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HOUSE RECORD

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Calendar and Journal of the 2019 Session

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Friday, May 17, 2019

No. 25

Contains: House Deadlines; Governor's Veto Message for HB 455; Bills Laid on Table;
House Bills Amended by the Senate; Reports and Amendments; Meetings and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be on **Thursday, May 23rd at 10:00 a.m.**

I would like to thank the Council of State Governments for sponsoring the Workplace Harassment Prevention and Diversity/Inclusion Training presented by the law firm of Buckley, LLC. This is a very important and timely topic, and I very much appreciate the members who took time out of their busy schedules to attend and participate last Wednesday. In today's world, it is so important that we have these discussions, so we can continue to strive toward creating a safe, positive, and inclusive workplace culture here at the State House.

Please remember, with the honor and privilege of serving in the New Hampshire House comes certain responsibilities. When we are driving our state's highways and bi-ways, proudly displaying our legislative plates, our driving behaviors are noted much more than other motorists. We all need to adhere to state motor vehicle laws and remember that in the eyes of the public, each member is a reflection of the entire House, and we must act accordingly. I have received several complaints recently from members of the public regarding legislators violating traffic laws, including speeding, texting and talking on the phone, and I ask that you keep in mind this responsibility as a member of the General Court when driving throughout our great state.

The 27th Annual New Hampshire Law Enforcement Officers Memorial Association Ceremony will be held on Friday, May 17th at 10:00 a.m. at the memorial site in front of the Legislative Office Building. Please arrive early if you plan to attend as the streets around the State House will be closed to traffic for the duration of this solemn ceremony.

Finally, state offices will be closed on Monday, May 27th, in observance of Memorial Day.

Stephen J. Shurtleff, Speaker

NOTICE

There will be a chairs and vice chairs meeting on **Tuesday, May 21st at 8:30 a.m.** in Rooms 301-303 of the Legislative Office Building.

Stephen J. Shurtleff, Speaker

NOTICE

There will be a Democratic caucus on **Thursday, May 23rd at 9:00 a.m.** in Representatives Hall.
Rep. Doug Ley

NOTICE

There will be a Republican caucus on **Thursday, May 23rd at 9:00 a.m.** in Rooms 301-303, LOB.
Rep. Richard Hinch

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, May 22, 2019
 Wednesday, May 29, 2019
 Wednesday, June 5, 2019

AVAILABLE ON:

Friday, May 24, 2019
 Friday, May 31, 2019
 Friday, June 7, 2019

Paul C. Smith, Clerk of the House

2019 HOUSE DEADLINES

Thursday, May 30, 2019, noon

Last day to report all remaining SBs

Last day to report list of retained SBs

Thursday, June 6, 2019

Last day to act on SBs

Thursday, June 13, 2019

Last day to form Committees of Conference

Thursday, June 20, 2019

Last day to sign Committee of Conference reports (4:00 p.m.)

Thursday, June 27, 2019

Last day to act on Committee of Conference reports

2019 HOUSE BILLS AMENDED BY THE SENATE

HB 137, establishing a commission to examine the effects of wake boats in the state of New Hampshire. SJ 5/2/19

HB 140, establishing a commission to study the licensing of drivers from foreign countries. (House Concurs 5/2/19)

HB 146, relative to the counting of defective ballots. SJ 5/2/19

HB 171, (New Title) establishing a commission to study equal access and opportunity for students with disabilities to participate in cocurricular activities. (House Concurs 5/2/19)

HB 196, relative to proof of residency for fish and game purposes. (House Concurs 5/2/19)

HB 286-L, relative to free inspection of records under the right-to-know law. (House Concurs 5/8/19)

HB 320-FN, (New Title) relative to organizations authorized to issue decals for multi-use decal number plates. (House Concurs 5/2/19)

HB 338, relative to rebates under the law governing unfair insurance practices. (House Concurs 5/2/19)

HB 350, (New Title) relative to licensed health care providers authorized to certify that criteria has been met for the use of therapeutic cannabis. (House Concurs 5/2/19)

HB 353, establishing a committee to study whether non-attorney legal professionals could be licensed to engage in the limited practice of law in the family division of the circuit court while under the supervision of a licensed attorney. (House Concurs 5/8/19)

HB 354, establishing a committee to investigate whether modification should be made to the time frame for determining permanency pursuant to RSA 169-C:24-b. (House Concurs 5/8/19)

