



State of
New Hampshire

HOUSE RECORD

Second Year of the 165th General Court Calendar and Journal of the 2018 Session

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

Vol. 40

Concord, N.H.

Friday, July 20, 2018

No. 27

Contains: Governor's Proclamation; Proposed Special Session Senate Bill; House Deadlines; Proposed Special Session Rules; Bills Laid on Table; Revised Fiscal Notes; Governor's Veto Messages for HB 143, HB 314, and HB 1736; Meetings and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet in special session at **10:30 a.m. on Wednesday, July 25th**, pursuant to the call by the Governor and Council.

The Joint Task Force on the Wayfair Decision did an excellent job in a very short amount of time to reach agreement on legislation which will preserve the "New Hampshire Advantage" that *Wayfair* would have dismantled. I appreciate their efforts and commend them for providing our membership the opportunity to vote on such a smart piece of legislation. I also want to thank the House and Senate staff who helped make it possible for us to complete the task within such a compressed timeframe.

This draft special session Senate bill is included below in its entirety for your review. It is also posted online in standard bill format. Amendments will be accepted in the Office of Legislative Services for the proposed Senate bill, provided they are germane to the subject of the bill.

Also included below are the draft special session rules which would be for the operation of the special session only. If you have questions or seek to make any amendments, you must notify the Clerk.

The House will take up veto messages in regular session on **Thursday, September 13th**. Pursuant to Part Second, Article 15 of the NH Constitution, mileage **will not** be paid that day.

Mileage **will be paid for July 25th**, but not again until the week of August 27th, unless special circumstances arise and preauthorization is granted, or if you are a member of an ongoing statutory committee that meets regularly. If you are designated to call the first meeting of a new statutory or study committee and feel that the committee must organize before then, we will try to accommodate your request. Your cooperation is greatly appreciated as we continue to work around ongoing projects in both the State House and Legislative Office Building.

Gene G. Chandler, Speaker

NOTICE

There will be a Republican caucus on **Wednesday, July 25 at 9:30 a.m.** in Representatives Hall.
Rep. Dick Hinch

NOTICE

There will be a Democratic caucus on **Wednesday, July 25 at 9:00 a.m.** in Rooms 306-308, LOB.
Rep. Stephen Shurtleff

NOTICE

**By His Excellency Christopher T. Sununu, Governor
With the Advice of the Honorable Executive Council
July 11, 2018**

WHEREAS, on June 21, 2018, the United States Supreme Court issued its decision in *South Dakota v. Wayfair, Inc.*, et al, (the "Wayfair decision") in which the Court overturned 50 years of precedent that a retailer must be physically present in a state before the state could impose its sales and use tax collection requirements; and

WHEREAS, the Wayfair decision has created enormous uncertainty and could require New Hampshire businesses to collect sales and use taxes for over 10,000 state and local jurisdictions where they have no physical presence; and

WHEREAS, the State of New Hampshire has made a fundamental policy decision to not impose a general sales and use tax; and

WHEREAS, the welfare of the people of the State of New Hampshire requires the convening of the General Court in special legislative session for the purpose of enacting legislation to respond to the Wayfair decision; and

WHEREAS, the Executive Department, in calling such a session, intends an agenda limited to passing comprehensive legislation which takes every feasible and legally permissible step to protect New Hampshire citizens and businesses from any and all attempts by foreign state and local taxing jurisdictions to impose sales and use tax collection obligations on New Hampshire businesses in violation of the Due Process Clause and Commerce Clause of the United States Constitution or any other provision of law;

NOW, THEREFORE I, CHRISTOPHER T. SUNUNU, GOVERNOR, with the advice of the Council, on a motion duly seconded, hereby exercise my legislative authority under Part 2, Article 50 of the New Hampshire Constitution and summon the General Court to convene in Special Session on a date to be specified by the Speaker of the House and the President of the Senate, but to occur no later than August 15, 2018.

Christopher T. Sununu, Governor

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. *Please note the calendar will be printed biweekly during the summer.*

CLOSES AT 3:00 p.m. ON:

Wednesday, July 25, 2018

Wednesday, August 8, 2018

Wednesday, August 22, 2018

AVAILABLE ON:

Friday, July 27, 2018

Friday, August 10, 2018

Friday, August 24, 2018

Paul C. Smith, Clerk of the House

DRAFT SPECIAL SESSION SENATE BILL 1

AN ACT *requiring notice and approval of certain actions to commence audits of collection liabilities arising under certain sales and use tax statutes and prohibiting New Hampshire remote sellers from disclosing private customer information to foreign taxing authorities in connection with the collection of certain sales and use taxes.*

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Chapter; Protection of Private Customer Information and Rights of Remote Sellers in Connection With Certain Foreign Sales and Use Taxes. Amend RSA by inserting after chapter 78-D the following new chapter:

CHAPTER 78-E

PROTECTION OF PRIVATE CUSTOMER INFORMATION AND RIGHTS OF REMOTE SELLERS IN CONNECTION WITH CERTAIN FOREIGN SALES AND USE TAXES

78-E:1 Findings and Purpose. The general court finds that:

I. Over 10,000 state and local jurisdictions within the United States impose sales and use taxes. Many of these jurisdictions have their own laws, regulations, policies and standards for determining sales and use tax obligations.

II. The state of New Hampshire does not impose a sales tax on customers making purchases of goods and services in New Hampshire, nor on goods and services purchased by its residents out of state for use, storage, or consumption in New Hampshire. New Hampshire law and policy does not require New Hampshire businesses to suffer the cost and burdens of establishing administrative systems to comply with the collection and remission provisions of a traditional sales and use tax law.

III. The state of New Hampshire is a year-round destination visited by millions of persons from various states that impose sales and use tax on their own residents. Complying with the complexities of these multiple and various sales and use tax laws and regulations would impose very costly burdens on all affected retail businesses. These burdens would be especially difficult to shoulder for smaller businesses that seek to expand their customer base by using old and new technologies such as traditional mail and communications using the Internet.

IV. On June 21, 2018, the United States Supreme Court issued its decision in South Dakota v. Wayfair, Inc., et al. By a 5-4 majority, the Court overturned over 50 years of precedent that a retail seller must be physically present in a state before the state could impose its sales and use tax collection requirements. This decision

potentially exposes remote retail businesses, including those located within New Hampshire, to assertions by thousands of foreign taxing jurisdictions of various collection and remission requirements on remote retail businesses that were previously protected by the longstanding physical presence rule.

V. The majority decision in *Wayfair* did not finally adjudicate that the assertion of sales tax collection liability against all remote retail businesses was constitutional and valid, but rather remanded the case for further proceedings. For example, the majority decision states: “The question remains whether some other principle in the Court’s Commerce Clause doctrine might invalidate the [South Dakota] Act.”

VI. New Hampshire’s decision not to enact a traditional broad-based sales and use tax law reflects a compelling governmental interest to encourage the establishment and expansion of small and “micro-businesses” that represent a particularly valuable segment of New Hampshire’s economy and comprise a majority of employers in the state. The high cost and practical difficulty of compliance with sales and use tax requirements would disproportionately and negatively impact these businesses and discourage other aspiring entrepreneurs from starting new businesses in New Hampshire.

