348**, relative to the annual audit report of public charter schools; **HB 1761**, relative to the math learning communities program in secondary schools; **HB 1439**, relative to requirements for private schools that contract with school districts; **HB 1480**, relative to the membership of the board of trustees of a chartered public school; **HB 1552**, requiring school districts to submit an annual report concerning gifted students; **HB 1559**, relative to certification requirements for assistant principals; **HB 1572-L**, relative to alternative transportation of students for public school activities; **HB 1636**, establishing a committee to study teacher preparation and education programs.

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

GOVERNOR'S REGULATORY REFORM STEERING COMMITTEE, Executive Council Chamber, SH
3:00 p.m. Regular Meeting.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 10:00 a.m. **HB 1100**, establishing a commission to review and evaluate workforce and job training in New Hampshire.
10:30 a.m. **HB 1716-FN**, establishing apprenticeship programs for unemployed workers.
11:00 a.m. **HB 1762-FN**, relative to documentation requirements for the department of labor.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 9:00 a.m. Subcommittee work session on **CACR 19**, relating to right to govern. Providing that the people of the state may enact local laws that protect health, safety and welfare.
11:00 a.m. Executive session on **HB 1269**, relative to the requirement for campground owners to provide certain information to local assessing officials; **HB 1340**, relative to absences among officers required to be present at school district elections; **CACR 19**, relating to right to govern. Providing that the people of the state may enact local laws that protect health, safety and welfare.
****Please Note Time Change**
1:00 p.m. **HB 1215**, relative to voting on variances.
1:30 p.m. **HB 1216**, relative to liability for deferred property taxes.
3:00 p.m. Full committee work session on **HB 1307**, relative to the default budget in certain towns; **HB 1396-L**, relative to requirements for a default budget; **HB 1547**, requiring review of default budgets by the department of revenue administration; **HB 1652**, relative to default budgets.
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

- 11:00 a.m. Full committee work session on **HB 1338**, establishing a committee to study the changes in law necessary to allow for microgrids in electricity supply.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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

- 10:00 a.m. Full committee work session on **HCR 12**, applying to Congress to propose a congressional term limits constitutional amendment; **HJR 4**, urging Congress to apply laws equally to United States citizens and members of Congress; **HR 22**, urging Congress to amend federal law on the issues of civil and criminal liability for providers and users of computer services carrying advertisements offering sex with sex trafficking victims; **HR 20**, affirming states' powers based on the Constitution for the United States and the Constitution of New Hampshire; **HCR 10**, applying for a convention of the states under Article V of the Constitution of the United States.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), New Futures Conference Room, 10 Ferry Street, Concord

- 9:00 a.m. Regular meeting.

THURSDAY, FEBRUARY 15

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

- 3:00 p.m. Regular meeting.

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.

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

- 11:00 a.m. Or immediately following the Governor's State of State Address. Subcommittee work session on **HB 1102-FN**, enabling the department of health and human services to enter into a contract with an Academy Society of Addiction Medicine certified physician.

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

2:00 p.m. Regular meeting.

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

1:00 p.m. Continued full committee work session, if necessary, on **HCR 12**, applying to Congress to propose a congressional term limits constitutional amendment; **HJR 4**, urging Congress to apply laws equally to United States citizens and members of Congress; **HR 22**, urging Congress to amend federal law on the issues of civil and criminal liability for providers and users of computer services carrying advertisements offering sex with sex trafficking victims; **HR 20**, affirming states' powers based on the Constitution for the United States and the Constitution of New Hampshire; **HCR 10**, applying for a convention of the states under Article V of the Constitution of the United States. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, FEBRUARY 16**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB**

9:00 a.m. Regular meeting.

COMMITTEE TO STUDY EDUCATION FUNDING AND THE COST OF AN OPPORTUNITY FOR AN ADEQUATE EDUCATION (HB 356, Chapter 190:1, Laws of 2017), Room 209, LOB

1:00 p.m. Regular meeting.

COMMITTEE TO STUDY MENTAL HEALTH AND SOCIAL SERVICE BUSINESS PROCESS ALIGNMENT AND INFORMATION SYSTEM INTEROPERABILITY (SB 147, Chapter 116:1, Laws of 2017), Room 101, LOB

1:00 p.m. Regular meeting.

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

10:00 a.m. Regular meeting.

JOINT LEGISLATIVE INFORMATION TECHNOLOGY OVERSIGHT COMMITTEE (RSA 21-R:9), Room 103, LOB

10:30 a.m. Regular meeting.

NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4), Room 100, SH

8:30 a.m. Subcommittee meeting.

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

10:00 a.m. Regular meeting.

TUESDAY, FEBRUARY 20**CHILDREN AND FAMILY LAW, Room 206, LOB**

11:00 a.m. Executive session on **CACR 14**, relating to natural rights of children. Providing that children have a natural right to be protected by their parents; **HB 1103-FN**, relative to financial responsibility for voluntary services provided pursuant to a report of abuse or neglect that is "unfounded but with reasonable concern."; **HB 1234**, permitting foster parents to intervene in a legal proceeding involving the custody of a child in their care; **HB 1235**, repealing the prospective repeal of the rebuttable presumption of harm due to opioid drug abuse under the Child Protection Act; **HB 1261**, relative to record management of abuse and neglect reports; **HB 1267**, relative to court-ordered drug and alcohol testing under the Child Protection Act; **HB 1275**, relative to the placement of minors at the Sununu Youth Drug Treatment Center; **HB 1287**, relative to the age at which persons may marry; **HB 1325**, relative to venue in child protection actions; **HB 1377**, relative to the emancipation of minors; **HB 1383**, relative to liability for expenses for court ordered placements of children; **HB 1384**, relative to the evidence standard used in child abuse and neglect cases; **HB 1475**, relative to the procedure for filing a protective order; **HB 1562**, establishing a foster parent bill of rights; **HB 1586**, relative to judicial review for underage marriage; **HB 1587**, raising the minimum age for marriage and relative to the emancipation of minors; **HB 1633**, relative to alimony; **HB 1650**, removing education as required by law as a criterion for determining child neglect; **HB 1661**, relative to the protection of minors who petition the court to marry; **HB 1683-FN**, relative to the definition of child abuse; **HB 1774**, relative to parenting plans and relocation of a child's residence; **HB 1775**, relative to the appointment of guardians ad litem in parenting cases; **HB 1801-FN**, relative to removal of a child under the child protection act and establishing the crime of abuse of a minor.

EDUCATION, Room 207, LOB

- 10:00 a.m. Executive session on **HB 1403**, relative to members of the state board of education.
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. **HB 1766-FN**, relative to remediating the Coakley Landfill in Greenland.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 11:00 a.m. Executive session on **HB 1210**, establishing a committee to study the effect of current use taxation on small and rural municipalities; **HB 1391**, relative to municipal retention of employment files; **HB 1450**, relative to retention of job applications and personnel files; **HB 1608**, prohibiting a municipality or school district from compensating an employee on leave of absence. *****Please Note Time Change***
- 1:00 p.m. Executive session on **HB 1634**, regulating disorderly houses; **HB 1702**, relative to the management of the Gunstock Area; **HB 1728-FN-L**, removing the homestead exemption; **HB 1533**, relative to expiration of variances and special exceptions.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 1350**, requiring headlight use when windshield wipers are in use.
10:30 a.m. **HB 1400**, relative to red light equipment on vehicles owned by dispatchers.
11:00 a.m. **HB 1453**, eliminating the traffic safety commission.
11:15 a.m. **HB 1454**, eliminating the commission to study recommendations of the National Transportation Safety Board.
- 1:00 p.m. **HB 1459**, prohibiting autonomous vehicles on New Hampshire highways.
1:30 p.m. **HB 1523**, relative to heavy duty recovery vehicles.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

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

- 10:00 a.m. Continued executive session on **CACR 14**, relating to natural rights of children. Providing that children have a natural right to be protected by their parents; **HB 1103-FN**, relative to financial responsibility for voluntary services provided pursuant to a report of abuse or neglect that is "unfounded but with reasonable concern."; **HB 1234**, permitting foster parents to intervene in a legal proceeding involving the custody of a child in their care; **HB 1235**, repealing the prospective repeal of the rebuttable presumption of harm due to opioid drug abuse under the Child Protection Act; **HB 1261**, relative to record management of abuse and neglect reports; **HB 1267**, relative to court-ordered drug and alcohol testing under the Child Protection Act; **HB 1275**, relative to the placement of minors at the Sununu Youth Drug Treatment Center; **HB 1287**, relative to the age at which persons may marry; **HB 1325**, relative to venue in child protection actions; **HB 1377**, relative to the emancipation of minors; **HB 1383**, relative to liability for expenses for court ordered placements of children; **HB 1384**, relative to the evidence standard used in child abuse and neglect cases; **HB 1475**, relative to the procedure for filing a protective order; **HB 1562**, establishing a foster parent bill of rights; **HB 1586**, relative to judicial review for underage marriage; **HB 1587**, raising the minimum age for marriage and relative to the emancipation of minors; **HB 1633**, relative to alimony; **HB 1650**, removing education as required by law as a criterion for determining child neglect; **HB 1661**, relative to the protection of minors who petition the court to marry; **HB 1683-FN**, relative to the definition of child abuse; **HB 1774**, relative to parenting plans and relocation of a child's residence; **HB 1775**, relative to the appointment of guardians ad litem in parenting cases; **HB 1801-FN**, relative to removal of a child under the child protection act and establishing the crime of abuse of a minor.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 11:00 a.m. Executive session on **HB 1307**, relative to the default budget in certain towns; **HB 1396-L**, relative to requirements for a default budget; **HB 1547**, requiring review of default budgets by the department of revenue administration; **HB 1652**, relative to default budgets. *****Please Note Time Change***
- 1:00 p.m. Executive session on **HB 1215**, relative to voting on variances; **HB 1216**, relative to liability for deferred property taxes; **HB 1463**, relative to requirements for noise ordinances in towns.

THURSDAY, FEBRUARY 22

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 23

COMMISSION TO STUDY THE APPORTIONMENT OF GROSS BUSINESS PROFITS UNDER THE BUSINESS PROFITS TAX (RSA 77-A:23), Room 100, SH

10:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

MONDAY, FEBRUARY 26

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

11:00 a.m. Regular meeting.

FRIDAY, MARCH 2

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

9:00 a.m. Continued meeting.

MONDAY, MARCH 5

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

9:00 a.m. Investment committee meeting.

10:00 a.m. Quarterly meeting.

OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 170-G:19), Rooms 305-307, LOB

11:00 a.m. Regular meeting.

TUESDAY, MARCH 6

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), New Hampshire National Guard Regional Training Institute, 722 Riverwood Drive, Pembroke

5:00 p.m. Regular meeting.

THURSDAY, MARCH 8

HOME EDUCATION ADVISORY COUNCIL (RSA 193-A:10), New Hampshire Department of Education, 101 Pleasant Street, Concord

3:30 p.m. Regular meeting.

FRIDAY, MARCH 9

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

9:30 a.m. Regular meeting.

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

1:00 p.m. Regular meeting.

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

10:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

MONDAY, MARCH 12

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.

NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4), Rooms 210-211, LOB

8:30 a.m. Regular meeting.

THURSDAY, MARCH 15

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, MARCH 16

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

9:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Rockingham County Executive Committee meeting, **Friday, February 16th at 9:30 a.m.**, Hilton Auditorium, Rockingham County Nursing Home, Brentwood, to report budget recommendations and vote on budget to be presented to full delegation.

Rep. David A. Welch, Clerk

Rockingham County Delegation meeting, **Wednesday, February 28th at 6:00 p.m.**, Hilton Auditorium, Rockingham County Nursing Home, Brentwood, to adopt the 2018 County Budget; an 18-month budget from 1/1/18 to 6/30/19. Executive Committee to meet at 5:30 p.m., Commissioner's Conference Room, to authorize treasurer's borrowing and finalize any unfinished business.

Rep. David A. Welch, Clerk

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB 407, HB 476, HB 525, HB 596, HB 613, HB 619, HB 1231, HB 1328, HB 1473, HB1557, HB 1626, HB 1681, HB 1689, HB 1756, HB 1762, HB 1764, HB 1802, HB 1814, HB 1819, HB 1820, SB 165, SB 172, SB 193.

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 201, LOB. All republican house members are invited to attend.

Reps. Glenn Cordelli, James Spillane and Chris True

The E-Poll Working Group will meet on **Friday, February 2nd at 10:00 a.m.** in Room 307, LOB.

Rep. Barbara Griffin

The NH Retail Lumber Association is hosting a legislative breakfast on **Tuesday, February 6th from 8:00 a.m. to 10:00 a.m.** in the State House cafeteria. Legislators and staff are invited to stop by anytime to enjoy a hot breakfast and the opportunity to meet your local building material dealers and learn more about the independent building material industry.

Reps. Richard W. Hinch and Stephen Shurtleff

The Career and Technical Student Organizations (CTSOs) will hold a reception for state representatives and senators in the State Library Map Room on **Tuesday, February 6th from 9:00 a.m. to 1:00 p.m.** Refreshments will be served. They are also hosting a canned food drive.

Rep. John T. O'Connor

The NH Optometric Association hosts its Eye-Opener Breakfast on **Wednesday, February 7th from 8:00 a.m. to 10:00 a.m.** in the State House cafeteria. Legislators and staff are invited to stop by anytime to enjoy a hot breakfast, speak with local Doctors of Optometry and learn about eye health, the practice of optometry and how the state regulates the profession.

Reps. Richard W. Hinch and Stephen Shurtleff

Northeast Delta Dental cordially invites all members of the New Hampshire House and staff to its 19th Annual Legislative Reception to be held **Wednesday, February 7th from 4:00 p.m. to 6:30 p.m.** at its corporate office at One Delta Drive in Concord. Please RSVP to Kathleen Gleason at (603) 223-1317 or kgleason@nedelta.com.

Reps. Dick Hinch and Stephen Shurtleff

There will be a short informational meeting of the Order of Women's Legislators, **Wednesday, February 7th**, immediately prior to lunch break under the clock for approx. 10 minutes.