HB 356, relative to the retention of certain reports by institutions of higher learning. (House Concurs 5/2/19)

HB 364, (New Title) permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use and permitting qualifying patients and designated caregivers to donate excess cannabis to other qualifying patients. SJ 5/2/19

HB 365, relative to net energy metering limits for customer generators. (House Concurs 5/2/19)

HB 396-FN-L, relative to delay or denial of records under the right-to-know law. (House Concurs 5/2/19)

HB 463-FN, (Second New Title) relative to licensure of advanced pharmacy technicians. (House Concurs 5/2/19)

HB 457-FN, (New Title) establishing a committee to study the making, preservation, and Internet availability of audio and video recordings of proceedings of committees of the house of representatives. (House Concurs 5/8/19)

HB 511-FN, relative to vaping. SJ 4/25/19

HB 570, establishing a commission to study career pathways from full-time service year programs to post-secondary education and employment opportunities in support of New Hampshire's future workforce needs. (House Concurs 5/8/19)

HB 572, proclaiming the second Saturday in June as Pollyanna of Littleton New Hampshire Recognition Day. (House Concurs 5/2/19)

HB 663, relative to the definition of agriculture and existing agricultural uses. (House Concurs 5/8/19)

HB 692-FN, relative to dental care for Medicaid recipients. SJ 5/2/19

HB 736, reestablishing the commission to study environmentally-triggered chronic illness. SJ 4/18/19

GOVERNOR'S VETO MESSAGE REGARDING HOUSE BILL 455

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 3, 2019, I have vetoed House Bill 455, relative to the penalty for capital murder.

New Hampshire has always shown prudence and responsibility in its application of the death penalty. This bill is an injustice to not only Officer Briggs and his family, but to law enforcement and victims of violent crime around the state.

God bless Officer Briggs and his family,
 Christopher T. Sununu, Governor
 Date: May 3, 2019

BILLS LAID ON THE TABLE

CACR 5, relating to the right to vote. Providing that 17 year olds who will be eligible to vote in the general election be permitted to vote on that election's primary election. (No Pending Question)

CACR 6, relating to elections. Providing that any inhabitant who so desires may vote by absentee ballot in primary and general elections. (No Pending Question)

CACR 11, relating to taxes. Providing that a broad-based sales tax shall be prohibited. (Pending Question: Inexpedient To Legislate)

HB 101, relative to regulating possession of firearms in a school district. (Pending Question: Inexpedient To Legislate)

HB 144, relative to changes in property assessments. (Pending Question: Majority Committee Amendment)

HB 192-FN-LOCAL, abolishing fluoridation in water. (Pending Question: Ought To Pass)

HB 204, establishing a committee to review and update the penalties for contaminating drinking water and groundwater. (Pending Question: Majority Committee Amendment)

HB 230, prohibiting smoking in motor vehicles when a passenger is under 16 years of age. (Pending Question: Inexpedient To Legislate)

HB 249, permitting restaurant owners to allow dogs in restaurants. (Pending Question: Inexpedient To Legislate)

HB 275, relative to school nurse certification. (Pending Question: Ought To Pass)

HB 289, relative to the recitation of the Lord's prayer in public elementary schools. (Pending Question: Inexpedient To Legislate)

HB 314, relative to the submission of evidence prior to hearings in divorce cases. (Pending Question: Inexpedient To Legislate)

HB 378, raising the minimum age for marriage. (Pending Question: Ought To Pass with Amendment)

HB 451, relative to term and reimbursement alimony. (Pending Question: Inexpedient To Legislate)

HB 537, relative to the release of motor vehicle records. (Pending Question: Ought To Pass)

HB 632-FN, relative to the education tax credit. (Pending Question: Ought To Pass)

HB 672-FN, relative to driving to the left of an unbroken painted line. (Pending Question: Ought To Pass)

HB 688-FN, relative to transfer and inspection of animals. (No Pending Question)

HB 694-FN, establishing a take-back program for illegal controlled drugs. (Pending Question: Inexpedient To Legislate)

HB 732-FN, relative to over-sentencing and racial profiling. (No Pending Question)

HCR 1, rescinding all requests by the New Hampshire legislature for a federal constitutional convention. (Pending Question: Ought To Pass)