VII. New Hampshire has a compelling governmental interest in protecting the privacy of an individual’s personal information that may be used to facilitate the sale of goods and services within this state.

VIII. New Hampshire also has a strong governmental interest in protecting its remote sellers and the private, personal information they possess from consumers from persons who may attempt to steal money or sensitive information from remote sellers by impersonating a foreign taxing jurisdiction or foreign taxing authority.

IX. Any foreign taxing jurisdiction that attempts to require a remote out-of-state business to collect a sales or use tax imposed on persons of such jurisdiction without having its own use tax or first seeking actively to enforce its use tax against its own persons is unfairly avoiding taxing its own persons while effectively imposing a direct tax on the remote out-of-state business in a manner that unlawfully discriminates against such out-of-state transactions in violation of the Commerce Clause of the United States Constitution.

X. The purpose of this chapter is to (a) ensure that no foreign taxing jurisdiction or authority imposes or attempts to impose sales and use tax collection obligations on a New Hampshire remote seller in a manner that violates the United States or New Hampshire Constitution and (b) protect New Hampshire remote sellers and the private, personal information they possess from consumers from persons who may attempt to steal money or sensitive information from remote sellers by impersonating a foreign taxing jurisdiction or foreign taxing authority.

78-E:2 Definitions. In this chapter:

I. “Foreign taxing authority” means an agency or other instrumentality of, or a person acting on behalf of, a foreign taxing jurisdiction that is authorized to administer, audit and enforce sales or use tax laws of the foreign taxing jurisdiction.

II. “Foreign taxing jurisdiction” means a state, territory, the District of Columbia, a local government, political subdivision, or any other entity which assesses retail sales tax or use tax on its persons with respect to the use, storage, and consumption of goods and services.

III. “New Hampshire remote purchase transaction” means any sale of services or goods, or both, for any purpose other than resale in the regular course of business where the customer takes possession of the services or goods in a foreign taxing jurisdiction.

IV.(a) “New Hampshire remote seller” means any individual, trust, estate, fiduciary, partnership, corporation, or other legal entity, including a retailer as defined in RSA 78-D, located within the state, that engages in New Hampshire remote purchase transactions, and that does not have a physical presence within the foreign taxing jurisdiction.

(b) For purposes of this paragraph, a person has a “physical presence” in a foreign taxing jurisdiction only if such person’s business activities within the jurisdiction include any of the following:

(1) Maintains its commercial or legal domicile in the foreign taxing jurisdiction;

(2) Owns, holds a leasehold interest in, or maintains real property for business purposes such as a retail store, warehouse, distribution center, manufacturing operation, assembly facility, or any other facility in the foreign taxing jurisdiction;

(3) Leases or owns tangible personal property for business purposes (other than computer software) of more than de minimis value in the foreign taxing jurisdiction;

(4) Has one or more employees based in the foreign taxing jurisdiction or has independent sales persons in the foreign taxing jurisdiction actively soliciting sales;

(c) For purposes of this paragraph, the term “physical presence” shall not include:

(1) Entering into an agreement under which a person, for a commission or other consideration, directly or indirectly refers potential purchasers to a person outside the foreign taxing jurisdiction, whether by an Internet-based link or platform, Internet Website or otherwise;

(2) Any presence in a foreign taxing jurisdiction, as described in this paragraph, for less than 15 days in a taxable year (or a greater number of days if provided by foreign taxing jurisdiction law);

(3) Product placement, setup, or other services offered in connection with delivery of products by an interstate or in-state carrier or other service provider;

(4) Internet advertising services provided by in-state residents which are not exclusively directed towards, or do not solicit exclusively, in-state customers;

(5) Ownership by a person outside the foreign taxing jurisdiction of an interest in a limited liability company or similar entity organized or with a physical presence in the foreign taxing jurisdiction;

(6) The furnishing of information to customers or affiliates in such foreign taxing jurisdiction, or the coverage of events or other gathering of information in such foreign taxing jurisdiction by such person, or his or her representative, which information is used or disseminated from a point outside the foreign taxing jurisdiction; or

(7) Business activities directly relating to such person's potential or actual purchase of goods or services within the foreign taxing jurisdiction if the final decision to purchase is made outside the foreign taxing jurisdiction.

(8) The placement of an order by a customer from a foreign taxing jurisdiction by any means.

V. "Person" means any individual, trust, estate, fiduciary, partnership, corporation, or any state, territory, the District of Columbia, a local government or political subdivision, or any other legal entity.

VI. "Private customer transaction information" means, with respect to any New Hampshire remote seller, any documents, records, and other information possessed or maintained by a New Hampshire remote seller in any form which contain information concerning the name, address, or telephone number of any customer, or any other information related to a customer such as credit card, debit card, or checks used to complete a customer transaction, a description of the goods or service purchased, the identity of any person for whom the goods or services were purchased, and the identification of the point of transfer of any goods or services that comprise a transaction of sales used for the calculation of sales or use tax liability.

VII. "Streamlined Sales and Use Tax Agreement" means the Streamlined Sales and Use Tax Agreement as adopted and amended from time to time by the Streamlined Sales Tax Governing Board.

VIII. "Written notice" means a notice in writing, by physical letter, addressed and physically mailed to the New Hampshire department of justice. No other form of notice shall be deemed to meet the requirements of this chapter.

78-E:3 Registration.

I. A foreign taxing authority shall register with the department of justice at least 120 days prior to taking any action to determine or impose sales or use tax liability against a New Hampshire remote seller.

II. The registration required in paragraph I shall be accompanied by a fee determined by the department of justice to be sufficient to cover the reasonable costs incurred by the department of justice in completing the administrative duties required by RSA 78-E:5 and RSA 78-E:6. All fees collected by the department of justice under this section shall be for the exclusive use of the department of justice in complying with the requirements of this chapter. The department of justice shall establish procedures for a foreign taxing authority's registration and the establishment of these and any other necessary procedures or policies under this chapter, together with the determination of a registration fee, in rules adopted by the attorney general under RSA 541-A. Such rules may be adopted through emergency rulemaking under RSA 541-A:18.

78-E:4 Prohibitions; Notice.

I. No foreign taxing authority shall request from a New Hampshire remote seller any private customer transaction information for use in the determination of sales or use tax liability of the customer or for use in the determination, collection, and remittance of sales or use tax by the seller with respect to a customer transaction, nor shall a foreign taxing authority proceed with conducting such an examination or imposing sales and use tax collection obligations, unless the foreign taxing authority has first registered with the department of justice pursuant to RSA 78-E:3 and provided the department of justice with written notice of its intent to request such information or conduct such an examination from a particular New Hampshire remote seller and 120 days from the date of such written notice have elapsed. The written notice regarding a particular New Hampshire remote seller shall state that it is a "RSA 78-E Notice," shall provide the full legal name and address of the sellers, shall contain the reasons for the request or examination, shall cite the legal authorities that authorize imposition of a tax collection obligation on the seller, and shall explain why the seller is subject to those laws. A foreign taxing authority may not commence any action to determine or impose sales or use tax liability against a New Hampshire remote seller unless and until the department of justice has determined, pursuant to RSA 78-E:5, that the laws of the foreign taxing jurisdiction meet the requirements of the United States and New Hampshire Constitutions and, if they do, that they can be applied to the New Hampshire remote seller or sellers based on the reasons provided in the required written notice.