Rep. Caroletta Alicea

The NH Retail Association invites you to join the members and directors at their Legislative Lunch and presentation of the annual "Retailer of the Year" and "Legislator of the Year" awards on **Thursday, February 8th from noon to 2:00 p.m.** or during the legislative lunch break at the Concord Holiday Inn. Please join members of the retail community, the Retail Association Directors and your colleagues for a buffet lunch and conversation and help us recognize those who stand up for retail.

Reps. Richard W. Hinch and Stephen Shurtleff

The Legislative Sportsmen's Caucus and members who are interested in learning more about the caucus are invited to lunch on **Thursday, February 8th at 12:00 p.m.**, or at the lunch break if there is session, at Rath, Young, and Pignatelli, 1 Capital Plaza, Concord. Brent Miller, the senior director of the Northeastern States with the Congressional Sportsmen's Foundation, will be our guest, along with representatives from NH Fish and Game.

Reps. Gene Chandler and Jeff Goley

The University of New Hampshire invites all legislators and legislative employees to cheer on the UNH Men's Hockey Team as they take on Vermont at the Whitmore Center in Durham on **Friday, February 9th at 7:00 p.m.** To reserve your complimentary ticket, please contact Tom Cronin at thomas.cronin@unh.edu or 603-862-0574.

Rep. Marjorie Smith

FIRST would like to invite all legislators to be our special guests on **Saturday, February 10th**, for the FIRST Tech Challenge State Championship, held at SNHU's Manchester Campus, 1628 Mountain View Road, Manchester. This year we have 32 teams competing from across the state (along with special demonstrations from Autodesk, Bosch Thermotechnology, & Tesla), with an expected attendance of 500+. The competition runs throughout the day, but we hope you'll be able to join us for a VIP reception at **9:45 a.m.**, followed by a student-led tour and demo. RSVP: <http://tinyurl.com/nhftc2018>.

Reps. Gene Chandler and Stephen Shurtleff

All representatives and staff are cordially invited to attend a breakfast reception with the Friends Program on **Tuesday, February 13th from 7:30 a.m. to 9:30 a.m.** in the State House cafeteria. A continental breakfast will be served. The Friends Program strengthens communities by building relationships that empower people, encourage community service and restore faith in the human spirit. Our Foster Grandparent Program and Retired and Senior Volunteer Program (RSVP) have over 600 volunteers in NH volunteering in local schools, child care centers, and non-profit agencies, which are positively impacting close to 45,000 people. Please join senior volunteers who will be available to tell you about their volunteer experiences and answer your questions about the Friends Foster Grandparent and RSVP Programs.

Reps. Mary Jane Wallner, Mike Cahill, Chuck Grassie and Mariellen MacKay

The New Hampshire Council of Churches will be hosting an Ecumenical Ash Wednesday service at St. Paul's Episcopal Church in Concord on **Wednesday, February 14th at 7:30 a.m.** Refreshments will be served following the conclusion of the service. Ministers from the Episcopal Diocese, the United Methodist Church, the Lutheran Church, and the United Church of Christ will be participating in the service, including the imposition of ashes. All members and staff are welcome to attend.

Reps. Robert Elliot and Kristina Schultz

Please join us **Wednesday, February 14th from 8:30 a.m. to 9:30 a.m.** at the Upham-Walker House, 118 Park Street, Concord. We are proud to say we have 70+ University of New Hampshire, Keene State College, Plymouth State University and Granite State College alumni serving in the state legislature. We welcome you to join us in celebrating your alma maters, hear from some of our newest alumni and take part in a group photo to commemorate the occasion. A continental breakfast will be served. Please RSVP to Pat Waldvogel at (603) 387-1037 or pat.waldvogel@usnh.edu.

Rep. Mary Jane Wallner

Bi-State Primary Care Association invites legislators to a briefing on the services, staff and locations of our 16 community health centers on **Wednesday, February 14th from 11:30 a.m. to 1:00 p.m.** in Rooms 210-211, LOB. Please join us to learn more about the centers, which provide access to high quality, affordable primary and preventive health care for all, regardless of income or insurance coverage. The program will include presentations by and Q&A with community health center staff, who will discuss the current state and federal legislation most important to this critical part of the NH healthcare infrastructure. Tickets for a bag lunch at the State House cafeteria will be provided for legislators after the presentation.

Rep. Frank Kotowski

Please join the New Hampshire Association of Fire Chiefs at the annual legislative breakfast at the State House Cafeteria on **Thursday, February 15th from 7:00 a.m. until 10:00 a.m.** It is an opportunity to meet and speak with the chiefs who are dealing with emergency and opioid crisis incidents on a daily basis. This breakfast is prior to the Governor's address to the legislature at 10:00 a.m.

Rep. Dave Danielson

All legislators and staff are cordially invited to attend an informational session entitled Partnerships for Economic Development: Industry, Higher Education, and Government. Speakers will address the importance of research and innovation to the state economy. The event is sponsored by the NH EPSCoR Science and Technology Advisory Committee and will be held at Ordway Hall, St. Paul's Episcopal Church, 21 Centre Street, Concord, on **Thursday, February 15th at 11:30 a.m.**, following Gov. Sununu's State of the State address at the State House. A complimentary luncheon will be provided. RSVP by February 12th to nh.epscor@unh.edu. Questions? Call 603-862- 0126.

Rep. Terry Wolf

The Order of Women's Legislators will be hosting a Silent Auction on **February 22nd**, all day, located in the anteroom. Prices will be listed on individual sheets in front of the fabulous items and the highest bid will win. Winners names will be written on each sheet prior to the last vote as the winners will not be announced. Cash or Checks made out to the OWLS will be accepted. This charity event is to raise funds to gift additional scholarships to non traditional students.

For more information please contact Rep. Caroletta Alicea.

Rep. Caroletta Alicea

The New Hampshire Fiscal Policy Institute's 2018 conference, "Building a Strong Foundation for a Prosperous Economy," will be held **Friday, February 23rd from 8:00 a.m. to 12:30 p.m.** at the Grappone Conference Center in Concord. Panel discussions will examine key policy concerns in the areas of health, education, housing, and transportation. Presenters will address the potential impact federal policy changes may have on New Hampshire's ability to meet current and future needs, and state efforts to sustain a prosperous economy that benefits all Granite Staters. Registration fees are \$45 through January 31 and \$60 starting February 1. Breakfast will be provided. Preregistration is required by February 16. A limited number of scholarships for complimentary conference registrations are available for current members of the Legislature; please email info@nhfpi.org for scholarship details. Visit nhfpi.org/nhfpi-policy-conference to learn more and register.

Rep. Dick Ames

The New Hampshire Public Health Association (NHPHA) is hosting a legislative breakfast on **Wednesday, March 7th from 7:00 a.m. to 10:00 a.m.** at the State House cafeteria. A hearty, warm breakfast will be served. Members of the NHPHA Public Policy Committee and Board of Directors will be on hand to discuss their legislative priorities and pending bills.

Rep. Becky McBeath

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 2018. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes. Note that large groups are divided into smaller groups for tours.

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

Virginia J. Drew, Director

Deborah Rivers, Public Information Administrator

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>#/GRADE</i>
Feb. 2	10:00	UNH – Argentina students	20/col
Feb. 2	10:00	Keene State College – International students	10/col
Feb. 2	12:30	Merrimack Valley High School	15/HS
Feb. 2	2:00	The Birches @ Concord	10/Srs
Feb. 5	10:00	D J Bakie School – Kingston	57/4
Feb. 5	1:00	Hillsborough County Nursing Home	10/Srs
Feb. 6	12:30	The Beech Hill School – Hopkinton	11/7
Feb. 7	9:45	Times Square Study Group – North Hampton area	8
Feb. 13	11:00	Huntington @ Nashua	15/Srs
Feb. 13	10:00	Tri-City Christian Academy – Somersworth	15/Srs
Feb. 14	9:00/10:15 SH/HM	Maple St. School – Hopkinton	65/4
Feb. 14	11:30	Leadership Concord	25/adults
Feb. 15	2:15	Vesta Roy group	10/adults
Feb. 16	9:45/11:00 SH/HM	Hooksett Memorial School	61/4
Feb. 20	9:15/10:30 SH/HM	Maple Ave. School – Goffstown	62/4
Feb. 21	9:15/10:30 SH/HM	Maple Ave. School – Goffstown	62/4
Feb. 21	1:30	St. Paul's School – Paris visitors	12/HS
Feb. 22	9:30	Dondero School – Portsmouth	48/4
Feb. 27	9:30	Raymond Police Explorers Post 485	10/teens
Feb. 28	9:00	UNH – Social Worker students	48/col

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>#/GRADE</i>
Feb. 28	10:00	Manchester Cub Scouts	20
Feb. 28	2:00	Scott-Farrar at Peterborough	10/Srs
March 1	9:45/11:15 SH/HM	Mascoma Valley Regional High School	80/4
March 5	9:45/11:00 SH/HM	Hooksett Elementary School	80/4
March 6	9:30/11:00 SH/HM	Parker Varney School – Manchester	88/4&5
March 6	10:00	New Franklin School – Portsmouth	48/4
March 6	2:00	Bankers Day at the State House	50/adults
March 7	9:30/11:00 SH/HM	Epping Elementary School	72/4
March 7	9:00	The White Mountain School – Bethlehem	14
March 8	10:15/11:30 SH/HM	Moharimet Elementary School – Lee, Madbury, Durham	100/4
March 9	10:30 *2 tours	DAR Good Citizens group	65/HS
March 9	11:30	Tuftonboro Central School	20/4

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 124-FN

(2017-2470h)

Proposed by the Committee on Ways and Means - r

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

AN ACT relative to certain aircraft registration fees and airways tolls.

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

1 New Section; Reporting by Airport. Amend RSA 422 by inserting after section 20 the following new section:

422:20-a Reporting by Airport. The owner of each airport open for public use shall submit to the department quarterly a list of all aircraft, including the federal registration number for each aircraft, that are based at that airport.

2 Repeal. RSA 422:31, I-II, relative to aircraft registration fees, are repealed.

3 Aircraft Operating Fee. RSA 422:31, III is repealed and reenacted to read as follows:

III. An aircraft operating fee for each aircraft for which a state registration certificate is required. The amount of the fee shall be based on the maximum certificated gross weight of the aircraft, as follows:

0-3000 lbs.	\$100
3001-8000 lbs.	\$250
8001-12,500 lbs.	\$2,500
more than 12,500 lbs.	\$3,500

4 New Section; Reporting by Commissioner. Amend RSA 422 by inserting after section 31 the following new section:

422:31-a Reporting by Commissioner. On or before September 15 of each year, the commissioner shall certify in a report to the governor and the chairpersons of the house and senate standing committees on ways and means the following information: for the fiscal year just ended, the numbers of aircraft registered in each of the weight classes listed in RSA 422:31, III; operating fee revenues received by weight class; the numbers of aircraft by weight class that were based during the fiscal year at each of the airports open for public use; and a summary report showing the total numbers of such registered aircraft by weight class by year beginning with the fiscal year ending June 30, 2017.

5 Airways Toll. Amend RSA 422:34, I-II to read as follows:

I. There is hereby imposed an airways toll of [~~\$.04~~] **\$.08** per gallon upon the sale of each gallon of motor fuel or fuel, as defined by RSA 259:58, sold to and used in the propulsion of aircraft. The airways toll shall be subject to the exemptions provided for government sales by RSA 260:32.

II. There is hereby imposed an airways toll of [~~\$.02~~] **\$.049** per gallon on the sale of each gallon of aviation jet fuel sold and used in the propulsion of aircraft. All aircraft, however, that are certified to operate under part 121 of the rules and regulations of the Federal Aviation Administration shall pay an airways toll of [~~\$.005~~] **\$.027** per gallon on aviation jet fuel sold and used in the propulsion of aircraft.

6 Operating Fee Revenues. Amend RSA 422:36, II to read as follows:

II. Disbursements of revenue from the aircraft operating fee shall be made by the department after collection of such fees provided that [~~1/4~~] **\$250,000** of aircraft operating fee revenues originating at a publicly or privately owned airport shall be available **each fiscal year** for public use and shall, upon application, be paid over to the aeronautical fund established for that airport and shall be used for aeronautical purposes.

7 Effective Date. This act shall take effect July 1, 2018.

2017-2470h
AMENDED ANALYSIS

This bill requires quarterly reporting by airport owners, modifies registration and operating fees for aircraft, changes the rate of airways tolls, and adjusts the distribution of operating fee revenue.

Amendment to HB 141
(2017-2472h)

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

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

1 Electric Renewable Portfolio Standard; Electric Renewable Energy Classes. Amend RSA 362-F:4, V and VI to read as follows:

V. ~~[For good cause, and]~~ After notice and hearing, the commission may *either: (i) for good cause*, accelerate or delay by up to one year, any given year's incremental increase in class I or II renewable portfolio standards requirement under RSA 362-F:3, *or (ii) modify the class I or II renewable portfolio standards requirements under RSA 362-F:3 for calendar years beginning January 1, 2018 such that the requirement is equal to the reasonably expected potential annual output of available eligible sources after taking into account demand from similar programs in other states; provided such modified requirement does not exceed the applicable class requirement under RSA 362-F:3.*

VI. After notice and hearing, the commission may modify the class III and IV renewable portfolio standards requirements under RSA 362-F:3 for calendar years beginning January 1, 2012 such that the requirements are equal to ~~[an amount between 85 percent and 95 percent of]~~ the reasonably expected potential annual output of available eligible sources after taking into account demand from similar programs in other states; *provided such modified requirement does not exceed the applicable class requirement in RSA 362-F:3.*

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

2017-2472h
AMENDED ANALYSIS

This bill permits the public utilities commission to modify renewable energy portfolio standards according to expected annual output provided such requirement does not exceed the requirement of RSA 362-F:3.

Amendment to HB 388-FN
(2017-2456h)

Proposed by the Committee on Transportation - r

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

AN ACT relative to special number plates for veterans.