HJR 1, supporting efforts to develop wind power off the New Hampshire coast. (Pending Question: Ought To Pass)

HR 6, urging the United States to lead a global effort to prevent nuclear war. (Pending Question: Inexpedient To Legislate)

HR 8, affirming revenue estimates for fiscal years 2019, 2020, and 2021. (No Pending Question)

SB 77-FN, relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases. (Pending Question: Ought To Pass with Amendment)

THURSDAY, MAY 23 CONSENT CALENDAR

CHILDREN AND FAMILY LAW

SB 131, reestablishing a commission to study grandfamilies in New Hampshire. **OUGHT TO PASS.**

Rep. Kimberly Rice for Children and Family Law. The Grandfamilies Commission has been in existence for only two years. The committee feels it is imperative for this commission to continue in light of current events, with the continuing problem of opioid addiction, and more and more grandparents raising their grandchildren. The commission studies problems facing these new family dynamics, and helps address resources or the lack thereof. **Vote 18-1.**

SB 261, relative to grandparents' access to preventive and protective child care services. **OUGHT TO PASS.**
Rep. Mary Jane Mulligan for Children and Family Law. This bill provides that childcare offered as a preventive and protective service through the Department of Health and Human Services shall be available to grandparents who are the legal guardians or primary caretakers of their grandchild (or grandchildren). The bill also requires preventive and protective childcare providers to be trained in trauma-informed care. **Vote 18-0.**

EDUCATION

SB 141, establishing a committee to study violence against school personnel. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sue Mullen for Education. This bill, as amended, establishes a committee to study violence in schools and its effects on teachers, staff, and students. The extent of the issue, changes over time in rate and type, and the causes of such behavior will be examined. The adequacy will be examined of existing laws, effective interventions, and appropriate administrative responses and the availability of effective interventions will also be considered. **Vote 17-0.**

SB 282-FN, relative to suicide prevention education in schools. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Doherty for Education. Suicide among students has become an increasing problem. Most school personnel have little or no experience in dealing with students who exhibit suicidal tendencies. This bill will require training for those school employees who have daily contact with students; including faculty, staff, and designated school volunteers. The hope is that this training will enable these professionals to recognize potential situations which may require further intervention. **Vote 17-0.**

ELECTION LAW

SB 104-LOCAL, relative to the postponement of city, town, village, and school district elections. **OUGHT TO PASS.**

Rep. Connie Lane for Election Law. This bill provides the procedures for postponement of town, city, village, and school district elections in the event of a weather or other emergency. The procedures provide the moderator with clear authority and guidance on how to postpone elections without compromising their integrity. This legislation is a melding of SB 104 and HB 408, which was retained by the House Election Law Committee after a lengthy bipartisan effort to address the concerns of the towns and the Secretary of State. The bill is the result of numerous conversations between the Secretary of State's office, town moderators and the New Hampshire Municipal Association, all of whom reached consensus on the language of the bill. **Vote 20-0.**

SB 106, (New Title) relative to the definition of political advocacy organization. **OUGHT TO PASS.**

Rep. William Pearson for Election Law. This bill requires organizations that spend over \$2,500 annually on political advocacy, and that distribute those political communications within 60 days of an election, to register with the Secretary of State. The committee continues to believe that it is important for New Hampshire citizens to know where the political advocacy in their state is coming from and supports this effort to bring more transparency to the process. **Vote 20-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 26, relative to the New Hampshire health care quality assurance commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Polly Campion for Health, Human Services and Elderly Affairs. This legislation changes the name of the New Hampshire Health Care Quality Assurance Commission to the New Hampshire Health Care Quality and Safety commission to highlight the focus of patient safety in the commission's work. Furthermore, the bill makes the commission permanent in recognition of the importance and success of the work the commission has done since its enactment in 2005. In addition, this bill adds members from specialty hospitals and the CEO of the New Hampshire Hospital to further enrich the work of the commission. The Committee amended the bill to clarify the membership. **Vote 22-0.**