II.(a) A New Hampshire remote seller should provide to the department of justice notice of a foreign taxing authority's first request for any private customer transaction information for use in the determination of sales or use tax liability of the customer or for use in the determination, collection, and remittance of sales or use tax by the seller with respect to a customer transaction, to insure that the foreign taxing authority is registered under RSA 78-E:3.

(b) Notwithstanding the provisions of subparagraph (a), a New Hampshire remote seller may elect immediate compliance with a request or directive of a foreign taxing authority if the seller determines that such

compliance is in its best interests. If a New Hampshire remote seller elects immediate compliance, that seller should remit notice to the department of justice after such compliance to insure that the foreign taxing authority is registered under RSA 78-E:3. Immediate compliance by a New Hampshire remote seller shall not relieve a foreign taxing authority's obligation to comply with the registration and notice requirements contained in RSA 78-E:3 and RSA 78-E:4.

(c) A New Hampshire remote seller may satisfy the notice requirement under this paragraph through email, phone call, letter, or other method established and specified by the department of justice.

III. A New Hampshire remote seller who elects immediate compliance under paragraph II of this section may do so under protest while reserving all rights provided under this chapter, the United States or New Hampshire Constitutions, or any other provision of law.

IV. No person shall impersonate or attempt to impersonate a foreign taxing jurisdiction, foreign taxing authority, or any other government agency for any reason and, any person who does shall be deemed to have committed an unfair or deceptive act or practice within the meaning of RSA 358-A:2. Any right, remedy, or power set forth in RSA 358-A, including those set forth in RSA 358-A:4, II, may be used to enforce the provisions of this section. The exemptions provided for in RSA 358-A:3, I shall not apply to this paragraph.

78-E:5 Determination of Minimum Protections.

I. Upon registration of a foreign taxing authority and receipt of a written notice of a foreign taxing authority's intent to request private customer information from, conduct an examination of, or impose sales and use tax collection obligations on one or more New Hampshire remote sellers, the department of justice shall determine within 120 days of receipt of such notice whether the laws of the foreign taxing jurisdiction meet the requirements of the United States and New Hampshire Constitutions and, if they do, whether they can be applied to the New Hampshire remote seller or sellers based on the reasons provided in the required written notice. In conducting the review required by this paragraph, the department of justice shall consider all laws and regulations existing as of the time of the review, and all applicable principles of the United States and New Hampshire Constitutions, including but not limited to: whether or not the foreign taxing jurisdiction's laws provide a satisfactory safe harbor for New Hampshire remote sellers that conduct only limited business within the jurisdiction; whether or not the laws ensure that no obligation to remit sales or use tax may be applied retroactively; whether or not the foreign taxing jurisdiction has adopted the Streamlined Sales and Use Tax Agreement or otherwise adopted laws that are substantially compliant with each of the requirements set forth in the Streamlined Sales and Use Tax Agreement; whether or not the foreign taxing jurisdiction's laws provide for deduction, reimbursement, or exemption for the cost of compliance of the New Hampshire remote seller in collecting, accounting, and remitting the foreign taxing jurisdiction's sales or use taxes; whether or not the laws require substantial compliance and enforcement of the entirety of such laws, including whether or not the laws include a use tax and the requirement that persons report and pay use tax liability; whether or not the foreign taxing jurisdiction or authority is actively seeking to enforce its own requirement that persons report and pay use tax liability; and whether or not the application of such laws in practice are fairly related to the tangible benefits provided by such state to the New Hampshire remote seller.

II. Upon completion of the determination made pursuant to paragraph I, the department of justice shall send a letter to the New Hampshire remote seller and the foreign taxing authority informing them of what, if any, action the department of justice may take under this chapter. A foreign taxing authority shall comply with any applicable New Hampshire laws or rules in the event the foreign taxing authority is permitted to proceed with determining or imposing sales or use tax liability against a New Hampshire remote seller. Any determination made by the department of justice shall not be read to preclude a New Hampshire remote seller from bringing its own action under RSA 78-E:6, VII, or upon any other legal basis, and nothing in this chapter shall be construed to require or permit the department of justice to act as legal counsel or provide legal advice to a New Hampshire remote seller or any other person to whom the department of justice is not otherwise authorized by law to provide legal counsel.

78-E:6 Administration; Enforcement.

I. Whenever the department of justice has reason to believe that any provision of RSA 78-E:3 or RSA 78-E:4 has been, is being or is about to be violated by any person, including a foreign taxing authority or foreign taxing jurisdiction, the department of justice may bring an action in the name of the state against such person to restrain by temporary, preliminary, or permanent injunction the prohibited conduct and may petition the court for an order of restitution of money or property to any person or class of persons injured thereby. The department of justice may bring a declaratory judgment action against any foreign taxing authority or jurisdiction to establish that the proposed assertion of an obligation to remit sales tax by one or more New Hampshire remote sellers violates applicable state or federal law. The action shall be brought in the superior court of Merrimack County or any other court of competent jurisdiction. Any such action shall be deemed a civil action within the meaning of RSA 491:7. The superior court shall act on such actions as expeditiously as possible and such actions shall proceed with priority over any other action presenting the same questions in any other venue. Nothing in this chapter shall be construed as creating a cause of action against the state of New Hampshire or any of its officials or employees.

II. The department of justice shall have the power to subpoena and subpoena duces tecum in the name of the department for the purposes of this chapter. Witnesses summoned by the department of justice shall be paid the same fee and mileage that are paid witnesses in the superior court of the state. A subpoena or subpoena duces tecum of the department of justice may be served by any person designated in the subpoena or subpoena duces tecum to serve it. The department of justice may administer an oath or affirmation to any person and conduct hearings in aid of any investigation. The department of justice may also require any person to make a statement in writing under oath concerning any matter under investigation provided that the due date for receipt of such a statement shall be no sooner than 10 calendar days after receipt of such demand. Any testimony or statement given by any person so sworn shall be subject to the pains and penalties of perjury.

III. Without limiting the authority granted in paragraph IV, whenever the department of justice believes any person to be or to have been in violation of this chapter, the department of justice may examine or cause to be examined for that purpose any books, records, papers, or other documentary materials, or may examine any person under oath and subject to the pains and penalties of perjury that the department of justice thinks may have knowledge of such violation. For such examination, the department of justice may require the person to appear at such person's place of residence, place of business, or any place in this state.

IV.(a) The department of justice shall serve notice of the time, place, and cause of said examination at least 10 days prior to the date of the examination. Service of any such notice may be made by:

(1) Delivering a duly executed copy of the notice to the person to be served or an agent authorized by law to receive service of process;

(2) Delivering a duly executed copy of the notice to the person's principal place of business in this state, if any; or

(3) Registered mail, return receipt requested, to the person to be served, or an agent authorized by law to receive service of process. These limitations do not apply to a written statement required under paragraph II which can be required by a reasonable notice thereof.

(b) Such notice need not be given if the department of justice has reason to believe that any potential recipient of such notice may move, conceal, alter, or destroy, or cause to be moved, concealed, altered, or destroyed, any documents to which it refers, or move or conceal or cause to be moved or concealed any person whose testimony is sought pursuant thereto. In any of such cases, the notice served by the department of justice pursuant to this paragraph may require the immediate production or examination of any document or person therein referred to.