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

1 Special Number Plates for Veterans. Amend RSA 261:87-b, I to read as follows:

I. The director is hereby authorized to issue special number plates to be used on motor vehicles owned by veterans of the United States armed services, in lieu of other number plates. The design of these special plates shall be determined by the commissioner, and shall be distinct from the design or designs of those plates issued under RSA 261:86. Such plates shall be issued only to veterans as defined in RSA 21:50, I(a) upon application, proof of veteran status in a form authorized by RSA 21:50, I(b), and payment of the regular motor vehicle registration fee and the \$4 per plate fees under RSA 261:75. The director shall also issue such plates to any person providing proof of honorable discharge from the armed services of any nation allied with the United States during World War II and proof of such person's service during World War II. Renewals of such special number plates shall be charged the fee assessed for standard motor vehicles as prescribed under RSA 261:141. The plates furnished pursuant to this section are nontransferable and shall expire upon the death of the veteran, except that the surviving spouse may use the plates for one year after the death of the veteran and shall be eligible to replace the plates during that year at no charge under RSA 261:75. *Persons eligible for special number plates under this section may obtain such plates for a trailer registered under this chapter and owned by the person, provided that vanity number plates may not be issued under this section for a trailer.*

2 Effective Date. This act shall take effect January 1, 2019.

2017-2456h
AMENDED ANALYSIS

This bill modifies the availability of special number plates for veterans.

Floor Amendment to HB 529-FN-A-LOCAL
(2018-0021h)

Proposed by Reps. Weyler and Hoell

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

AN ACT decreasing the rate of the tax on interest and dividends.

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

1 Rate. Amend RSA 77:1 to read as follows:

77:1 Rate. The annual tax upon incomes shall be levied at the rate of [5] 4 percent.

2 Applicability. The amendment to RSA 77:1 by section 1 of this act shall apply to tax years ending on and after December 31, 2018.

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

2018-0021h

AMENDED ANALYSIS

This bill decreases the rate of the tax on interest and dividends to 4 percent.

Amendment to HB 579-FN

(2017-0866h)

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

Amend RSA 261:74-t as inserted by section 3 of the bill by replacing it with the following:

261:74-t Registrations by Nongovernmental Registering Trailer Agents.

I. Out-of-state semi-trailer registrations may be issued, renewed, or transferred through nongovernmental registering trailer agents appointed in accordance with this subdivision. Trailer agents shall be residents of and have a verified business address in this state. The director is authorized to limit the number of nongovernmental registering trailer agents appointed under this subdivision based on resource limitations, provided that at least 3 trailer agents are appointed and provided that any limitation established shall not be the basis for revoking any appointment previously made.

II.(a) Each applicant for appointment as a trailer agent shall furnish the following to the department:

- (1) Whether the application is an original, renewal, or change of location;
- (2) Corporate or business name;
- (3) Trade name, if applicable;
- (4) Legal address;
- (5) Mailing address;
- (6) Telephone number;
- (7) Business hours;
- (8) Name, address, and date of birth of at least one owner, partner, or officer, and title, if applicable;
- (9) Name of the person who will be responsible for filing monthly reports;
- (10) An agreement to notify the department of any change of ownership, address, or corporate or trade name; and

(11) Signature and title of the person identified in subparagraph (8) and date signed.

(b)(1) Upon submission of an application that is incomplete or might indicate lack of fitness or qualification for appointment as a trailer agent, the director or his or her designee shall require an applicant to appear for an interview.

(2) The director or his or her designee shall inform the applicant in writing of the interview. The written notice shall include the date, time, and location of the interview.

(3) At the interview, the director or his or her designee shall:

- (A) Explain any discrepancy or concerns to the applicant.
- (B) Answer any questions that the applicant may have about the process.
- (C) Allow the applicant to make corrections to the application or address any concerns expressed.

(4) If an applicant refuses or neglects to appear for a scheduled interview, the director shall deny his or her application.

(5) If an applicant fails to explain any discrepancy or concerns at the interview, the director shall deny his or her application.

(c) In order to be appointed as a trailer agent by the director, each applicant shall:

- (1) Complete the application.
- (2) Complete the training requirements.
- (3) Complete an interview if applicable.
- (4) Obtain a surety bond.
- (5) Agree to allow the director or his or her designee to enter the agent's premises during business hours for the purposes of auditing or verifying compliance with the terms and conditions of this section.
- (6) Agree to keep current with forms and software as determined by the department.

(d) Trailer agents:

- (1) Shall furnish registration information concerning vehicle information as the director may require.
- (2) Collect fees.
- (3) Issue registrations.

(e)(1) Each trailer agent shall maintain a record of all trailer registration certificates issued by him or her, including:

- (A) Date of registration.
- (B) Full name of the registrant.
- (C) Identifying number.
- (D) Address and phone number of record.

(2) The trailer agent shall maintain all records for a period of 15 years.

(f)(1) Prior to being appointed as a trailer agent, each applicant shall complete a training program conducted at the division of motor vehicles, or such other location as the department shall determine.

(2) The training program shall include the following instruction:

(A) Completing a trailer registration using either online equipment furnished by the department or offline equipment including forms and tables furnished by the department.

- (B) Filing monthly reports.
- (C) Collecting trailer registration fees.
- (D) Maintaining records.
- (E) Retaining the agent fee.
- (F) Posting office hours.

(g)(1) If a trailer agent is deficient in any area, the department shall request the trailer agent to undergo retraining.

(2) Depending upon the areas of deficiency, retraining shall consist of one or more of the following:

- (A) Repeat the training program.
- (B) Repeat any portion of the training program.
- (C) Undergo further training, the substance of which shall be determined by the department.

(h) Before any appointment shall become effective, each trailer agent shall file a surety bond with the department, pursuant to RSA 41:6.

(i)(1) Each trailer agent shall mail a monthly report of nonresident registrations to the department containing:

- (A) The physical address and telephone number where the trailer agent is located;
- (B) Period the report begins and ends;
- (C) Number of trailers registered; and
- (D) Amount of registration fee collected.

(2) The monthly reports shall be submitted along with all fees due to the department in the form of a check or money order.

(j) Whenever a trailer agent's office is closed or unattended, all decals, stamps, and other registration materials shall be placed in a locked file cabinet or other secure container.

III. A nonresident may register a semi-trailer in this state through a nongovernmental registering trailer agent, even if the trailer is not garaged exclusively in this state in accordance with RSA 261:46. Registrations of nonresidents for semi-trailers that are not garaged exclusively in this state shall bear the address of the owner's residence and the address of the nongovernmental registering trailer agent.

Amend the bill by inserting after section 4 the following and renumbering the original sections 5-6 to read as 7-8, respectively:

5 Nonresident Registration. Amend RSA 261:46 to read as follows:

261:46 Nonresident Registration. Notwithstanding RSA 261:45, a nonresident who garages a vehicle exclusively in this state **or who registers a semi-trailer through a nongovernmental agent** may register such vehicle in this state as a nonresident. No exemption from the payment of a permit fee shall be granted by reason of nonresidence except by the director, who shall in all cases require proof satisfactory to him or her of residence elsewhere, and of the liability of a nonresident owner, otherwise entitled to such exemption, to pay a property tax on the vehicle for the current year in the state of his or her residence.

6 New Paragraph; Fees for Registration Permits; Multiyear Registrations. Amend RSA 261:153 by inserting after paragraph VI the following new paragraph:

VII. A person registering a semi-trailer for multiple years in accordance with RSA 261:141, XI shall, when offering the semi-trailer for registration, pay all permit fees and other municipal fees associated with the registration for the entire multiyear period. Permit fees for the multiyear period shall be determined under paragraph I. If the registration is for 12 years, the permit fee shall be reduced by 10 percent.

Amendment to HB 628-FN

(2018-0225h)

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

Amend RSA 282-B:3, II as inserted by section 1 of the bill by replacing it with the following:

II. All employers subject to this chapter shall remit FMLI premium payments on a calendar quarter basis. These quarterly insurance premium payments shall amount to 0.67 percent of wages per employee per

week for each week of the preceding quarter. Employers may withhold or divert no greater than 0.67 percent of wages per week per employee to satisfy this paragraph, provided that such employers provide employees, before employment commences, a department approved information sheet containing conspicuous language explaining the costs and benefits of the insurance and indicating that employees are able to affirmatively opt-out of the insurance by downloading a form from the department and that such form, if the employee chooses to opt-out, shall be notarized and submitted to the department and the employer before employment commences, and that the employee shall be provided the opportunity to opt in on January 1 of each year. No employer shall make opting-out of the insurance a condition of employment nor discriminate against an employee in compensation or in terms, conditions, or privileges of employment based on whether or not the employee opts-out of the insurance.

Amend RSA 282-B:6, I as inserted by section 1 of the bill by replacing it with the following:

I. An employee shall be limited up to 6 weeks of FMLI in any one application period. An employee shall have had premium payments remitted as a percent of his or her wages for at least 6 months to be eligible for benefits and shall have worked in employment resulting in wages in the amount of at least 1,040 multiplied by the applicable minimum wage, in either the "base period" or "alternative base period", as those terms are defined in RSA 282-A:2.

Amend RSA 282-A:128 as inserted by section 2 of the bill by replacing it with the following:

282-A:128 Advisory Council. There is hereby created within the unemployment compensation bureau an advisory council on unemployment compensation *and family medical leave insurance*, hereinafter called the advisory council. The advisory council shall consist of 9 members to be appointed, with the exception of the legislative members, by the governor with the consent and advice of the governor's council. Three of the appointees of this advisory council shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employers; 3 shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employees; one shall be a senator from the insurance committee appointed by the senate president; one shall be a representative from the labor, industrial and rehabilitative services committee appointed by the speaker of the house; the remaining appointee, who shall be designated as chairman, shall be a person whose training and experience qualify him to deal with the problems of unemployment compensation. Such advisory council shall meet no later than 45 days after each calendar quarter and aid the commissioner in formulating policies and discussing problems related to the administration of this chapter *and RSA 282-B* and in assuring impartiality and freedom from political influence in the solution of such problems. Advisory council meetings shall provide opportunity for public comment. *The advisory council shall quarterly review and evaluate family medical leave insurance and, after 2 years of administration, the commissioner shall assess utilization, finances, and benefit levels and provide the general court with rate adjustment or fiscal recommendations.*

Floor Amendment to HB 636-FN

(2018-0429h)

Proposed by Rep. Beaudoin

Amend RSA 21-V:5, I(b)(4) as inserted by section 1 of the bill by replacing it with the following:

(4) Experienced with no less than 90 days of active duty in the armed forces of the United States in:

(A) The Vietnam Conflict between December 22, 1961 and May 7, 1975; or

(B) The Vietnam Conflict between July 1, 1958 and December 22, 1961, if the resident earned the Vietnam service medal or the armed forces expeditionary medal; or

(C) Any other armed conflict that has occurred since May 8, 1975 and in which the resident earned a theater of operations service medal; or

(D) Deploying military units in a theater of operations.

Amend RSA 21-V:10 as inserted by section 1 of the bill by replacing it with the following:

21-V:10 Administrative Attachment. The New Hampshire veterans' home shall be administratively attached to the department in accordance with RSA 21-G:10.

Amendment to HB 1101-FN

(2018-0334h)

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

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

1 New Subparagraph; Rulemaking; Air Contaminant Impacts on Soil and Water. Amend RSA 125-C:4, I by inserting after subparagraph (s) the following new subparagraph:

(t) The determination of air contaminants subject to regulation, applicability thresholds, determination of best available control technology, and procedures to determine potential impacts of the deposit of such contaminants from the air on soils or water resources to implement RSA 125-C:10-e.

2 New Section; Requirements for Air Emissions of Perfluorinated Compounds Impacting Soil and Water. Amend RSA 125-C by inserting after section 10-d the following new section:

125-C:10-e Requirements for Air Emissions of Perfluorinated Compounds Impacting Soil and Water.

I. For the purposes of this section:

(a) "Best available control technology" means "best available control technology" as defined in RSA 125-C:10-b, I(a).

(b) "Ambient groundwater quality standard" means "ambient groundwater quality standard" as defined in RSA 485-C:2, I.

(c) "Surface water quality standard" means "surface water quality standard" established in or pursuant to RSA 485-A.

(d) "Perfluorinated Compounds" or "PFCs" means the list of compounds identified in paragraph 1.1 of Environmental Protection Agency Document#: EPA/600/R-08/092 Method 537. "Determination of Selected Perfluorinated Alkyl Acids in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS)", Version 1.1 (September 2009).

(e) "Precursor" means any substance that has been shown by sound science to be transformed into a PFC under ambient conditions reasonably expected to occur in New Hampshire.

II. A device that emits to the air any PFCs or precursors that have caused or contributed to an exceedance of an ambient groundwater quality standard or surface water quality standard as a result of the deposition of any such PFCs or precursors from the air, shall be subject to the determination and application of best available control technology. Within 6 months of the department determining that the device is subject to such control technology, the owner of the device shall submit to the department an application for a permit. Within 12 months of permit issuance, the applicant shall complete construction and installation of controls consistent with the permit. Operation of the source may continue through the permitting, construction, and installation time period. A source which can demonstrate to the department that its device no longer contributes to an exceedance of an ambient groundwater quality standard or surface water quality standard shall be exempt from this section.

III. The construction, installation, or modification of any device that has the potential, based on an applicability threshold adopted by the department, to cause or contribute to an exceedance of an ambient groundwater quality standard or surface water quality standard as a result of the deposition of any PFCs or precursors from the air, shall be prohibited without first applying for and obtaining a permit from the department that establishes emission limitations for such device based on best available control technology.

IV. Part of the initial application for a permit under this section shall include an analysis of best available control technology for controlling emissions. Any permit issued shall contain inspection, testing, and reporting requirements, as applicable, to ensure the conditions of the permit are met.

V. Any determination of best available control technology under this section shall be subject to the following:

(a) In no event shall application of best available control technology result in:

(1) Emission of any air contaminant that would exceed the emissions allowed by any applicable standard under RSA 125-C or RSA 125-I or rules adopted pursuant to either chapter.

(2) Emission of any air contaminant subject to this section in an amount disproportionate to the emissions of such air contaminant from other similar air pollution control devices for that air contaminant at facilities using similar technology.

(3) Emission of any air contaminant subject to this section which causes or contributes to or has the potential to cause or contribute to an exceedance of an ambient groundwater quality standard or surface water quality standard, as a result of the deposition of the contaminant from the air.

(b) If the department determines that the facility has more than one device that emits air contaminants subject to this section, the department shall determine best available control technology emission limitations for each such device.