SB 33, relative to the therapeutic use of cannabis. **OUGHT TO PASS.**

Rep. Susan Ticehurst for Health, Human Services and Elderly Affairs. A report on the data collected under the Therapeutic Use of Cannabis Program is issued annually. The Commissioner of Health and Human Services is required to deliver this report to the Health and Human Services Oversight Committee, the Board of Medicine, and the Board of Nursing. The purpose of the report, as stated in statute, is for analysis and research to inform future policy, educational, and clinical decisions. However, the current law does not allow the commissioner to release the data to research organizations, such as Dartmouth Health Center. This bill would allow the release of the data, with the approval of the commissioner or designee, to individuals or entities for the purposes of public health, health care operations, or research if, and only if, such release is consistent with all applicable HIPAA standards for privacy and confidentiality. Making de-identified data available to researchers is in the public's best interest, given the demand for therapeutic cannabis for a widening array of conditions and the lack of federal research. **Vote 21-1.**

SB 86, establishing a commission to study programs for serving individuals with certain developmental and mental health disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gerri Cannon for Health, Human Services and Elderly Affairs. This bill amends RSA 171-A and identifies the list of organizations and members required to create a commission to study programs for serving individu-

als who are being served in New Hampshire's developmental services system and who also exhibit high-risk or criminal behaviors. The commission will review existing NH laws and rules regarding the care of individuals with developmental disabilities, psychiatric diagnoses and high risk or criminal behaviors. The commission will assess the size of the patient population and the range of diagnoses, as well as the range of services they are being offered. The commission will make recommendations concerning the best service system delivery and how system service gaps will be addressed. Findings and any recommendations for proposed legislation will be reported on or before November 30, 2019. The amendment removes the representative from the NH Disability Rights Center from the commission, per their request. It requires the commission to consider the requirements of 42 C.F.R section 441.301(c)(4), requiring that certain Medicaid-funded services be provided in settings that are integrated with the community beginning in 2022. **Vote 21-0.**

SB 87, relative to the syringe service programs. **OUGHT TO PASS.**

Rep. Gary Woods for Health, Human Services and Elderly Affairs. Current statute requires syringe programs to be self-funded, which has been interpreted as precluding accepting federal funds or other indicated grants. This bill clarifies that such federal funds or grants may be accepted. This bill also allows the use of general funds only in the presence of a state emergency as deemed by the Department of Health and Human Services. **Vote 22-0.**

SB 97, (New Title) relative to special health care services licenses and establishing a committee to study providing certain health care services while ensuring increased access to affordable health care in rural areas of the state. **OUGHT TO PASS.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. This bill addresses the difficult balance between the need for cutting health care costs by allowing competition and the need for maintaining critical emergency services provided by Critical Access Hospitals (CAHs) in our rural areas. CAHs provide the time-critical services of stabilization of a trauma patient or the initial management of a seriously ill patient such as a patient with an evolving stroke who needs immediate treatment. Hospitals lose money providing emergency trauma care due to the high percentage of uninsured and Medicaid patients accessing these services. They need the reimbursement from better-paying services such as ambulatory urgent care to subsidize the services which lose money. The opening of a for-profit ambulatory urgent care facility in the vicinity of a CAH might siphon off the well-remunerated services and pose an existential threat to the CAHs. On the other hand, promoting competition for the non-emergency services may result in lower costs of those services for patients. This bill establishes a committee to explore the best way to foster competition while ensuring the survival of our critical access hospitals and the services they provide. **Vote 21-0.**

SB 119, directing hospitals to develop an operational plan for the care of patients with dementia. **OUGHT TO PASS.**

Rep. Joe Schapiro for Health, Human Services and Elderly Affairs. One of the unfortunate consequences of increased longevity and a rapidly aging demographic in our state is an increasing incidence of Alzheimer's disease and other forms of dementia. This bill ensures that all New Hampshire hospitals will develop and implement an operational plan that recognizes and effectively manages patients with dementia by January 1, 2023. Currently, many, but not all, hospitals have such a plan. This bill is supported by the New Hampshire Hospital Association. **Vote 19-2.**

SB 177, relative to the use of physical restraints on persons who are involuntarily committed. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill, as amended, allows the transport of individuals to New Hampshire Hospital without the use of physical restraints, when appropriate. The health care provider makes the initial determination as to the appropriate method of transport, whether by ambulance or by law enforcement. The transporting agency then determines if physical restraints are necessary to protect the safety of the person being transported, the personnel conducting the transport, or the safety of the public or property. The committee believes this language appropriately awards the initial decision to the health care provider ordering the emergency involuntary admission, but allow the persons transporting the patient the decision to use restraints if necessary for safety. The language of the amendment also ensures that changes to this statute will not be necessary if changes are made to the list of providers who may make the certification. **Vote 21-0.**