V. At any time prior to the date specified in the notice, or within 21 days after the notice has been served, whichever period is shorter, the superior court may, upon motion for good cause shown, extend said reporting date, or modify or set aside the demand.

VI. Any information, testimony, or documentary material obtained under the authority of this section shall be used only for one or more of the following purposes:

(a) In connection with investigations instituted under this chapter or for the prosecution of legal proceedings instituted under this chapter or any other provision of New Hampshire law; and

(b) In connection with any formal or informal program of or request for information exchange between the department of justice and any other local, state, or federal law enforcement agency. However, no information or material obtained or used pursuant to the authority of this section shall be released publicly by any governmental agency except in connection with the prosecution of legal proceedings instituted under this chapter or any other provision of New Hampshire law. In addition, any information, testimony, or documentary material obtained or used pursuant to a protective order shall not be exchanged or released, as provided herein, publicly except in compliance with such protective order.

VII. A New Hampshire remote seller who is subject to collection, audit, or examination by a foreign taxing authority may file an action in the superior court of Merrimack County or any other court of competent jurisdiction seeking immediate, emergency relief to enjoin any collection, audit, or examination attempt that is occurring or will occur in violation of RSA 78-E:3 or RSA 78-E:4 or to enforce any other rights provided by this chapter. Any New Hampshire remote seller who prevails in such an action shall be entitled to recover any damages suffered as a result of the violation of RSA 78-E:3 or RSA 78-E:4 and reasonable attorney fees and costs incurred in maintaining the action. Nothing in this paragraph is intended to limit a New Hampshire remote seller's judicial recourse to enforcement of this chapter.

78-E:7 Jurisdiction. A foreign taxing authority's registration with the department of justice under RSA 78-E:3 shall constitute consent to the exclusive jurisdiction of New Hampshire state courts for any and all claims, cases, or controversies related to any action brought under the provisions of this chapter. New Hampshire state courts shall have jurisdiction over any claim, case, or controversy brought under the provisions of this chapter even if a foreign taxing authority has failed to register with the department of justice pursuant to RSA 78-E:3.

78-E:8 Waiver of Sovereign Immunity. A foreign taxing authority's registration with the department of justice under RSA 78-E:3 shall constitute an affirmative waiver of sovereign immunity for any and all claims, cases, or controversies related to an action brought under the provisions of this chapter.

78-E:9 Reimbursement for Sales and Use Tax Collection. Notwithstanding the provisions of this chapter, if a New Hampshire remote seller is determined to be obligated to collect and remit sales or use tax on behalf of a foreign taxing jurisdiction or foreign taxing authority, then that New Hampshire remote seller shall be entitled to recover or deduct from any taxes collected on behalf of such foreign taxing jurisdiction or foreign taxing authority any costs, including any initial set up costs, incurred in the collection and remission of sales and use taxes to that jurisdiction or authority.

78-E:10 Supplement to RSA 78-D. The protections for New Hampshire remote sellers provided by this chapter are intended to supplement, and not replace or supplant, protections provided to retailers under and as that term is defined in RSA 78-D. Therefore, in any situation where a provision of this chapter conflicts with the provisions of RSA 78-D, the provision that provides greater protection from sales and use tax collection liabilities to a New Hampshire remote seller or retailer, as that term is defined in RSA 78-D, shall control.

78-E:11 Commission Established. There shall be a commission to study ways to protect the New Hampshire advantage for New Hampshire businesses as a result of the uncertainty created from the United States Supreme Court decision in *South Dakota v. Wayfair*, which changed the long held view of the physical presence rule.

I. The commission shall be composed of 13 members, as follows:

- (a) The attorney general, or designee.*
- (b) The commissioner of the department of revenue administration, or designee.*
- (c) The commissioner of the department of business and economic affairs, or designee.*
- (d) A member of the Business and Industry Association of New Hampshire, appointed by the governor.*
- (e) A member of the New Hampshire Retail Association, appointed by the president of the senate.*
- (f) A New Hampshire merchant, appointed by the speaker of the house of representatives.*
- (g) A New Hampshire remote seller, appointed by the president of the senate.*
- (h) A tax attorney or tax accountant, appointed by the speaker of the house of representatives.*
- (i) Three members of the house of representatives, one of whom shall be from the minority party, appointed by the speaker of the house of representatives.*
- (j) Two members of the senate, one of whom shall be from the minority party, appointed by the president of the senate.*

II. The duties of commission shall include, but are not limited to:

(a) Monitoring subsequent United States Supreme Court decisions relating to the issues raised in South Dakota v. Wayfair, Inc., and any other relevant court decisions that may impact New Hampshire businesses' obligations to collect sales and use taxes on behalf of foreign taxing jurisdictions or authorities.

(b) Monitoring attempts by other states to impose sales and use tax collection obligations on New Hampshire remote sellers and remote service providers.

(c) Studying the creation of a private right of action for violations of privacy in transactions associated with any attempts to impose sales and use tax collection obligations on New Hampshire remote sellers.

(d) Reviewing court cases regarding the Full Faith and Credit Clause of the United States Constitution to determine how these cases impact New Hampshire's ability to protect New Hampshire remote sellers from sales and use tax collection obligations, including but not limited to the following decisions:

(1) Franchise Tax Board of California v. Hyatt, 136 S.Ct.1277 (2016).

(2) Pacific Employers Ins. Co. v. Industrial Accident Commission of State of California, 306 U.S. 493 (1939).

(3) Bradford Electric Light Co. v. Clapper, 286 U.S. 145 (1932).

(e) Addressing concerns related to costs incurred by New Hampshire businesses in the collection of sales and use taxes on behalf of a foreign taxing jurisdiction or authority.

III. The commission may solicit information from any person or entity the commission deems relevant to its duties.

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 senate member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library, in an initial report on or before November 1, 2018, an interim report on or before March 1, 2019, and a final report on or before November 1, 2019.

78-E:12 Severability. If any provision of this chapter or the application thereof to any agency, person, or circumstances is held invalid, the invalidity does not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or applications, and to this end the provisions of this chapter are severable.

2 Repeal of Commission. RSA 78-E:11, relative to the establishment of a commission, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2019.

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

**SSSB -FN- FISCAL NOTE
AS INTRODUCED**

AN ACT *requiring notice and approval of certain actions to commence audits of collection liabilities arising under certain sales and use tax statutes and prohibiting New Hampshire remote sellers from disclosing private customer information to foreign taxing authorities in connection with the collection of certain sales and use taxes.*

FISCAL IMPACT: ☒ **State** ☐ **County** ☐ **Local** ☐ **None**

	Estimated Increase / (Decrease)			
STATE:	FY 2019	FY 2020	FY 2021	FY 2022
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Expenditures	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Funding Source:	☒ General ☐ Education ☐ Highway ☒ Other -			

METHODOLOGY:

The Office of Legislative Budget Assistant states this bill directs foreign taxing authorities to register with the Department of Justice prior to taking any action to determine or impose a sales or use tax liability against a New Hampshire remote seller and allows the Department to establish a fee sufficient to cover the administrative duties contained in this bill. To the extent the Department has expenditures associated with the implementation of this bill and is unable to collect a fee, they may request additional general funds. The Department may have an indeterminable increase in state restricted revenue and state expenditures.