VI. This section shall only pertain to PFCs for which at least one study has been conducted in accordance with generally accepted scientific principles that demonstrates that the PFC of concern is known to cause or may reasonably be anticipated to cause acute, chronic, mutagenic, reproductive, or developmental health effects in humans as a result of exposure to such PFC. The implementation of this section shall only rely upon standards that are based on federal maximum contaminant levels, health advisories, provisional health advisories; standards that are derived from federally published toxicological data; or more restrictive New Hampshire state standards.

3 New Subparagraph; Statement of Purpose. Amend RSA 485:1, II by inserting after paragraph (h) the following new subparagraph:

(i) Adopt primary drinking water standards by establishing maximum contaminant limits or treatment techniques.

4 Drinking Water Rules. Amend RSA 485:3 I(b) to read as follows:

(b) ***After consideration of the extent to which the contaminant is found in New Hampshire, the ability to detect the contaminant in public water systems, the ability to remove the contaminant from drinking water, and the costs to government entities that will result from establishing the standard, a specification for each contaminant of either:***

(1) A maximum contaminant level that is acceptable in water for human consumption[~~if it is feasible to ascertain the level of such contaminant in water in public water systems~~]; or

(2) One or more treatment techniques or methods which lead to a reduction of the level of such contaminant sufficient to protect the public health, if it is not feasible to ascertain the level of such contaminant in water in the public water system; and

5 New Subdivision; Perfluorochemicals. Amend 485 by inserting after section 16-d the following new subdivision:

Perfluorochemicals

485:16-e Perfluorochemicals. By January 1, 2019, the commissioner shall, in consultation with the commissioner of the department of health and human services and other interested parties, initiate rulemaking in accordance with RSA 541-A to adopt a maximum contaminant limit for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

6 Ambient Groundwater Quality Standards. Amend RSA 485-C:6 to read as follows:

485-C:6 Ambient Groundwater Quality Standards.

I. The commissioner shall establish and adopt ambient groundwater quality standards for regulated contaminants which adversely affect human health or the environment. Ambient groundwater standards shall apply to all regulated contaminants which result from human operations or activities, but do not apply to naturally occurring contaminants. *Where state maximum contaminant levels have been adopted under RSA 485:3, I(b), ambient groundwater quality standards shall be equivalent to such standards.* Where federal maximum contaminant level or health advisories have been promulgated under the Federal Safe Drinking Water Act or rules relevant to such act, ambient groundwater quality standards shall be ~~[equivalent to]~~ **no less stringent than** such standards. *The commissioner may adopt standards more stringent than federal maximum contaminant levels or health advisories if, accounting for an adequate margin of safety to protect human health at all life stages, including but not limited to pre-natal development, the commissioner determines federal standards are insufficient for protection of human health.* Where such standards are *established* based upon *health advisories that address* cancer risks, the ambient groundwater quality standards shall be equivalent to that exposure which causes a lifetime exposure risk of one cancer in 1,000,000 exposed population. Where no federal **or state** maximum contaminant level or health advisory has been issued, the commissioner may adopt ambient groundwater quality standards on a basis which provides for an adequate margin of safety to protect human health and safety.

II. *Health advisories that are adopted as ambient groundwater quality standards shall be reviewed by the department at least every 5 years to determine if new research warrants revising the current ambient groundwater quality standard. If the department finds a revision is necessary it shall conduct rulemaking to adopt the revised standard.*

III. Ambient groundwater quality standards shall be the water quality basis for issuance of groundwater discharge permits under RSA 485-A: 13.

[HH:] IV. Except for discharges of domestic wastewater regulated under RSA 485-A:13 and RSA 485-A:29, no person shall violate ambient groundwater quality standards.

V. *By January 1, 2019, the commissioner shall, in consultation with the commissioner of the department of health and human services and interested parties, initiate rulemaking to adopt ambient groundwater quality standards for perfluorononanoic acid (PFNA) and perfluorohexanesulfonic acid (PFHxS).*

VI. *By January 1, 2019, the commissioner shall, in consultation with the commissioner of the department of health and human services and interested parties, conduct a review to determine whether current research warrants revising the existing ambient groundwater quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS).*

7 Department of Environmental Services; Positions Established; Appropriation. There is established within the department of environmental services one classified toxicologist position and one classified human health risk assessor for the purposes of monitoring groundwater under RSA 485-C. The sum necessary to pay the salary, benefits, and other costs related to the positions established in this section is hereby appropriated to the department of environmental services for the biennium ending June 30, 2019. This appropriation shall be in addition to any other appropriations made to the department in the biennium. The governor is authorized to draw a warrant for said sum out of any money in treasury not otherwise appropriated.

8 Effective Date.

I. Sections 1 and 2 of this act shall take effect 60 days after its passage.

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

2018-0334h

AMENDED ANALYSIS

This bill:

I. Allows the department of environmental services to make rules regarding air pollution and the deposit of such pollutants on soils and water.

II. Regulates devices emitting or having the potential to emit air pollutants that may harm soil and water through the deposit of such pollutants.

III. Clarifies the basis for and requires periodic review of ambient groundwater quality standards.

IV. Directs the department to evaluate the ambient ground water quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) and set ambient groundwater quality standards for perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

V. Establishes the criteria for setting maximum contaminant limits for public drinking water and directs the department to set maximum contaminant limits for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

VI. Establishes a toxicologist position and a human health risk assessor position in the department of environmental services and makes an appropriation to fund the positions.

**Amendment to HB 1104-FN
(2018-0353h)**

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

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

AN ACT relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; relative to online filing with the secretary of state's office; relative to foster family home licensing; relative to the state building code; and relative to reciprocity for professional and occupational licenses and certifications.

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

1 Wetlands and Shorelands Review Fund; Reference Added. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), ~~and~~ XII(c), **and X** are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to the wetlands of the state and protected shorelands under RSA 483-B, conducting field investigations, and holding public hearings. Such fees shall be held by the treasurer in a nonlapsing fund identified as the wetlands and shorelands review fund.

2 Reduction of Dredge and Fill Permit Timelines. Amend RSA 482-A:3, XIV to read as follows:

XIV.(a) In processing an application for permits under this chapter, except for a permit by notification, the department shall:

(1) Within ~~[14]~~ **10** days of receipt by the department, issue a notice of administrative completeness or send notice to the applicant, at the address provided on the application, identifying any additional information required to make the application administratively complete and providing the applicant with the name and telephone number of the department employee to whom all correspondence shall be directed by the designated department employee regarding incompleteness of the application. Each receipt of additional information in response to any notice shall re-commence the ~~[14-day]~~ **10-day** period until the department issues a notice of administrative completeness. Any notice of incompleteness sent under this subparagraph shall specify that the applicant or authorized agent shall submit such information as soon as practicable and shall notify the applicant or authorized agent that if the requested information is not received within 60 days of the notice, the department shall deny the application.

(2) Within ~~[75]~~ **50** days of the issuance of a notice of administrative completeness for projects where the applicant proposes under one acre of jurisdictional impact and ~~[105]~~ **75** days for all other projects, request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary. Such request and technical comments may be sent by electronic means if the applicant or authorized agent has indicated an agreement to accept communications by electronic means, either by so indicating on the application or by a signed statement from the applicant or authorized agent that communicating by electronic means is acceptable. Any request for additional information under this subparagraph shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if the requested information is not received within 60 days of the request, the department shall deny the application. The department ~~[may]~~ **shall** grant an extension of this 60-day time period upon request of the applicant.

(3) Where the department requests additional information pursuant to subparagraph (a)(2), within 30 days of the department's receipt of a complete response to the department's information request:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial; or

(C) Schedule a public hearing **within 30 days** in accordance with this chapter and rules adopted by the commissioner; or

(D) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant; or

(4) Where no request for additional information is made pursuant to subparagraph (a)(2), within [75] **50** days from the issuance of the notice of administrative completeness for proposed projects under one acre of jurisdictional impact, or [105] **75** days for all others:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial; or

(C) Schedule a public hearing **within 30 days** in accordance with this chapter and rules adopted by the commissioner; or

(D) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant.

(5) Where the department has held a public hearing on an application filed under this chapter, within [60] **45** days following the closure of the hearing record, approve the application in whole or in part, and issue a permit or deny the application and issue written findings in support of the denial.

(b)(1) The time limits prescribed by this paragraph shall supersede any time limits provided in any other provision of law. If the department fails to act within the applicable time frame established in subparagraphs (a)(3), (a)(4), and (a)(5), the applicant may ask the department to issue the permit by submitting a written request. If the applicant has previously agreed to accept communications from the department by electronic means, a request submitted electronically by the applicant shall constitute a written request.

(2) Within 14 days of the date of receipt of a written request from the applicant to issue the permit, the department shall:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial.

(3) If the department does not issue either a permit or a written denial within the 14-day period, the applicant shall be deemed to have a permit by default and may proceed with the project as presented in the application. The authorization provided by this subparagraph shall not relieve the applicant of complying with all requirements applicable to the project, including but not limited to requirements established in or under this chapter, RSA 485-A relating to water quality, and federal requirements.

(4) Upon receipt of a written request from an applicant, the department shall issue written confirmation that the applicant has a permit by default pursuant to subparagraph (b)(3), which authorizes the applicant to proceed with the project as presented in the application and requires the work to comply with all requirements applicable to the project, including but not limited to requirements established in or under this chapter, and RSA 485-A relating to water quality, and federal requirements.

(c) If extraordinary circumstances prevent the department from conducting its normal function, time frames prescribed by this paragraph shall be suspended until such condition has ended, as determined by the commissioner.

(d) The time limits prescribed by this paragraph shall not apply to an application filed after the applicant has already undertaken some or all of the work covered by the application, or where the applicant has been adjudicated after final appeal, or otherwise does not contest, the department's designation as a chronic non-complier in accordance with rules adopted pursuant to this chapter.

(e) Any request for a significant amendment to a pending application or an existing permit which changes the footprint of the permitted fill or dredge area shall be deemed a new application subject to the provisions of RSA 482-A:3, I and the time limits prescribed by this paragraph. "Significant amendment" means an amendment which changes the proposed or previously approved acreage of the permitted fill or dredge area by 20 percent or more, relocates the proposed footprint of the permitted fill or dredge area, includes a prime wetland or surface waters of the state, includes a wetland of a different classification as classified by the department, or includes non-wetland areas requiring permits for filling and dredging. This meaning of "significant amendment" shall not apply to an application amendment that is in response to a request from the department.

(f) The department may extend the time for rendering a decision under subparagraphs (a)(3)(D) and (a)(4)(D), without the applicant's agreement, on an application from an applicant who, [previously] **within the 5 years preceding the application**, has been determined, after the exhaustion of available appellate remedies, to have failed to comply with this chapter or any rule adopted or permit or approval issued under this chapter, or to have misrepresented any material fact made in connection with any activity regulated or prohibited by this chapter, pursuant to an action initiated under RSA 482-A:13, RSA 482-A:14, or RSA 482-A:14-b. The length of such an extension shall be no longer than reasonably necessary to complete the review of the application, but shall not exceed [30] **20** days unless the applicant agrees to a longer extension. The department shall notify the applicant of the length of the extension.

(g) The department may suspend review of an application for a proposed project on a property with respect to which the department has commenced an enforcement action against the applicant for any violation of this chapter, RSA 483-B, RSA 485-A:17, or RSA 485-A:29-44, or of any rule adopted or permit or approval issued pursuant to this chapter, RSA 483-B, RSA 485-A:17, or RSA 485-A:29-44. Any such suspension shall expire upon conclusion of the enforcement action and completion of any remedial actions the department may

require to address the violation; provided, however, that the department may resume its review of the application sooner if doing so will facilitate resolution of the violation. The department shall resume its review of the application at the point the review was suspended, except that the department may extend any of the time limits under this paragraph and its rules up to a total of 30 days for all such extensions. For purposes of this subparagraph, "enforcement action" means an action under RSA 482-A:13, RSA 482-A:14, RSA 482-A:14-b, RSA 483-B:18, RSA 485-A:22, RSA 485-A:42, or RSA 485-A:43.

3 New Paragraph; Excavating and Dredging Permit; Certified Application Preparer Program for Certain Wetlands Applications. Amend RSA 482-A:3 by inserting after paragraph XIX the following new paragraph:

XX.(a) The department shall develop a voluntary certified application preparer program for submission of applications for all qualifying minimum impact projects. The commissioner shall adopt rules to establish the qualifications to become a certified application preparer and to identify qualifying minimum impact projects. The qualifications established shall include that the individual is a permitted septic system designer or is licensed or certified by the office of professional licensure and certification as a certified wetland scientist, certified soil scientist, professional engineer, licensed land surveyor, or any other professional designated by the department, and shall include training and continuing education requirements. Qualifying minimum impact projects shall include, but not necessarily be limited to, all projects which the department has designated as minimum impact projects in its wetlands rules.

(b) Applications for qualifying minimum impact projects submitted by a certified application preparer shall not require technical review by the department and the department shall issue a permit within 10 days of receipt of a complete application.

(c) The department may revoke a certificate for good cause after notification to the certificate holder and opportunity for an adjudicative proceeding under RSA 541-A:31 and rules adopted by the department.

(d) The certification shall be valid for one year from the date of issuance and may be renewed every year. The initial fee for certification shall be \$200 and the fee for renewal shall be \$50. The department shall not issue a certification or a renewal certification if the required fee is not paid. All fees shall be deposited into the wetlands and shoreland review fund established in RSA 482-A:3, III.

4 Administrative Provisions; Extensions for Conservation Commission Action on Wetlands Applications. Amend RSA 482-A:11, III(a) to read as follows:

III.(a) Upon written notification to the department by a municipal conservation commission that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, or until 40 days from the date of filing with the municipal clerk of such notice, whichever occurs earlier[~~, subject to an extension as permitted by the department~~]. In connection with any local investigation, a conservation commission may hold a public informational meeting or a public hearing, the record of which shall be made a part of the record of the department. [~~Where the department grants an extension, the time limits prescribed by RSA 482-A:3, XIV(b) shall be suspended until a date agreed to by the applicant and the department.~~] If a conservation commission makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department. If notification by a local conservation commission pursuant to this paragraph is not received by the department within 14 days following the date the notice is filed with the municipal clerk, the department shall not suspend its normal action, but shall proceed as if no notification has been made.