This bill may have an indeterminable impact on Judicial Branch expenditures to the extent this bill results in increased litigation in New Hampshire courts.

Due to time constraints, we are unable to determine if this bill will impact other state agencies.

AGENCIES CONTACTED:

None

2018 SPECIAL SESSION HOUSE RULES AS PROPOSED BY THE HOUSE RULES COMMITTEE

DUTIES OF THE SPEAKER

1. Calling the body to order. The Speaker shall take the chair at precisely the hour to which the House has been called and shall immediately call the members to order.
2. Decorum, order and appeal. The Speaker shall preserve decorum and order, may speak on points of order in preference to other members, and shall decide questions of order. The decision of the Speaker on a question of order shall be conclusive unless the decision is immediately appealed to the House. The House shall decide the appeal by a majority vote of those members present and voting.
3. Voting: conditions of. The Speaker shall not be called on to vote unless the vote would be decisive. If the vote is tied after the Speaker has voted, the question shall be lost.
4. Signing of resolutions warrants, subpoenas, etc. The Speaker shall sign all resolutions, and addresses after passage or enrollment. All warrants, subpoenas and other processes issued by order of the House shall be signed by the Speaker and attested to by the Clerk.
5. Authority to clear gallery. The Speaker or chairman of the committee of the whole House shall have the power to order the gallery cleared in cases of any disturbance or disorderly conduct.
6. Designating a substitute to preside. The Speaker shall have power to substitute any member to perform the duties of the Chair. If absent, the Speaker shall designate a member to perform the duties of the Chair unless otherwise ordered by the House.

DECORUM AND DEBATE

7. Members to be seated and activate voting stations. When the House is called to order, members shall take their seats and shall activate their voting stations immediately. When they leave their seats for any reason they shall deactivate their stations.
8. Mason's Manual of Legislative Procedure as parliamentary guide. In all cases not provided for by the Constitution, House Rules or Joint Rules, *Mason's Manual of Legislative Procedure*, 2010 Edition, shall be the parliamentary guide.

9. Members: shall rise to address Speaker. When any member is about to speak in debate, make a motion, or deliver any matter to the House, the member shall rise from his or her seat and respectfully address the Speaker, declaring the purpose for which the member rises to speak.

10. Members: first rising shall speak first. In all cases the member rising first shall speak first. When two or more members rise at the same time, the Speaker shall name the person to speak. When many members choose to speak, they may file their names with the Clerk, who shall supply the list to the Speaker. The Speaker shall name the order in which the members shall speak. No member will be denied the opportunity to speak unless the House has consented to moving the previous question, has voted to limit debate and the time allotted for debate has expired, or the last speaker defending the moving party's recommendation has been recognized to speak.

11. Members: speaking more than twice. No member shall speak more than twice on the same question without permission from the House. No member shall speak more than once until every member choosing to speak has spoken.

12. Members: walking in front of podium prohibited. While the Speaker is putting a question or addressing the House, no one shall walk out of or across the House. While a member is speaking, no one shall pass between that member and the other members of the House, nor shall anyone engage in private conversation.

13. Members: questions of order. If any member transgresses the rules of the House, the Speaker shall, or any member may, call the member to order. The member called to order shall immediately sit down and the question of order shall be distinctly stated by the Speaker.

14. Ethics Guidelines. In all instances, every member shall act in conformance with the duly adopted New Hampshire General Court Ethics Guidelines and opinions of the Legislative Ethics Committee.

15. Persons permitted on floor/in anteroom during session.

(a) The following persons shall be admitted within the door of the Representatives' chamber or anteroom while the House is in session: House members and officers, the Governor, Council members, the Secretary of State, the Treasurer, the President of the Senate and the Senate Clerks.

(b) No other person shall be admitted within the door of the Representatives' chamber or anteroom while the House is in session, except with the permission of the Speaker.

16. Motions: in possession of the House. After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before an amendment.

17. Motions: order of precedence; to Indefinitely Postpone; amendment as substitute motion.

(a) When any question is under debate, precedence of motions shall be as follows:

- (1) to adjourn;
- (2) to lay on the table;
- (3) for the previous question;
- (4) to amend;
- (5) to postpone indefinitely.

Motions to adjourn, to lay on the table, for the previous question, and to take from the table shall be decided without debate.

(b) When a question is postponed indefinitely, that question shall not be acted on during the same session, unless two-thirds of those members present and voting vote in favor thereof.

(c) No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

18. Previous question.

(a) The Speaker shall put the previous question in the following form: "Shall debate now be limited?" and all debate on the main question shall be suspended until the previous question has been decided. After the adoption of the previous question, the sense of the House shall forthwith be taken on pending amendments, in their regular order, and then on the main question.

(b) All incidental questions of order arising after a motion of the previous question and related to the subjects affected by the order of the previous question shall be decided without debate.

(c) If the previous question is decided in the negative, it shall not again be in order for the particular question under consideration until after adjournment, but the main question shall be left before the House and disposed of as though the previous question had not been put.

19. Voting: by voice, division and roll call; must be present when question put; seconding roll call request; voting stations; members required to vote. There shall be three forms of deciding the question: voice vote, division vote, roll call vote. No member shall vote in any case if the member is not present when the question is put.

(a) The question put by voice vote shall be: "All those in favor of the question say 'aye,'" and after the affirmative vote is expressed, "Those of a contrary opinion say 'no.'"

(b) A division vote shall be taken if the Speaker doubts the voice vote or if a member calls for a division vote initially or before the Speaker announces the result of the vote. When a division of the House is taken, the Speaker may appoint a teller for each seating division of the House, who shall report to the Chair the state of the vote.

(c) A roll call shall be taken when a member moves for a roll call vote and that motion is seconded by 10 other members. The member requesting the roll call vote and the 10 members who second the motion shall notify the clerk in writing or shall rise from their seats or otherwise be recognized by the Speaker. Whenever a roll call vote is requested and properly seconded, members shall enter the chamber to take their seats and the question shall then be put to the House.

(d) When a division or a roll call is taken, the Speaker shall put the question and open the voting stations for not more than 30 seconds. Each member present at his or her voting station shall press either the YES (Green) or NO (Red) button unless excused by the House for a special reason. After closing the vote, the Speaker shall rise and state the decision of the House.

20. Tie vote, question lost. In case of a tie vote, the question shall be lost.

21. Leaving seats prohibited during voting. No member shall leave his or her seat while the voting machine is in use and until the Speaker announces the result of the vote.

22. Reconsideration. No vote shall be reconsidered unless the motion for reconsideration is made immediately after action on the legislation.

23. Objection to reading paper/document. When the reading of a paper or a document is objected to by a member, the question shall be determined by a vote of the House without debate.

24. Absences. All members shall attend to their duties in the House or committee, and no one shall be absent from the service of the House or committee unless the member has leave, or is sick and unable to attend.

COMMITTEES AND THEIR DUTIES

25. There shall be a Committee on Enrolled Bills, appointed by the Speaker, to carefully examine each piece of legislation, enroll it, and report it on behalf of the Committee to the House. If the examination of legislation shall disclose any clerical error or imperfection, it shall be reported back to the House with such amendments as are required to correct the same; and any measures so reported shall be subject to amendment in those particulars and in no other respect.