5 Reduction of Dredge and File Retroactive Enforcement Period. Amend RSA 482-A:14-c to read as follows:

482-A:14-c Limitation on Enforcement Action. No person who acquires property, by any means, more than [5] 2 years after an activity constituting a violation of this chapter has been completed, shall be subject to an enforcement action under this chapter for such violation, provided such person allows restoration of impacted areas, unless the person knew of the existence of the violation at the time that the person acquired the property. Nothing in this section shall limit any enforcement action for violation of this chapter, including injunctive relief requiring restoration of impacted areas, against the person who committed the violation. Nothing in this section shall limit any enforcement action with respect to any violation of this chapter, including injunctive relief requiring restoration of impacted areas, for which written notice of the violation has been provided to the owner by the department prior to January 1, 2013. In addition to any common law remedy, any person who suffers damages as a result of a violation of this chapter committed by another may seek compensation from the person who committed the violation, including diminution in property value and reasonable attorney's fees.

6 Time Limit for Recommendation on Grant of Right Petitions. Amend RSA 482-A:22 to read as follows:

482-A:22 Grant of Right. The governor and council, upon petition and upon the recommendation of the department, may, for just consideration, grant to an owner of a shoreline on public waters the right to excavate, remove, or dredge any bank, flat, marsh, swamp or lake bed before the owner's shoreline. Every petition to excavate or dredge said areas shall be filed with the department. The department, after 30 days' notice to abutters **and within 60 days of receipt of a petition**, the local governing body of the municipality in

which the property is situate, and the department of health and human services shall hold a public hearing. Notice of the hearing shall be published twice in 2 different weeks, the last publication to be 7 days before the hearing, in one newspaper of general circulation throughout the state and another newspaper of general circulation in the municipality. The notice shall also be posted in 2 public places in the municipality. Upon appropriate investigation **and within 30 days of a public hearing**, the department shall make its recommendations to the governor and council with regard to such petition. If the department recommends that the petition be granted, in whole or in part, such recommendation shall include appropriate specifications and conditions necessary to the protection of public rights and to the protection of the rights and privileges of persons owning land in the vicinity of the area to be excavated or dredged by the petitioner.

7 Terrain Alteration; Reduction of Permit Timelines. Amend RSA 485-A:17, II-b to read as follows:

II-b. In processing an application for permits under RSA 485-A:17:

(a) Within ~~[50]~~ **40** days of receipt of the application, the department shall request any additional information required to complete its evaluation of the application, together with any written technical comments the department deems necessary. Any request for additional information shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if all of the requested information is not received within 120 days of the request, the department shall deny the application.

(b) If the department requests additional information pursuant to subparagraph (a), the department shall, within 30 days of the department's receipt of the information:

(1) Approve the application in whole or in part and issue a permit; or

(2) Deny the application and issue written findings in support of the denial; or

(3) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant.

(c) If no request for additional information is made pursuant to subparagraph (b), the department shall, within ~~[50]~~ **40** days of receipt of the application:

(1) Approve the application, in whole or in part and issue a permit; or

(2) Deny the application, and issue written findings in support of the denial; or

(3) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant.

(d)(1) The time limits prescribed by this paragraph shall supersede any time limits provided in any other provision of law. If the department fails to act within the applicable time frame established in subparagraphs (b) and (c), the applicant may ask the department to issue the permit by submitting a written request. If the applicant has previously agreed to accept communications from the department by electronic means, a request submitted electronically by the applicant shall constitute a written request.

(2) Within 14 days of the date of receipt of a written request from the applicant to issue the permit, the department shall:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial.

(3) If the department does not issue either a permit or a written denial within the 14-day period, the applicant shall be deemed to have a permit by default and may proceed with the project as presented in the application. The authorization provided by this subparagraph shall not relieve the applicant of complying with all requirements applicable to the project, including but not limited to requirements established in or under this section and RSA 485-A relating to water quality.

(4) Upon receipt of a written request from an applicant, the department shall issue written confirmation that the applicant has a permit by default pursuant to subparagraph (d)(3), which authorizes the applicant to proceed with the project as presented in the application and requires the work to comply with all requirements applicable to the project, including but not limited to requirements established in or under this section and RSA 485-A relating to water quality.

(e) The time limits under this paragraph shall not apply to an application from an applicant that has ~~[previously]~~ been found in violation of this chapter pursuant to RSA 485-A:22-a **within the 5 years preceding the application** or an application that does not otherwise **substantially** comply with the department's rules relative to the permit application process.

(f) The department may extend the time for rendering a decision under subparagraphs (b)(3) and (c)(3), without the applicant's agreement, on an application from an applicant who, ~~[previously]~~ **within the 5 years preceding the application**, has been determined, after the exhaustion of available appellate remedies, to have failed to comply with this section or any rule adopted or permit or approval issued under this section, or to have misrepresented any material fact made in connection with any activity regulated or prohibited by this section, pursuant to an action initiated under RSA 485-A:22. The length of such an extension shall be no longer than reasonably necessary to complete the review of the application, and shall not exceed 30 days unless the applicant agrees to a longer extension. The department shall notify the applicant of the length of the extension.

(g) The department may suspend review of an application for a proposed project on a property with respect to which the department has commenced an enforcement action against the applicant for any violation of this section, RSA 482-A, RSA 483-B, or RSA 485-A:29-44, or of any rule adopted or permit or approval issued pursuant to this section, RSA 482-A, RSA 483-B, or RSA 485-A:29-44. Any such suspension shall expire upon conclusion of the enforcement action and completion of any remedial actions the department may require to address the violation; provided, however, that the department may resume its review of the application sooner if doing so will facilitate resolution of the violation. The department shall resume its review of the application at the point the review was suspended, except that the department may extend any of the time limits under this paragraph and its rules up to a total of 30 days for all such extensions. For purposes of this subparagraph, "enforcement action" means an action initiated under RSA 482-A:13, RSA 482-A:14, RSA 482-A:14-b, RSA 483-B:18, RSA 485-A:22, RSA 485-A:42, or RSA 485-A:43.

8 Reduction of Time Limits for Agency Action on Application, Petitions, and Requests. Amend RSA 541-A:29 to read as follows:

541-A:29 Agency Action on Applications, Petitions and Requests. In processing an application, petition, or request, in any matter other than rulemaking or a declaratory ruling, in which a response is specifically addressed to the applicant, petitioner, or requester, the agency shall:

I. Within [60] **30** days of receipt, examine the application, petition, or request, notify the applicant of any apparent errors or omissions, request any additional information that the agency is permitted by law to require, and notify the applicant of the name, official title, address, and telephone number of an agency official or employee who may be contacted regarding the application.

II. Within a reasonable time, not to exceed [120] **60** days, after receipt of the application, petition or request, or of the response to a timely request made by the agency pursuant to paragraph I, the agency shall:

(a) Approve or deny the application, in whole or in part, on the basis of nonadjudicative processes, if disposition of the application by the use of these processes is not precluded by any provision of law; or

(b) Commence an adjudicative proceeding in accordance with this chapter.

III. If the time limits prescribed by this section conflict with specific time limits provided for by other provisions of law, the specific time limits provided for by such other provisions shall control.

IV. An agency may extend the time periods for review provided for in this section or in any other provision of law upon written agreement of the applicant.

9 New Section; Failure of Agency to Act. Amend RSA 541-A by inserting after section 29 the following new section:

541-A:29-a Failure of Agency to Act. If an agency fails to take any required action on an application, petition, or request within the time limits prescribed by RSA 541-A:29 or any other provisions of law, the application, petition, or request shall be deemed approved and any permit, approval, or other item requested shall be deemed granted to or received by the applicant, petitioner, or requestor.

II. If a permit, approval, or other item has been granted under paragraph I, the applicant may request written confirmation of such grant from the agency. The agency shall provide an applicant written confirmation of such an approval within 14 days of the applicant's request.

III. A permit, approval, or other item shall not be granted by default if an applicant has agreed in writing to extend an agency's time for review pursuant to RSA 541-A:29, IV or any other provision of law.

10 New Section; Voluntary Corporations and Associations; Online Filing. Amend RSA 292 by inserting after section 5-b the following new section:

292:5-c Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

11 New Section; New Hampshire Business Corporations Act; Online Filing. Amend RSA 293-A by inserting after section 1.21 the following new section:

293-A:1.21-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this subdivision.

12 New Section; Uniform Partnership Act; Online Filing. Amend RSA 304-A by inserting after section 5 the following new section:

304-A:5-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

13 New Section; Uniform Limited Partnership Act; Online Filing. Amend RSA 304-B by inserting after section 8 the following new section:

304-B:8-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

14 New Section; Limited Liability Companies; Online Filing. Amend RSA 304-C by inserting after section 28 the following new section:

304-C:28-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

15 Foster Family Homes; Compliance with State and Local Codes; Review by State Fire Marshal. Amend RSA 170-E:28, II to read as follows:

II. ~~[Either]~~ The state fire marshal ~~[or the local fire department]~~ shall review compliance of the foster family home with applicable state fire safety laws and local ordinances. In conducting the review, the state fire marshal ~~[or local fire department]~~ shall apply the appropriate single family or multi-unit dwelling provisions of the applicable code. ***The local fire department shall assist the state fire marshal with review of applicable state fire safety laws or local ordinances if the state fire marshal so requests.***

16 State Building Code; Conflict with State Fire Code Prohibited. Amend RSA 155-A:2, II to read as follows:

II. ***The state building code shall not conflict with the state fire code.*** To the extent that there is any conflict between the state building code and the state fire code, the code creating the greater degree of life safety shall take precedence, subject to the review provisions contained in RSA 155-A:10. If the municipal building and fire code officials cannot agree which code creates the greater degree of life safety, the property owner may notify the 2 officials in writing that if agreement is not reached within 2 business days of delivery of said notification, that the decision shall be made by the property owner to comply with either the applicable building code or fire code. Such decision by the property owner after proper notification shall not be grounds for the denial of a certificate of occupancy.

17 State Building Code; Conflict with State Fire Code Prohibited. Amend RSA 155-A:2, V to read as follows:

V. Counties, towns, cities, and village districts may adopt by ordinance pursuant to RSA 674:51 or RSA 47:22 any additional regulations provided that such regulations are not less stringent than the requirements of the state building code and the state fire code. ***Counties, towns, cities, and village districts may not adopt additional regulations that result in conflicts between their local fire code and local building code.***

18 Licensure Reciprocity. RSA 332-G:12 is repealed and reenacted to read as follows:

332-G:12 Reciprocity.

I. Beginning January 1, 2019, a person who is licensed or certified to practice an occupation or profession in another state and who is in good standing without disciplinary action pending, where such occupation or profession is regulated in this state by a board or commission, shall be deemed licensed or certified to practice such occupation or profession in this state. A board or commission may not establish additional or inconsistent conditions or requirements for reciprocal licensure or certification, provided that a board or commission may require submission of an application with such information as the board or commission deems appropriate and the payment of an application fee.

II. A person licensed or certified to practice an occupation or profession under paragraph I shall submit any required application and written proof of their licensure or certification in good standing and without disciplinary action pending in another state to the relevant board or commission in this state no later than 30 days after beginning to practice such occupation or profession in this state. Within 30 days of submission of such application and written proof, the board or commission shall issue to the applicant a license or certificate to practice in this state, provided that an applicant need not wait to receive such a license or certificate before beginning to practice the relevant occupation or profession in this state.

III. The provisions of paragraph I and II shall not apply where a board or commission has determined, after a 30-day notice period and a public hearing, that a substantial difference exists between the licensure or certification requirements of the other state and the licensure or certification requirements of this state and that such difference would very likely result in a significant risk to the public health of this state were the occupational or professional license or certification to be recognized by this state. Such a determination by a board or commission shall not affect reciprocal licensure or certification granted prior to the determination.

IV. A board or commission may, after a 30-day notice period and public hearing, reverse a determination made under paragraph III and reinstate reciprocal licensure or certification for a given state and occupation or profession.

V. After a person has received an initial licensure or certification pursuant to this section, that person shall comply with all other provisions of law or board or commission rules applicable to the practice of that person's occupation or profession.

VI. Each board or commission shall revise its rules as necessary to ensure compliance with the provisions of this section.

19 New Sections; Licensure; Reciprocity Information. Amend RSA 332-G by inserting after section 12 the following new section:

332-G:13 Reciprocity Information. All boards or commissions, including the board of hearing care providers established in RSA 137-F:3, shall post information on their website relative to reciprocal licensure or certification for persons holding a current and valid license or certification for the practice of the regulated profession in another state. Such information shall include a list of the states for which the board or commission has determined pursuant to RSA 332-G:12, III that reciprocal licensure will not be granted.

20 Effective Date. This act shall take effect January 1, 2019.

2018-0353h
AMENDED ANALYSIS

This bill:

- I. Reduces certain timelines related to dredge and fill permit applications.
- II. Reduces certain time limits for agency actions on applications under the administrative procedure act.
- III. Provides that if an agency fails to act on an application, petition, or request within a specific period of time, it shall be deemed to have been granted or approved.
- IV. Requires the secretary of state to permit online business and corporate filings.
- V. Prohibits conflicts between the state building code and state fire code and between local fire codes and local building codes.
- VI. Provides that the state fire marshal shall review compliance of foster family homes with state fire safety laws and ordinances.
- VII. Establishes reciprocity for out of state occupational licenses and certifications.

Floor Amendment to HB 1104-FN

(2018-0399h)

Proposed by Reps. Christensen and Renzullo

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

AN ACT relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; and relative to online filing with the secretary of state's office.

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

1 Wetlands and Shorelands Review Fund; Reference Added. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), ~~and~~ XII(c), **and X** are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to the wetlands of the state and protected shorelands under RSA 483-B, conducting field investigations, and holding public hearings. Such fees shall be held by the treasurer in a nonlapsing fund identified as the wetlands and shorelands review fund.

2 Reduction of Dredge and Fill Permit Timelines. Amend RSA 482-A:3, XIV to read as follows:

XIV.(a) In processing an application for permits under this chapter, except for a permit by notification, the department shall:

(1) Within ~~[14]~~ **10** days of receipt by the department, issue a notice of administrative completeness or send notice to the applicant, at the address provided on the application, identifying any additional information required to make the application administratively complete and providing the applicant with the name and telephone number of the department employee to whom all correspondence shall be directed by the designated department employee regarding incompleteness of the application. Each receipt of additional information in response to any notice shall re-commence the ~~[14-day]~~ **10-day** period until the department issues a notice of administrative completeness. Any notice of incompleteness sent under this subparagraph shall specify that the applicant or authorized agent shall submit such information as soon as practicable and shall notify the applicant or authorized agent that if the requested information is not received within 60 days of the notice, the department shall deny the application.

(2) Within ~~[75]~~ **50** days of the issuance of a notice of administrative completeness for projects where the applicant proposes under one acre of jurisdictional impact and ~~[105]~~ **75** days for all other projects, request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary. Such request and technical comments may be sent by electronic means if the applicant or authorized agent has indicated an agreement to accept communications by electronic means, either by so indicating on the application or by a signed statement from the applicant or authorized agent that communicating by electronic means is acceptable. Any request for additional information under this subparagraph shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if the requested information is not received within 60 days of the request, the department shall deny the application. The department ~~[may]~~ **shall** grant an extension of this 60-day time period upon request of the applicant.

(3) Where the department requests additional information pursuant to subparagraph (a)(2), within 30 days of the department's receipt of a complete response to the department's information request:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial; or

(C) Schedule a public hearing **within 30 days** in accordance with this chapter and rules adopted by the commissioner; or

(D) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant; or

(4) Where no request for additional information is made pursuant to subparagraph (a)(2), within [75] **50** days from the issuance of the notice of administrative completeness for proposed projects under one acre of jurisdictional impact, or [105] **75** days for all others:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial; or

(C) Schedule a public hearing **within 30 days** in accordance with this chapter and rules adopted by the commissioner; or

(D) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant.

(5) Where the department has held a public hearing on an application filed under this chapter, within [60] **45** days following the closure of the hearing record, approve the application in whole or in part, and issue a permit or deny the application and issue written findings in support of the denial.

(b)(1) The time limits prescribed by this paragraph shall supersede any time limits provided in any other provision of law. If the department fails to act within the applicable time frame established in subparagraphs (a)(3), (a)(4), and (a)(5), the applicant may ask the department to issue the permit by submitting a written request. If the applicant has previously agreed to accept communications from the department by electronic means, a request submitted electronically by the applicant shall constitute a written request.

(2) Within 14 days of the date of receipt of a written request from the applicant to issue the permit, the department shall:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial.

(3) If the department does not issue either a permit or a written denial within the 14-day period, the applicant shall be deemed to have a permit by default and may proceed with the project as presented in the application. The authorization provided by this subparagraph shall not relieve the applicant of complying with all requirements applicable to the project, including but not limited to requirements established in or under this chapter, RSA 485-A relating to water quality, and federal requirements.

(4) Upon receipt of a written request from an applicant, the department shall issue written confirmation that the applicant has a permit by default pursuant to subparagraph (b)(3), which authorizes the applicant to proceed with the project as presented in the application and requires the work to comply with all requirements applicable to the project, including but not limited to requirements established in or under this chapter, and RSA 485-A relating to water quality, and federal requirements.

(c) If extraordinary circumstances prevent the department from conducting its normal function, time frames prescribed by this paragraph shall be suspended until such condition has ended, as determined by the commissioner.

(d) The time limits prescribed by this paragraph shall not apply to an application filed after the applicant has already undertaken some or all of the work covered by the application, or where the applicant has been adjudicated after final appeal, or otherwise does not contest, the department's designation as a chronic non-complier in accordance with rules adopted pursuant to this chapter.

(e) Any request for a significant amendment to a pending application or an existing permit which changes the footprint of the permitted fill or dredge area shall be deemed a new application subject to the provisions of RSA 482-A:3, I and the time limits prescribed by this paragraph. "Significant amendment" means an amendment which changes the proposed or previously approved acreage of the permitted fill or dredge area by 20 percent or more, relocates the proposed footprint of the permitted fill or dredge area, includes a prime wetland or surface waters of the state, includes a wetland of a different classification as classified by the department, or includes non-wetland areas requiring permits for filling and dredging. This meaning of "significant amendment" shall not apply to an application amendment that is in response to a request from the department.

(f) The department may extend the time for rendering a decision under subparagraphs (a)(3)(D) and (a)(4)(D), without the applicant's agreement, on an application from an applicant who, [previously] **within the 5 years preceding the application**, has been determined, after the exhaustion of available appellate remedies, to have failed to comply with this chapter or any rule adopted or permit or approval issued under this chapter, or to have misrepresented any material fact made in connection with any activity regulated or prohibited by this chapter, pursuant to an action initiated under RSA 482-A:13, RSA 482-A:14, or RSA 482-A:14-b. The length of such an extension shall be no longer than reasonably necessary to complete the review of the application, but shall not exceed [30] **20** days unless the applicant agrees to a longer extension. The department shall notify the applicant of the length of the extension.

(g) The department may suspend review of an application for a proposed project on a property with respect to which the department has commenced an enforcement action against the applicant for any violation of this chapter, RSA 483-B, RSA 485-A:17, or RSA 485-A:29-44, or of any rule adopted or permit or approval issued pursuant to this chapter, RSA 483-B, RSA 485-A:17, or RSA 485-A:29-44. Any such suspension shall

expire upon conclusion of the enforcement action and completion of any remedial actions the department may require to address the violation; provided, however, that the department may resume its review of the application sooner if doing so will facilitate resolution of the violation. The department shall resume its review of the application at the point the review was suspended, except that the department may extend any of the time limits under this paragraph and its rules up to a total of 30 days for all such extensions. For purposes of this subparagraph, "enforcement action" means an action under RSA 482-A:13, RSA 482-A:14, RSA 482-A:14-b, RSA 483-B:18, RSA 485-A:22, RSA 485-A:42, or RSA 485-A:43.

3 New Paragraph; Excavating and Dredging Permit; Certified Application Preparer Program for Certain Wetlands Applications. Amend RSA 482-A:3 by inserting after paragraph XIX the following new paragraph:

XX.(a) The department shall develop a voluntary certified application preparer program for submission of applications for all qualifying minimum impact projects. The commissioner shall adopt rules to establish the qualifications to become a certified application preparer and to identify qualifying minimum impact projects. The qualifications established shall include that the individual is a permitted septic system designer or is licensed or certified by the office of professional licensure and certification as a certified wetland scientist, certified soil scientist, professional engineer, licensed land surveyor, or any other professional designated by the department, and shall include training and continuing education requirements. Qualifying minimum impact projects shall include, but not necessarily be limited to, all projects which the department has designated as minimum impact projects in its wetlands rules.

(b) Applications for qualifying minimum impact projects submitted by a certified application preparer shall not require technical review by the department and the department shall issue a permit within 10 days of receipt of a complete application.

(c) The department may revoke a certificate for good cause after notification to the certificate holder and opportunity for an adjudicative proceeding under RSA 541-A:31 and rules adopted by the department.

(d) The certification shall be valid for one year from the date of issuance and may be renewed every year. The initial fee for certification shall be \$200 and the fee for renewal shall be \$50. The department shall not issue a certification or a renewal certification if the required fee is not paid. All fees shall be deposited into the wetlands and shoreland review fund established in RSA 482-A:3, III.

4 Administrative Provisions; Extensions for Conservation Commission Action on Wetlands Applications. Amend RSA 482-A:11, III(a) to read as follows:

III.(a) Upon written notification to the department by a municipal conservation commission that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, or until 40 days from the date of filing with the municipal clerk of such notice, whichever occurs earlier[~~; subject to an extension as permitted by the department~~]. In connection with any local investigation, a conservation commission may hold a public informational meeting or a public hearing, the record of which shall be made a part of the record of the department. ~~[Where the department grants an extension, the time limits prescribed by RSA 482-A:3, XIV(b) shall be suspended until a date agreed to by the applicant and the department.]~~ If a conservation commission makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department. If notification by a local conservation commission pursuant to this paragraph is not received by the department within 14 days following the date the notice is filed with the municipal clerk, the department shall not suspend its normal action, but shall proceed as if no notification has been made.

5 Reduction of Dredge and File Retroactive Enforcement Period. Amend RSA 482-A:14-c to read as follows:

482-A:14-c Limitation on Enforcement Action. No person who acquires property, by any means, more than [5] 2 years after an activity constituting a violation of this chapter has been completed, shall be subject to an enforcement action under this chapter for such violation, provided such person allows restoration of impacted areas, unless the person knew of the existence of the violation at the time that the person acquired the property. Nothing in this section shall limit any enforcement action for violation of this chapter, including injunctive relief requiring restoration of impacted areas, against the person who committed the violation. Nothing in this section shall limit any enforcement action with respect to any violation of this chapter, including injunctive relief requiring restoration of impacted areas, for which written notice of the violation has been provided to the owner by the department prior to January 1, 2013. In addition to any common law remedy, any person who suffers damages as a result of a violation of this chapter committed by another may seek compensation from the person who committed the violation, including diminution in property value and reasonable attorney's fees.

6 Reduction of Time Limits for Agency Action on Application, Petitions, and Requests. Amend RSA 541-A:29 to read as follows:

541-A:29 Agency Action on Applications, Petitions and Requests. In processing an application, petition, or request, in any matter other than rulemaking or a declaratory ruling, in which a response is specifically addressed to the applicant, petitioner, or requester, the agency shall:

I. Within [60] **30** days of receipt, examine the application, petition, or request, notify the applicant of any apparent errors or omissions, request any additional information that the agency is permitted by law to require, and notify the applicant of the name, official title, address, and telephone number of an agency official or employee who may be contacted regarding the application.

II. Within a reasonable time, not to exceed [120] **60** days, after receipt of the application, petition or request, or of the response to a timely request made by the agency pursuant to paragraph I, the agency shall:

(a) Approve or deny the application, in whole or in part, on the basis of nonadjudicative processes, if disposition of the application by the use of these processes is not precluded by any provision of law; or

(b) Commence an adjudicative proceeding in accordance with this chapter.

III. If the time limits prescribed by this section conflict with specific time limits provided for by other provisions of law, the specific time limits provided for by such other provisions shall control.

IV. An agency may extend the time periods for review provided for in this section or in any other provision of law upon written agreement of the applicant.

7 New Section; New Hampshire Business Corporation Act; Online Filing. Amend RSA 293-A by inserting after section 1.21 the following new section:

293-A:1.21-a Online Filing. The secretary of state shall provide for and allow the online filing of all forms, certificates, and other documents required under this subdivision.

8 Effective Date. This act shall take effect January 1, 2019.

Amendment to HB 1273

(2018-0104h)

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

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

AN ACT suspending state licensure laws for physicians and physician assistants employed by the United States Department of Veterans Affairs.

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

1 New Section; Physicians Employed by the USDVA; Suspension Of Licensing Requirements. Amend RSA 329 by inserting after section 23 the following new section:

329:23-a License Requirements Suspended.

I. New Hampshire state licensure laws, rules, and regulations for physicians are hereby suspended for those physicians from other states or countries who are employed by the United States Department of Veterans Affairs and who are offering medical services to patients of the Manchester Veterans Administration Medical Center (VAMC) at licensed medical facilities outside of the Manchester VAMC, provided that such physicians are acting within the scope of their employment at the VAMC and possess a current medical license in good standing in their respective state or country of licensure.

II. The acting director of the Manchester VAMC shall submit to the executive director of the New Hampshire office of professional licensure and certification, or designee, a list of all out-of-state or out-of-country physicians offering services in the state of New Hampshire.

III. Nothing in this section shall be construed to preempt or supplant an individual licensed medical facility's policies regarding the emergency credentialing of physicians or any other medical personnel.

2 New Section; Physician Assistants Employed by USDVA; Suspension of Licensing Requirements. Amend RSA 328-D by inserting after section 2 the following new section:

328-D:2-a Licensure Requirements Suspended.

I. New Hampshire state licensure laws, rules, and regulations for physician assistants are hereby suspended for those physician assistants from other states or countries who are employed by the United States Department of Veterans Affairs and who are offering medical services to patients of the Manchester Veterans Administration Medical Center (VAMC) at licensed medical facilities outside of the Manchester VAMC, provided that such physician assistants are acting within the scope of their employment at the VAMC and possess a current license in good standing in their respective state or country of licensure.

II. The acting director of the Manchester VAMC shall submit to the executive director of the New Hampshire office of professional licensure and certification, or designee, a list of all out-of-state or out-of-country physician assistants offering services in the state of New Hampshire.

III. Nothing in this section shall be construed to preempt or supplant an individual licensed medical facility's policies regarding the emergency credentialing of physician assistants or any other medical personnel.

3 State Veterans' Advisory Committee; Report. Amend RSA 115-A:8, III to read as follows:

III. The committee shall issue [biannual] **annual** reports of its actions, findings, and recommendations on [May] **October** 1 [and November 1] of each year to the speaker of the house, the president of the senate, the governor and council, and all veterans' organizations in the state.

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

2018-0104h
AMENDED ANALYSIS

This bill suspends New Hampshire state licensure laws, rules, and regulations for certain physicians and physician assistants employed by the United States Department of Veterans Administration.

This bill also changes the reporting date of the state veterans' advisory committee.

Amendment to HB 1346

(2018-0115h)

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

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

AN ACT establishing a commission to study the New Hampshire veterans cemetery.

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

1 New Section; Commission to Study the New Hampshire Veterans Cemetery. Amend RSA 110-B by inserting after section 79 the following new section:

110-B:79-a Commission to Study the New Hampshire Veterans Cemetery.

I. There is established a commission to study the New Hampshire veterans cemetery.

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

(1) Three members of the house of representatives, one of whom shall be from the finance committee, appointed by the speaker of the house of representatives.

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

(3) The director of the New Hampshire veterans cemetery, or designee.

(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's study shall include, but not be limited to the following:

(1) Whether non-veterans should be eligible to be interred at the cemetery at no expense.

(2) Whether the non-veteran fee should be the same as the plot allowance for a veteran.

(3) If a fee is charged for a non-veteran whether there should be a mechanism for pre-paying the fee.

(4) An examination of federal and state laws relative to burial for National Guard members.

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

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four 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 November 1, 2018.

3 Repeal. RSA 110-B:79-a, relative to a commission to study the New Hampshire veterans cemetery, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect November 1, 2018.

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

2018-0115h
AMENDED ANALYSIS

This bill establishes a commission to study the New Hampshire veterans cemetery.