BILLS

26. Enactment of laws, as provided in the Call for the Special Session, shall be by bill. No bill or resolution shall be introduced into the House the subject matter of which is not included in the Call. Only Special Session Senate Bills or Special Session Senate Resolutions shall be introduced into the House.

27. Drafting by Office of Legislative Services

(a) All memorials, and other papers addressed to the House and all bills to be introduced in the House, except those House resolutions not taking a policy position that are prepared by the Clerk of the House, shall be delivered or caused to be delivered to the Office of Legislative Services by the member presenting them. The Office of Legislative Services shall prepare those resolutions, memorials and other papers in proper form and shall present them to the member(s) for signature. All such legislation shall be prepared for signature by the sponsor.

(b) All bills addressed to the House, shall be endorsed with the name and the district of the legislator presenting them.

28. Three readings. Every resolution shall have three separate readings in the House prior to its passage. The first and second readings shall be by title only which may be accomplished by a single motion. The time assigned for the third reading of resolutions shall be after passage in the early session unless otherwise ordered by the House.

29. Clerk to provide copies for distribution. After each resolution has been numbered, the Clerk shall procure a sufficient number of copies for distribution.

30. Amendments.

(a) No amendment shall be made until the second reading of a bill or resolution. All amendments to bills or resolutions shall be prepared by the Office of Legislative Services, with the name of the member and the district.

(b) No amendment shall be added to any bill or resolution which is not germane to the subject matter of the legislative document.

31. House rules suspension. No standing Special Session rule of the House shall be suspended unless two-thirds of the members vote in favor thereof. A motion to suspend the rules is debatable.

ORDER OF BUSINESS

32. Early/late sessions; leaves of absence.

(a) The order of business in the early session shall be as follows:

1. Prayer by the Chaplain or a substitute designated by the Speaker, pledge of allegiance and leaves of absence if received before the start of the legislative day;
2. Introduction of guests;

3. Introduction, first and second reading of resolutions;
4. Messages from the Senate, the Governor and the Secretary of State;
5. Resolutions, motions and notices;
6. Third reading of resolutions;
7. Adjournment from the early session.
- (b) The order of business in the late session shall be as follows:
 1. Resolutions and motions;
 2. Personal privilege in accordance with *Mason's Manual of Legislative Procedure*, Sec.220-226, 2010 edition.
 3. Unanimous consent in accordance with *Mason's Manual of Legislative Procedure*, Sec. 537, 2010 edition.
 4. Adjournment.
- (c) The order of business listed in this rule shall be adhered to unless otherwise ordered by a majority of those members of the House present and voting.
- (d) Leaves of absence may be granted by the House at any time.

OFFICERS AND PERSONNEL

33. Speaker shall define duties of officers and personnel. The elected and appointed non-member officers and personnel of the House shall be under the direction of the Speaker, who shall define their duties not fixed by statute or otherwise ordered by the House.

34. Expenditures approval. No officer or employee of the House during the session or any adjournment thereof shall purchase or contract to purchase, pay or promise to pay any sum of money on behalf of the House or issue any requisition or manifest without securing the approval in writing of the Speaker of the House or designee.

35. Security officer. The Speaker may appoint an individual trained and experienced in security matters or law enforcement work, who, under the supervision and direction of the Speaker, shall prevent the deliberations of the House from being disrupted or interfered with by any person or persons not members thereof.

36. Influencing legislation, prohibition of. No employee or attaché of the House Sergeant-at-Arms shall, directly or indirectly, be personally involved with or attempt to influence the passage or consideration of any measure whatsoever. If any such employee or attaché becomes involved with any such measure, it shall be grounds for summary dismissal.

MISCELLANEOUS

37. Deadly weapons; electronic devices; cameras. No person, including members of the House, except law enforcement officers while actively engaged in carrying out their duties as such, shall display any deadly weapon as defined in RSA 625:11, V while in the House Chamber, anterooms, cloakrooms, or House gallery. Any person in violation of this rule shall be subject to ejection from any such premises on the order of the Speaker and disciplinary action or arrest or both by action of the House. Nothing in this rule shall indicate that the security officer appointed by the House under Rule 35 has the right to stop and search a member of the House on the premises of the House or that any person is precluded a legally permitted exercise of self-defense or defense of others. With the exception of devices for the hearing impaired, no member shall operate audible electronic transmitting and/or receiving devices nor shall any member operate a video camera or a camera utilizing flash bulbs on the floor of the House, while the House is in session.

38. Sources of Authority. The procedures of the New Hampshire House shall be derived from the following sources in the order of precedence listed:

- (a) Constitutional provisions.
- (b) Rules of the New Hampshire House.
- (c) Custom, usage and precedent.
- (d) Adopted parliamentary manual (*Mason's Manual of Legislative Procedure*, 2010 edition).
- (e) Statutory provisions.

2018 - 2019 HOUSE DEADLINES

Monday, September 10, 2018	First day for incumbents running for re-election to file LSRs with complete information
Friday, September 21, 2018	Last day prior to the General Election for incumbents running for re-election to file LSRs with complete information
Friday, October 26, 2018	Last day to file 2018 Interim Study reports
Tuesday, November 13, 2018	First day for all Representatives to file LSRs with complete information
Monday, December 3, 2018 (3:00 p.m.)	Last day to file LSRs with complete information Ten day sign-off period begins

Friday, January 4, 2019 (12:00 p.m.)
 Friday, January 18, 2019

Last day to sign-off on all LSRs
 Last day to introduce House Bills
 Last day to amend House Rules by majority vote

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)

HB 579-FN, relative to registration of semi-trailers. (Pending Question: Inexpedient To Legislate)

HB 1210, establishing a committee to study the effect of current use taxation on small and rural municipalities. (Pending Question: Ought To Pass with Amendment)

HB 1259, relative to passenger restraints. (Pending Question: Inexpedient To Legislate)

HB 1275, relative to the placement of minors at the Sununu Youth Drug Treatment Center. (Pending Question: Inexpedient To Legislate)

HB 1301-FN, including the legislature as a public employer under the public employee labor relations act. (Pending Question: Inexpedient To Legislate)

HB 1358, relative to decisions by the site evaluation committee. (Pending Question: Ought To Pass with Amendment)

HB 1381, relative to determining the taxable value of utility property for local property taxation. (Pending Question: Ought To Pass with Amendment)

HB 1412-FN, relative to cruelty to non-captive wildlife. (Pending Question: Refer for Interim Study)

HB 1479-LOCAL, relative to the nomination of political candidates. (Pending Question: Inexpedient To Legislate)

HB 1511-FN, relative to the death of a fetus for the purpose of certain homicide charges. (Pending Question: Refer for Interim Study)

HB 1568-FN, allowing voters to register as members of political organizations. (Pending Question: Inexpedient To Legislate)

HB 1576, creating managed asset trusts for real property. (Pending Question: Inexpedient To Legislate)

HB 1680-FN, relative to abortions after viability. (Pending Question: Ought to Pass)

HB 1701, making the Coakley Landfill Group subject to the provisions of RSA 91-A. (Pending Question: Refer for Interim Study)

HB 1702, relative to the management of the Gunstock Area. (Pending Question: Inexpedient To Legislate)

HB 1728-FN-LOCAL, removing the homestead exemption. (Pending Question: Inexpedient To Legislate)

HB 1757-FN, relative to the reduction in the calculation of state retirement system annuities at age 65. (Pending Question: Ought To Pass with Amendment)

SB 33, relative to the definition of political advocacy organization. (Pending Question: Refer for Interim Study)

SB 378-FN, relative to an exemption from the board of registration of medical technicians. (Pending Question: Ought To Pass)

GOVERNOR’S VETO MESSAGE REGARDING HOUSE BILL 143

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on March 30th, 2018, I have vetoed House Bill 143, relative to recommitment of a prisoner by the Parole Board.