Amendment to HB 1370

(2018-0099h)

Proposed by the Committee on Education - c

Amend RSA 189:64, I as inserted by section 1 of the bill by replacing it with the following:

I. ~~[Within 2 years of the effective date of this section,]~~ Every public and nonpublic school shall develop a site-specific school emergency response plan which is based on and conforms to the Incident Command System and the National Incident Management System and submit such plan to the department of education by September 1 of each year. ***Upon receiving a school's emergency management plan, the department shall provide a copy of such plan to the director of homeland security and emergency management, department of safety.*** The plan should be documented at the time of school approval review. The plan shall provide that at least 2 of the currently required number of fire evacuation drills shall be emergency response drills. The plan shall address hazards including but not limited to acts of violence, threats, earthquakes, floods, tornadoes, structural fire, wildfire, internal and external hazardous materials releases, medical emergencies, and any other hazard deemed necessary by school officials and local emergency authorities. The first emergency response drill shall be conducted within one year of the completion of the plan. If the school has a building schematic floor plan diagram, the school may, with the approval of the local school board, submit

the diagram to the division of homeland security and emergency management, department of safety, in a commonly used digital format. Submission of the diagram will enable the state to better prepare, respond, and mitigate potentially dangerous conditions should the need arise.

Amendment to HB 1392

(2018-0152h)

Proposed by the Committee on Municipal and County Government - c

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

AN ACT relative to tallies of votes on budget items or warrant articles.

Amend RSA 32:5, V-a as inserted by section 1 of the bill by replacing it with the following:

V-a. The legislative body of any town, school district, or village district may vote to require that all votes by an advisory budget committee, a town, school district, or village district budget committee, and the governing body or, in towns, school districts, or village districts without a budget committee, all votes of the governing body relative to budget items or any warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town, school district, or village district warrant next to the affected warrant article. Unless the legislative body has voted otherwise, if a town or school district has not voted to require such tallies to be printed in the town or school district warrant next to the affected warrant article, the governing body, *the advisory budget committee, or the municipal budget committee* may do so on its own initiative.

2018-0152h

AMENDED ANALYSIS

This bill permits the municipal budget committee or the advisory budget committee to require that the numerical tally of all votes be printed on the affected warrant unless the legislative body has voted otherwise.

Floor Amendment to HB 1412-FN

(2018-0337h)

Proposed by Rep. Read

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

AN ACT relative to cruelty to wild animals, fish, or wild birds.

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

1 New Section; Fish and Game Commission; Cruelty to Wild Animals, Fish, or Wild Birds. Amend RSA 206 by inserting after section 19-a the following new section:

206:19-b Cruelty to Wild Animals, Fish, and Wild Birds; Enhanced Penalty.

I.(a) Any person who purposely beats, cruelly whips, tortures, or mutilates any wild animal, fish or wild bird as defined in RSA 207:1, or causes any wild animal, fish, or wild bird to be beaten, cruelly whipped, tortured, or mutilated shall be guilty of a class B felony.

(b) Any person who negligently beats, cruelly whips, tortures, or mutilates any wild animal, fish or wild bird as defined in RSA 207:1, or causes any wild animal, fish, or wild bird to be beaten, cruelly whipped, tortured, or mutilated shall be guilty of a class B misdemeanor.

II. The provisions of paragraph I shall not apply to any manner of taking, open season time limits, permitted scientific investigations, or wildlife management practices lawful under title XVIII or administrative rules adopted pursuant to RSA 541-A.

2 Effective Date. This act shall take effect January 1, 2019.

2018-0337h

AMENDED ANALYSIS

This bill establishes an enhanced criminal penalty for cruelty to any wild animal, fish, or wild bird.

Amendment to HB 1415-FN-A

(2018-0398h)

Proposed by the Majority of the Committee on Executive Departments and Administration - r

Amend RSA 189-A:1, II and III as inserted by section 1 of the bill by replacing them with the following:

II. In addition to any other benefit for which the school employee or family is eligible, the state treasurer shall pay a \$100,000 death benefit to the family of a school employee killed in the line of duty; provided that under no circumstance shall a family member responsible for the school employee's death be eligible for such benefit. Payment to a dependent child 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.

III. The attorney general or a designee from the department of justice shall review the records that relate to the circumstances of the employee's death and shall render a determination whether the incident qualifies as a line-of-duty death as defined in subparagraph I(d).

(a) Such determination shall be rendered within 30 days of the incident.

(b) If the death of the school employee is determined to qualify as a line-of-duty death as defined in subparagraph I(d), the attorney general or a designee from the department of justice shall notify the commissioner of the department of education, who shall adopt the attorney general's recommendation and submit a request to the governor for payment of the benefit.

(c) Any records received in order to make the determination if the school employee's death qualifies as a line-of-duty death as defined in subparagraph I(d) shall be exempt from RSA 91-A. Upon the request of the decedent's family, any medical records or other records which otherwise are nonpublic shall be destroyed following the vote by the governor and executive council on this matter.

Amendment to HB 1471-FN

(2018-0016h)

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs - r
Amend RSA 415-J:3, II as introduced by section 3 of the bill by replacing it with the following:

II. An insurer offering a health plan in this state may not deny coverage on the sole basis that the coverage is provided through telemedicine if the health care service would be covered if it were provided through in-person consultation between the covered person and a health care provider. ***The insurance reimbursement rates for telemedicine services shall be the same as that for such services provided in the provider's office or facility, provided that such rates do not exceed rates for in-person consultation at the originating site.***

Amendment to HB 1511-FN

(2018-0096h)

Proposed by the Minority of the Committee on Criminal Justice and Public Safety - r
Amend the title of the bill by replacing it with the following:

AN ACT relative to the definition of a fetus for the purpose of certain homicide offenses.

Amend the bill by replacing section 1 with the following:

1 First Degree Murder; Definition of Fetus. Amend RSA 630:1-a, V(b)(1) to read as follows:

(1) "Fetus" means an unborn offspring, from the embryo stage which is the end of the [twentieth] ***eighth*** week after conception or, in the case of in vitro fertilization, the end of the [twentieth] ***eighth*** week after implantation, until birth.

2018-0096h

AMENDED ANALYSIS

This bill amends the definition of "fetus" for the purpose of certain homicide offenses.

Amendment to HB 1531

(2018-0303h)

Proposed by the Minority of the Committee on Health, Human Services and Elderly Affairs - r
Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Commission to Study the Performance of the Medicaid Managed Care Program. Amend RSA 126-A by inserting after section 5-e the following new section:

126-A:5-f Commission to Study the Performance of the Medicaid Managed Care Program Established.

I. There is established a commission to study the performance of the Medicaid managed care program.

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

(1) Three members of the house of representatives, one of whom shall be from the health, human services and elderly affairs committee, 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 the department of health and human services, or designee.

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

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

(6) A representative of the New Hampshire Hospital Association, appointed by the association.

(7) A representative of the National Alliance on Mental Illness New Hampshire, appointed by the alliance.

(8) A public member who shall be a patient currently served by Medicaid managed care, nominated by the commissioner of the department of health and human services and appointed by the governor.

(9) A representative of Community Support Network, Inc., appointed by the organization.

(10) A representative of New Futures, appointed by the organization.

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

(12) A representative of a county nursing home, appointed by the New Hampshire Association of Counties.

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

III.(a) The commission's study shall include, but not be limited to:

(1) Evaluating the performance of the Medicaid managed care program, including costs of the program, quality of care, patient satisfaction, and health care provider satisfaction.

(2) Comparing outside contracted managed care with other alternative payment models such as accountable care organizations or global payments.

(3) Determining whether Medicaid managed care should continue in its current structure or whether improvements or changes should be made.

(b) The commission may 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. Eight members of the commission shall constitute a quorum.

V. 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 November 1, 2019.

2 Appropriation. The sum of \$150,000 for the fiscal year ending June 30, 2018 is hereby appropriated to the department of health and human services for the purposes of the commission established in section 1 of this act. This appropriation is in addition to any other funds appropriated to the department of health and human services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Repeal. RSA 126-A:5-f, relative to the commission to study the performance of the Medicaid managed care program, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect November 1, 2019.

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

Amendment to HB 1581

(2018-0258h)

Proposed by the Committee on Transportation - r

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Driver's License Suspension or Revocation. Amend RSA 263:56 by inserting after paragraph V the following new paragraph:

VI. A revocation or suspension of a driver's license by the director after a hearing shall commence no sooner than the day of the hearing at 11:59 p.m.

2018-0258h

AMENDED ANALYSIS

This bill requires that a driver's license revocation or suspension resulting from a hearing commence no sooner than the day of the hearing at 11:59 p.m.

Amendment to HB 1592-FN

(2018-0324h)

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

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

AN ACT requiring the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water.

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

1 New Paragraph; Ambient Groundwater Quality Standards. Amend RSA 485-C:4 by inserting after paragraph XII the following new paragraph:

XIII. By January 1, 2019, the commissioner shall review the ambient groundwater standard for arsenic to determine whether it should be lowered and, if it is determined that it should be lowered, shall initiate rulemaking in accordance with RSA 541-A to establish the new ambient groundwater quality standard.

2 New Paragraph; Contaminants in Drinking Water. Amend RSA 485:3 by inserting after paragraph XIV the following new paragraph:

XV. By January 1, 2019, the commissioner shall review the maximum contaminant level for arsenic to determine whether it should be lowered and, if it is determined that it should be lowered, shall initiate rulemaking in accordance with RSA 541-A to establish the new maximum contaminant level.

2018-0324h
AMENDED ANALYSIS

This bill requires the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water and make new rules if he or she determines there ought to be new standards.

**Amendment to HB 1592-FN
(2018-0375h)**

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

Amend RSA 485-C:4, XIII as inserted by section 1 of the bill by replacing it with the following:

XIII. The commissioner shall initiate rulemaking within 120 days of the effective date of this paragraph to revise the ambient groundwater quality standard for arsenic to 5 parts per billion.

Amend RSA 485:3, XV as inserted by section 2 of the bill by replacing it with the following:

XV. The commissioner shall initiate rulemaking within 120 days of the effective date of this paragraph to adopt a maximum contaminant limit for arsenic of 5 parts per billion for public water systems regulated by this chapter.

**Floor Amendment to HB 1649
(2018-0394h)**

Proposed by Rep. Horrigan

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

AN ACT repealing an obsolete provision for legislative mileage.

Amend the bill by deleting sections 1 and 2 and renumbering the original sections 3 and 4 to read as 1 and 2, respectively.

2018-0394h
AMENDED ANALYSIS

This bill repeals an obsolete mileage provision for Concord legislators.

**Floor Amendment to HB 1673-FN-LOCAL
(2018-0386h)**

Proposed by Rep. Scully

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

1 Apportionment, Assessment, and Abatement of Taxes; Interest. Amend RSA 76:13 to read as follows:
76:13 Interest.

I. Interest at [12 percent per annum] the rate established pursuant to paragraph II shall be charged upon all taxes except resident taxes, except as otherwise provided by statute, not paid on or before December 1 after their assessment, which shall be collected from that date with the taxes as incident thereto, except in the case where a tax bill sent to the taxpayer on or after November 2 and before April 1 of the following year interest shall not be charged until 30 days after the bills are mailed. Interest due in an amount up to \$25 may be waived by the collector, with the approval and consent of the board of selectmen and the board of assessors, if in the collector's judgment the administrative and collection costs involved do not warrant collection of the amount due. The tax collector shall state on the tax bill the date from which interest will be charged and such date shall be determined by the day the collector sends out the last tax bill on the list. The collector shall notify the board of tax and land appeals in writing of the date on which the last tax bill was sent.

II. In this section, the interest rate charged for unpaid taxes shall be the same rate as the annual underpayment rate determined in RSA 21-J:28, II, up to a maximum of 12 percent per annum. If more than one underpayment rate is in effect during the period of nonpayment, the municipality may charge the highest underpayment rate established during the period of nonpayment, up to a maximum of 12 percent per annum.

2 Property Taxes; Quarterly Billing. Amend RSA 76:15-aa, IV to read as follows:

IV. Interest at the [rate of 12 percent per annum] same rate as the annual underpayment rate determined in RSA 21-J:28, II, up to a maximum of 12 percent per annum, shall be charged on all taxes not paid on or before their due dates or 30 days after mailing, whichever is later; provided that, if more than one underpayment rate is in effect during the period of nonpayment, the municipality may charge the highest underpayment rate established during the period of nonpayment, up to a maximum of 12 percent per annum.

3 Collection of Taxes; Tax Sales; Redemption; Interest Rate. Amend RSA 80:32 to read as follows:

80:32 Redemption. Any person with a legal interest in land so sold may redeem the same by paying or tendering to the collector, or in his ***or her*** absence, at his ***or her*** usual place of abode, at any time before a deed thereof is given by the collector, the amount for which the land was sold, with interest at [18 percent

~~per annum]~~ ***the same rate as the annual underpayment rate determined in RSA 21-J:28, II, plus 4 percent interest, up to a maximum of 15 percent per annum,*** upon the whole amount for which the land was sold from the time of sale to the time of payment in full, except that in the case of partial payments in redemption made under RSA 80:33-a, the interest shall be computed on the unpaid balance, together with redemption costs and costs for notifying the mortgagees, if any. ***If more than one underpayment rate is in effect during the period of nonpayment, the municipality may charge the highest underpayment rate established during the period of nonpayment, plus 4 percent interest, up to a maximum of 15 percent per annum.*** In case the tax collector who sold the property in question shall have died, become incapacitated, been removed from office or removed from the town or city or shall have been discharged from his ***or her*** bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

4 Collection of Taxes; Tax Sales; Subsequent Tax; Interest Rate. Amend RSA 80:37 to read as follows:

80:37 Payment of Subsequent Tax. For purposes of this section, "subsequent tax" shall mean any tax assessed upon the real estate subsequent to that for which it was sold by a municipality, a county or the state. The purchaser of real estate at any tax sale may pay to the collector any subsequent tax and the collector shall, within 30 days after such payment, notify the register of deeds thereof, giving the date and the amount of such payment and the name of the person so paying together with the date of the tax sale, the name of the person taxed and a description of the property sold as shown in the report of sale recorded in the registry of deeds. The collector of taxes shall receive \$1 for such notice to the register of deeds of the payment of subsequent tax plus \$1 to be paid to the register of deeds. The purchaser, within 30 days of payment of the subsequent tax, shall personally, or by certified mail, notify in writing any mortgagee who was notified of his purchase at the tax sale of this payment of the subsequent tax. The purchaser paying the subsequent tax shall receive the same fees prescribed for notifying the mortgagee of his ***or her*** purchase at the tax sale to be included in [his] ***the*** costs to be paid by the person making redemption, except that when a town is a purchaser at a tax sale and the town pays a subsequent tax and the selectmen direct the collector of taxes as agent for the town to give notice of payment of a subsequent tax to any mortgagee who was notified of the purchase by the town at the tax sale, the collector shall be paid the sum of \$5 for this service. Any amounts so paid on account of subsequent taxes, together with interest thereon at the ~~[rate of 18 percent per annum]~~ ***same rate as the annual underpayment rate determined in RSA 21-J:28, II, plus 4 percent interest, up to a maximum of 15 percent per annum,*** from the date of payment shall, in addition to the purchase price at the time of sale with accrued interest and costs, be paid by the person making redemption. ***If more than one underpayment rate is in effect during the period of nonpayment, the municipality may charge the highest underpayment rate established during the period of nonpayment, plus 4 percent interest, up to a maximum of 15 percent per annum.***

5 Collection of Taxes; Tax Liens; Redemption; Interest Rate. Amend RSA 80:69 to read as follows:

80:69 Redemption. Any person with a legal interest in land subject to a real estate tax lien may redeem the same by paying or tendering to the collector, at any time before a deed thereof is given by the collector, the amount of the real estate lien, with interest at ~~[18 percent per annum]~~ ***the same rate as the annual underpayment rate determined in RSA 21-J:28, II, plus 4 percent interest, up to a maximum of 15 percent per annum,*** upon the whole amount of the recorded lien from the date of execution to the time of payment in full, except that in the case of partial payments in redemption made under RSA 80:71, the interest shall be computed on the unpaid balance, together with redemption costs and costs for identifying and notifying the mortgagees, if any. ***If more than one underpayment rate is in effect during the period of nonpayment, the municipality may charge the highest underpayment rate established during the period of nonpayment, plus 4 percent interest, up to a maximum of 15 percent per annum.*** In case the tax collector who executed the tax lien against the property in question shall have died, become incapacitated, been removed from office or removed from the town or city or shall have been discharged from his ***or her*** bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

6 Collection of Taxes; Tax Liens; Interest Rate. Amend RSA 80:75, III to read as follows:

III. When a municipality is the lienholder and the municipality pays a subsequent tax and the selectmen direct the collector of taxes, as agent of the municipality, to give such notice of said payment to any owner and to any mortgagee as provided above, the collector of taxes shall receive the same fees provided for the lienholder for his service. The amount of subsequent taxes paid, together with interest on such taxes at the ~~[rate of 18 percent per annum]~~ ***same rate as the annual underpayment rate determined in RSA 21-J:28, II, plus 4 percent interest, up to a maximum of 15 percent per annum*** from the date of payment shall, in addition to the tax lien amount at the time of execution with interest and costs, be paid by

the person making redemption. *If more than one underpayment rate is in effect during the period of nonpayment, the municipality may charge the highest underpayment rate established during the period of nonpayment, plus 4 percent interest, up to a maximum of 15 percent per annum.*

7 Effective Date. This act shall take effect April 1, 2018.

Amendment to HB 1731-FN

(2018-0271h)

Proposed by the Committee on Transportation - c

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

AN ACT relative to regulating bicycles.

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

1 Highway Markings; Passing. Amend RSA 265:22, I(c) to read as follows:

(c) In case such driver has an unobstructed view and can see the end of the said unbroken painted line; **or**

(d) In order to pass a pedestrian or a device moved by human power, including a bicycle, skateboard, or foot-scooter, provided such movement can be made safely.

2 Method of Giving Hand-and-Arm Signals. Amend RSA 265:47, II to read as follows:

II. Right turn--Hand and arm extended upward. ***Or optionally, when on a bicycle, by extending the right hand and arm horizontally.***

3 Flashing Lights. Amend RSA 266:78-e to read as follows:

266:78-e Other Flashing Lamps Prohibited. Only authorized emergency vehicles, including law enforcement, fire, and emergency medical services vehicles, [and] state department of transportation vehicles engaged in construction or maintenance activities, ***and bicycles*** may be equipped with a device that provides for alternate flashing of headlamps.

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

2018-0271h

AMENDED ANALYSIS

This bill:

I. Allows crossing an unbroken traffic line to pass a pedestrian or device moved by human power.

II. Modifies hand signal requirements for bicyclists.

III. Allows flashing headlamps on bicycles.

Floor Amendment to HB 1749-FN

(2018-0408h)

Proposed by Reps. Hoell, Itse, Spillane and Wallace

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

AN ACT imposing penalties for violations of the state's authority to prohibit or regulate firearms and relative to the selectmen's authority to manage town property.

Amend the bill by replacing section 2 with the following:

2 Firearms, Ammunition, and Knives; Authority of the State. RSA 159:26 is repealed and reenacted to read as follows:

159:26 Firearms, Ammunition, and Knives; Authority of the State.

I. To the extent consistent with federal law, the state of New Hampshire shall have authority and jurisdiction over the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matters pertaining to firearms, firearms components, ammunition, firearms supplies, or knives in the state. Notwithstanding any other provision of law to the contrary, all delegations of legislative authority shall be by statute and explicitly state the extent and limits of the jurisdiction or authority delegated. Except as otherwise specifically provided by statute, no ordinance or regulation of a political subdivision may regulate the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearms components, ammunition, firearms supplies or knives in the state. Nothing in this section shall prohibit a political subdivision from adopting a zoning ordinance or regulation that regulates a firearms business in the same manner as other businesses regulated under such ordinance or regulation, except that no political subdivision shall adopt a zoning ordinance or regulation that is designed to restrict or prohibit the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearm components, ammunition, firearms supplies, or knives as a method of regulating the same.

II. No public or private entity shall regulate the sale, use, or possession of the firearms, firearms components, ammunition, firearms supplies or knives on any property owned, whole or in part, by the state, political subdivision, committee, or other governmental unit thereof, unless explicitly authorized by statute.

III. Upon the effective date of this section, all ordinances and regulations of any political subdivision not authorized under paragraph I or regulation by any public or private entity not authorized under paragraph II relative to the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matters pertaining to firearms, firearm components, ammunition, firearms supplies, or knives shall be null and void.

IV. Any person, entity, or organization whose member is aggrieved by the enactment or enforcement of an ordinance or regulation in violation of the terms set forth under paragraphs I or II, may file suit in the superior court having venue where the ordinance or regulation is being enacted or enforced against any such person, entity or organization. Upon such filing, the superior court shall schedule a hearing on the matter which shall be within 10 days, excluding Saturdays, Sundays, and legal holidays, from the date of filing. After a hearing on the merits, if the court finds in favor of the petitioner, the court shall:

(a) Issue an injunction against the person, public entity, or political subdivision from enacting or enforcing the ordinance or regulation;

(b) Issue a declaratory judgment that the ordinance or regulation is null and void;

(c) Order the person or political subdivision to reimburse the aggrieved person or entity who brought the action before the superior court for all reasonable attorney fees and costs associated with bringing suit for the violation of the terms under paragraph I or II; and

(d) Award actual damages to the aggrieved person or entity, not exceeding \$100,000, provided that the sanctions contained in this subparagraph and subparagraph (c) shall not apply to a good faith enforcement by a law enforcement agency of an ordinance found unlawful under the provisions of paragraph I or II.

V. If any person or political subdivision as described under paragraph I, or public or private entity as described under paragraph II, shall knowingly violate the injunction or enact or enforce any subsequent, equivalent ordinance or regulation, upon filing by an aggrieved person, entity or organization the superior court shall:

(a) Issue all such orders and awards as listed in paragraph IV; and

(b) Assess a civil fine up to \$500 for each violation against the elected or appointed local government official or administrative agency head under whose jurisdiction the violation occurred.

VI. Except as required by applicable law, public funds shall not be used to defend or reimburse any person or political subdivision found to have knowingly violated this section, nor shall any public funds be used to pay or reimburse any aggrieved person, entity, or organization who filed suit.

Amendment to HB 1763-FN-A

(2018-0322h)

Proposed by the Committee on Ways and Means - r

Amend RSA 260:32-d, III as inserted by section 1 of the bill by replacing it with the following:

III. 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 MPG 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 the following MPG ranges:

MPG range at 10,000 miles per year

20 or less

greater than 20 to 30

greater than 30 to 40

greater than 40 to 50

greater than 50

no gasoline

Amend the bill by replacing section 2 with the following:

2 Implementation of Road Usage Fee. Before April 1, 2019, the commissioner of safety, in conjunction with the commissioner of transportation, shall develop the linked data system required under RSA 260:32-d as inserted by section 1 of this act and adopt rules pursuant to RSA 541-A to establish road usage fees based on the requirements and mileage per gallon ranges (MPG) established in RSA 260:32-d, I and III.

Amendment to HB 1817-FN

(2018-0345h)

Proposed by the Committee on Executive Departments and Administration - r

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare a 10-year current services budget; and relative to the inclusion of a demographic analysis as part of the legislative fiscal note process.

Amend RSA 4-C:36, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The state demographer shall provide assistance and data to the legislative budget assistant in the preparation of demographic analyses requested pursuant to RSA 14:46, VII.

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

2 New Section; Budget and Appropriations; Ten-Year Current Services Budget. Amend RSA 9 by inserting after section 9:9-c the following new section:

9:9-d Ten-Year Current Services Budget.

I. Each of the following state agencies shall project its portion of the state budget forward 10 years for the identified service or program:

(a) The department of administrative services: state employer retirement contributions, state retiree health insurance, and in conjunction with the department of revenue administration, state revenues.

(b) The state treasurer: debt service.

(c) The department of health and human services: uncompensated care, Medicaid care management, Medicaid-funded home and community based services known as the Choices for Independence Program, nursing home services, and developmental services.

(d) The department of education: adequate education grants.

II. The projected budget shall be based on current policy, programs, and tax rates, and shall be adjusted only for demographically-induced changes in demand for public services and projected effects on state government revenues.

3 New Paragraph; Preparation of Fiscal Notes; Demographic Analysis. Amend RSA 14:46 by inserting after paragraph VI the following new paragraph:

VII.(a) The speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate, or the minority leader of the senate may request the legislative budget assistant to prepare and include in the fiscal note a demographic analysis on bills and resolutions having an effect on the demographics of the state. Each requestor shall be entitled to no more than 5 such requests during each annual legislative session.

(b) When possible, the demographic analysis contained in a fiscal note pursuant to subparagraph (a) shall be prepared and incorporated prior to the introduction of the bill or resolution. The demographic analysis shall accompany the bill throughout its course of passage through the general court and to the governor for action and shall be amended as necessary to correct errors or to agree with substantive amendments to the bill.

(c) In preparation of demographic analyses required pursuant to subparagraph (a), the legislative budget assistant shall seek the assistance and data from the state demographer or may request assistance from any other source of data which is deemed reliable, including but not limited to private individuals, research and educational organizations, corporations, and associations located within or outside the state.

4 Phase-in, Funding for Position of State Demographer. The state demographer shall be a part-time contractor for the fiscal years 2018 and 2019 and a full-time position beginning in fiscal year 2020.

5 Effective Date.

I. Section 3 of this act shall take effect July 1, 2019.

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

2018-0345h

AMENDED ANALYSIS

This bill establishes the position of state demographer in the office of strategic initiatives; establishes a commission on demographic trends; requires certain state agencies to prepare a 10-year current services budget for identified programs; and requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

Amendment to HB 1819-FN

(2018-0295h)

Proposed by the Majority of the Committee on Education - r

Amend the bill by inserting after section 3 the following and renumbering the original section 4-15 to read as 5-16, respectively:

4 Definition; Scholarship Receipt. Amend RSA 77-G:1, XX to read as follows:

XX. "Scholarship receipt" means a document developed by the department of revenue administration and submitted by a scholarship organization to the business organization or business enterprise and that contains at a minimum:

(a) The business organization's or business enterprise's name, address, and federal taxpayer identification number.

(b) The amount of the donations used or carried forward and the amount not used.

(c) The scholarship organization's name and address.

(d) The donation amount and date received or postmarked.

Amend the bill by inserting after section 15 the following and renumbering section 16 to read as 18:

16 Repeal. RSA 77-G:1, V, relative to the definition of a donation receipt, is repealed.

17 Transition Provision. This act shortens the 2018 program year to a 6-month period running from January 1, 2018 to June 30, 2018. Notwithstanding the provisions of RSA 77-G:5, I(g) prior to amendment by this act, all education tax credit donations received by the scholarship organization from January 1, 2018 to June 30, 2018 shall be carried forward into the 2019 program year, which begins on July 1, 2018 and ends on June 30, 2019, and shall count as aggregate tax credits under RSA 77-G:4, I for the July 1, 2018 to June 30, 2019 program year. Education tax credit donations received by the scholarship organization, during the shortened 2018 program year shall be reported on the scholarship organization's 2019 ED-05, to be submitted under RSA 77-G:5, II(g) and within 30 days following the June 30, 2019 end of that program year.

Amendment to HB 1821-FN

(2018-0197h)

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

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

AN ACT relative to kindergarten grants.

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

1 Keno; Reference Removed. Amend RSA 198:48-c, III(a) to read as follows:

(a) For fiscal year 2020 and each fiscal year thereafter, in addition to any funds received pursuant to RSA 198:40-a, the department of education shall distribute a total kindergarten grant, pursuant to RSA 198:40-a, for the remaining 1/2 of each average daily membership not counted under RSA 198:40-a to each school district or chartered public school that operates an approved full-day kindergarten program. ~~[If the amount of revenue raised through keno is insufficient to fully fund the distribution of grants under this section, the revenue shall be prorated proportionally based on entitlement among the districts entitled to a grant. The prorated portion of this grant shall not be less than the per pupil amount disbursed under paragraph I(b).]~~

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

2018-0197h

AMENDED ANALYSIS

This bill eliminates the requirement that kindergarten grants be prorated if Keno funds are insufficient.