Current law provides that when a prisoner who is out on parole has their parole revoked, that prisoner must be recommitted for at least 90 days. RSA 651-A:19, VII allows the Parole Board to impose a term of recommitment of less than 90 days under certain conditions, including situations where the Parole Board determines that a lesser period of recommitment will aid in the rehabilitation of the parolee. House Bill 143 would expand these conditions by allowing the Parole Board to impose a recommitment period of less than 90 days for a prisoner who enters and successfully completes a residential substance abuse treatment program deemed acceptable by the Board.

While based on good intentions, this bill will have concerning consequences. It does not distinguish between individuals who have committed a crime related to substance abuse and those who have committed an unrelated crime. The bill also does not require the Parole Board to determine that a shorter recommitment period is necessary to assist a prisoner with their recovery efforts.

I fully support efforts to reduce recidivism among those suffering from substance abuse disorders by ensuring that such individuals have access to treatment. However, current law already gives the Parole Board the option of imposing shorter recommitment periods if they determine it will aid in the parolee's rehabilitation. Importantly, those who are incarcerated have access to many of the same treatment programs as those who are not.

It is concerning that there is strong opposition to this bill by law enforcement and at the same time, there are members of the recovery community who still have questions about its impacts. This only reinforces the conclusion that more due diligence is needed before we change current law.

For the reasons stated above, I have vetoed House Bill 143.

Respectfully submitted,
Christopher T. Sununu Governor
Date: April 2, 2018

GOVERNOR'S VETO MESSAGE REGARDING HOUSE BILL 314

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 2nd, 2018, I have vetoed House Bill HB 314, relative to licensing requirements for autonomous vehicle testing and establishing an automated and connected vehicle testing and deployment commission.

While well-intentioned, House Bill 314 fails to address a number of issues related to automated vehicle technology. The bill only addresses "SAE level 5 full automation technology", which represents just a small portion of the testing being conducted on public roadways. The bill fails to address level 3 or level 4 technology, which are equivalent to those being tested in a fatal Arizona accident this past March. This bill would allow for testing of any technology below level 5 without testers having to obtain a license or even notify the state, a lack of oversight which is not acceptable here in New Hampshire. This issue is just too serious to allow a bill to give the appearance of responsible oversight, when in fact little would change on the ground. In addition, there are no clear definitions as to what is and is not an "autonomous vehicle," creating loopholes which may compromise the safety of drivers in this state.

House Bill 314 is a flawed bill that does not adequately account for public safety. This legislation may attract less responsible actors to New Hampshire to develop autonomous vehicle technology and could result in a more dangerous testing environment on New Hampshire's roads. I hope that the House and Senate will work together next session to pass a bill that will encourage development of autonomous vehicle technologies while ensuring the safety of our citizens. By only addressing level 5 technology, House Bill 314 failed on both accounts.

For the reasons stated above, I have vetoed House Bill 314.

Respectfully submitted,
Christopher T. Sununu, Governor
Date: July 2, 2018

GOVERNOR'S VETO MESSAGE REGARDING HOUSE BILL 1736

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 29th, 2018, I have vetoed House Bill 1736, relative to increasing the threshold required for governor and council approval of expenditures from the dam maintenance fund.

Under current law, governor and council approval is required for all expenditures from the dam maintenance fund that are made for repair projects. RSA 482:54, VI currently defines repair as "performance of intermediate amounts of work on a portion of a structure or associated property on an occasional basis with costs not exceeding \$75,000." House Bill 1736 would amend the definition of repair so that it only includes work with a cost in excess of \$150,000, thus increasing the threshold for governor and council approval from \$75,000 to \$150,000.

The governor and council, the only popularly elected executive branch officials, play a key role in overseeing the fiscal management of the executive branch and expenditure of taxpayer dollars. Because increasing the threshold for governor and council approval directly affects the governor and council's ability to discharge their fiscal management and oversight duties delegated by Part II, Article 56 of the New Hampshire Constitution, I am concerned that councilors were not consulted as this bill went through the legislative process. In addition, I have seen no compelling evidence that the current thresholds, and the need to seek governor and council approval, has created any administrative difficulties for the department of environmental services. New Hampshire's proud tradition of careful fiscal management counsels against reducing popularly elected officials' oversight of expenditures of taxpayer dollars absent a compelling justification.

For the reasons stated above, I have vetoed House Bill 1736.

Respectfully submitted,
Christopher T. Sununu, Governor
Date: May 29, 2018

FRIDAY, JULY 20

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

9:30 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

MONDAY, JULY 23

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

10:00 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

10:00 a.m. Regular meeting.

COMMITTEE TO STUDY THE LAWS RELATING TO CONDOMINIUM AND HOMEOWNERS' ASSOCIATIONS (RSA 356-B:70), Room 104, LOB

1:30 p.m. Regular meeting.

THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD (RSA 170-G:6-a), Room 206, LOB

2:00 p.m. Regular meeting.

JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1), Room 212, LOB

11:30 a.m. Regular meeting.

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

9:00 a.m. Subcommittee D meeting.

TUESDAY, JULY 24

COMMISSION TO STUDY THE EFFICIENCY AND EFFECTIVENESS OF FISH AND GAME DEPARTMENT OPERATIONS (RSA 206:1-d), Room 100, SH

10:00 a.m. Regular meeting.

WEDNESDAY, JULY 25

CURRENT USE BOARD (RSA 79-A:3), New Hampshire Department of Revenue Administration, 109 Pleasant Street, Training Room, Concord

9:00 a.m. Subcommittee meeting on rules.

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

9:00 a.m. Subcommittee C meeting.

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

2:00 p.m. Subcommittee B meeting.

THURSDAY, JULY 26

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

2:00 p.m. Regular meeting.

MONDAY, JULY 30

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

9:00 a.m. Subcommittee D meeting.

TUESDAY, JULY 31

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

8:30 a.m. Subcommittee C meeting.

WEDNESDAY, AUGUST 1

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

9:30 a.m. Subcommittee A meeting.

THURSDAY, AUGUST 2

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

10:30 a.m. Regular meeting.

FRIDAY, AUGUST 3

COMMISSION TO STUDY THE EFFICIENCY AND EFFECTIVENESS OF FISH AND GAME DEPARTMENT OPERATIONS (RSA 206:1-d), Room 100, SH

10:00 a.m. Regular meeting.

MONDAY, AUGUST 6

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

10:00 a.m. Regular meeting.

TUESDAY, AUGUST 7

COMMITTEE ON LEGISLATOR ORIENTATION (RSA 17-C:1), Room 104, LOB

9:00 a.m. Organizational meeting.

WEDNESDAY, AUGUST 8

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

2:00 p.m. Subcommittee meeting on the Assessing Standards Manual.

CURRENT USE BOARD (RSA 79-A:3), New Hampshire Department of Revenue Administration, 109 Pleasant Street, Training Room, Concord

1:00 p.m. Subcommittee meeting on the Current Use Criteria booklet.

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

1:00 p.m. Subcommittee meeting on Pretrial Services.

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

9:00 a.m. Regular meeting.

FRIDAY, AUGUST 10

COMMISSION ON RURAL AFFAIRS (RSA 9-A:5), Room 104, LOB

10:00 a.m. Regular meeting.

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

1:30 p.m. Regular meeting.

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

9:30 a.m. Regular meeting.

MONDAY, AUGUST 13

COASTAL MARINE NATURAL RESOURCES AND ENVIRONMENT COMMISSION (RSA 485-G:1), Department of Environmental Services 222 International Dr #175 Portsmouth, NH 03801

9:00 a.m. Regular meeting.

COMMITTEE TO STUDY EMANCIPATION OF MINORS (RSA 21-B:3), Room 206, LOB

10:00 a.m. Organizational meeting.

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

2:00 p.m. Regular meeting.

THURSDAY, AUGUST 16

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

9:00 a.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.

FRIDAY, AUGUST 17

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

1:00 p.m. Regular meeting.

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

1:00 p.m. Regular meeting.

COMMISSION TO STUDY GRANDFAMILIES IN NEW HAMPSHIRE (RSA 170-G:17), Rooms 305-307, LOB

10:00 a.m. Regular meeting.

MONDAY, AUGUST 20

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

10:00 a.m. Regular meeting.

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

9:00 a.m. Investment Committee meeting.

10:00 a.m. Regular meeting.

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.

THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD (RSA 170-G:6-a), Room 206, LOB

2:00 p.m. Regular meeting.

WEDNESDAY, AUGUST 22

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

2:00 p.m. Subcommittee meeting on Assessing Reference Manual.

THURSDAY, AUGUST 23

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

2:00 p.m. Regular meeting.

COMMITTEE TO STUDY LEVEL DOLLAR AMORTIZATION OF RETIREMENT SYSTEM UNFUNDED ACCRUED LIABILITY (HB 1805, Chapter 203:1, Laws of 2018), Room 301, LOB

1:00 p.m. Organizational meeting.

FRIDAY, AUGUST 24

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1), New Hampshire Fire Academy Dormitory, 98 Smokey Bear Drive, Concord

9:30 a.m. Regular meeting.

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

1:30 p.m. Subcommittee meeting.

MONDAY, AUGUST 27

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4), Room 305, LOB

9:00 a.m. Regular meeting.

THURSDAY, AUGUST 30

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

1:00 p.m. Subcommittee meeting on Suicide Reporting.

INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2), , NH Department of Corrections Main Building 2nd Floor 105 Pleasant Street Concord, NH

10:30 a.m. Subcommittee meeting on Risk Assessment.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The **Carroll** County Nursing Home Subcommittee will hold a meeting on **Wednesday, July 25th** in Room 303 of the Legislative Office Building, after the House Session and starting not earlier than 12:00 noon. The subcommittee will review and discuss the proposal by State HHS of the Behavioral Health Transformation Waiver which will be used to support the Integrated Delivery Network Program. All citizens are invited to attend.

Rep. Ed Butler, Clerk, Carroll County Delegation

COUNTY DELEGATION NOTICE

The **Hillsborough** County Executive committee will meet at the county complex on **Friday, July 27th at 10:00 a.m.**

Rep. Larry Gagne, Clerk

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive Committee will meet on **Friday, July 20th at 9:30 a.m.** in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood. The purpose of the meeting is to conduct the second quarter budget review.

Rep. David A. Welch, Clerk

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB 124, HB 225, HB 407, HB 476, HB 525, HB 559, HB 561, HB 579, HB 596, HB 613, HB 619, HB 628, HB 1101, HB 1104, HB 1231, HB 1316, HB 1328, HB 1415, HB 1471, HB 1473, HB 1501, HB 1506, HB 1520, HB 1538, HB1557, HB 1562, HB 1590, HB 1592, HB 1618, HB 1626, HB 1673, HB 1681, HB 1689, HB 1697, HB 1719, HB 1753, HB 1756, HB 1762, HB 1763, HB 1764, HB 1766, HB 1802, HB 1814, HB 1817, HB 1819, HB 1820, SB 63, SB 165, SB 172, SB 193, SB 240, SB 309, SB 332, SB 334, SB 365, SB 370, SB 372, SB 390, SB 391, SB 410, SB 411, SB 446, SB 450, SB 468, SB471, SB 496, SB 497, SB 498, SB 504, SB 520, SB 525, SB 527, SB 528, SB 529, SB 531, SB 533, SB 534, SB 539, SB 541, SB 544, SB 546, SB 553, SB 555, SB 556, SB 559, SB 560, SB 561, SB 565, SB 566, SB 569, SB 574, SB 575, SB 576, SB 577, SB 590, SB 592.

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.

Our State House will be 200 years old in June 2019. The New Hampshire State House Bicentennial Commission has designed and contracted for the production of challenge coins to commemorate this historic event. The coins are 2½ inches in diameter and have the Bicentennial Commission's logo on one side and the State Seal on the other. Each coin is sequentially numbered. The coins cost \$20 each (\$40 for special requested numbers) are available for sale at the State House Visitors' Center. Coins numbered 151-308 plus some specially requested numbers have already been sold.

Reps. Renny Cushing and David Welch

Come join a Lunch and Learn program to explore "Blue Zones." You will explore how 5 areas on the globe are living a lifestyle that add up to 30 years more of longevity than average Americans without the disabilities and chronic diseases we tend to have. All of the "Blue Zones" exhibit similar principles for longevity without disabilities called the "Power of Nine." Come learn the global lessons from the "Blue Zones" for healthy living on **Thursday, July 26th at 12:00 p.m.** to 12:30 p.m. at the Upham Walker House. RSVP to Dianne Bergquist at dianne.bergquist@leg.state.nh.us or call 271-2757.

Reps. Richard W. Hinch and Stephen J. Shurtleff

NOTICE

The House Clerk's Office is now accepting orders for the **2018** hardcover **Permanent House Journals**. Orders will be accepted until **Friday, November 2, 2018**.

Anyone who was a **member of the Legislature in 2018** and all state agencies are entitled to one Journal at no charge, **upon request**. All others interested in obtaining a Journal, as well as any Legislator or state agency requesting additional copies, will be charged for that copy. We estimate the cost for paid volumes to be approximately \$55 each. In addition, if the volume is to be mailed, there will be a \$5.00 shipping & handling charge. Those who order paid copies will be notified *and billed* when the Journals are ready for distribution. **DO NOT** send any money now.

In an effort to contain costs, the number of Journals printed will be determined by the number of advance orders received. **Extra copies will not be ordered.**

To place an order, please clip and return the form below:

Please clip this form and return it in person or via mail to:

Teresa Preston, Journal Clerk
NH House of Representatives
Room 317, State House
107 North Main Street, Concord, NH 03301

2018 House Permanent Journal Request

Please Print

NAME _____

AGENCY/BUSINESS _____

CONTACT PERSON (If other than above) _____

PHONE/EXT. _____

E-MAIL _____

ADDRESS _____