SB 178, relative to telemedicine for spectacle and contact lenses. **OUGHT TO PASS.**

Rep. Richard Osborne for Health, Human Services and Elderly Affairs. This bill prescribes the format, appropriate prescriptions and allowed procedures in a telemedicine visit in optometry. Included are ophthalmic prescriptions for lenses and contact lens. The provider is required to provide the in-person standard of care, including medical history and diagnosis to ensure patient safety. **Vote 21-0.**

SB 258, relative to telemedicine and telehealth services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. Telemedicine is critical to providing specialty services in the areas of the state where specialists are unavailable, and allows access to knowledgeable

specialists for those with rare diseases. It is integral to the development of multi-hospital provider networks and for critical emergency services such as the tele-stroke program. This bill updates and clarifies the NH telemedicine statutes. It adds definitions and incorporates references to federal requirements to the statute on Medicaid coverage of telehealth services, and adds definitions to the NH Telemedicine Act. The committee amendment fixes two drafting errors, and extends the effective date for parts 3 and 4 to January 1, 2020, as requested by insurers. **Vote 21-0.**

JUDICIARY

SB 127, relative to the Hampton Circuit Court. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jason Janvrin for Judiciary. This bill as amended would do three things: 1) In statute, call for Hampton District Court to be in Hampton. It is now at its new permanent home after many years at its “temporary” location in Seabrook. 2) It would change the jurisdiction for Hampton Court to include Family Division cases for the district. 3) It would move jurisdiction of Family Division for three towns from Portsmouth to Brentwood. **Vote 18-0.**

PUBLIC WORKS AND HIGHWAYS

SB 211, (New Title) relative to reporting requirements for state agencies owning real property. **OUGHT TO PASS.**

Rep. Michael Edgar for Public Works and Highways. The bill was written to ensure that the state has an accurate list of all property which it owns. Each state agency shall create a report identifying all real property owned by that agency. For each building or parcel of land leased to a third party by the agency, the report shall include the lease terms. Each agency shall file the report with the Department of Administrative Services’ commissioner. Then the commissioner shall compile the reports from each agency, and file a consolidated set of such reports with the governor and five specifically-listed legislators. Finally, the commissioner shall develop a standard format for agencies to use in submitting their reports. **Vote 15-0.**

SB 214, relative to transportation projects. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Karen Ebel for Public Works and Highways. Abatement of traffic noise is a continuing issue for many who live in close proximity to major highways in our state. Like many transportation-related needs in New Hampshire, funding for the Department of Transportation’s (DOT) noise abatement program is challenging. The committee learned during the hearing that DOT just recently completed a comprehensive study of its type II noise abatement program and no additional action can be taken without funding. Therefore, as amended, this bill requires DOT to consider the program, including project eligibility and costs, as revenue is available. The bill also clarifies that in pursuing transportation projects DOT will mitigate for the effects of the projects on historical resources. **Vote 14-0.**

RESOURCES, RECREATION AND DEVELOPMENT

SB 164, (New Title) establishing a committee to study unprotected drinking water sources and estimating the costs of protecting such sources. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rosemarie Rung for Resources, Recreation and Development. Contamination of drinking water impacts human health, environmental quality, and economic stability, often with irreparable damage. This bill creates a committee to work with the Department of Environmental Services (DES) to determine high priority drinking water sources in the state and identify resources to protect them. The bill’s amendment clarifies the committee’s role in identifying resources and ensures the terminology is consistent with DES. **Vote 17-0.**

SB 203, making modifications to legal requirements for wetlands and environmental council administrative appeals. **OUGHT TO PASS.**

Rep. Wendy Thomas for Resources, Recreation and Development. This bill makes modifications to certain legal requirements for wetlands and other environmental council administrative appeals from decisions made by the Department of Environmental Services (DES). It provides clear authority for environmental appeal remands to the department which is not evident in current statute. Current statute also dictates that councils issue their decisions within 90 days of a hearing on the merits of an appeal which is often incompatible with their monthly meeting schedule. The bill waives for an agency the statutory requirement to prepare a biennial fiscal year report in the instance where the agency is already required to issue more frequent reports, thereby avoiding duplicative efforts. And finally this bill also addresses the requirement that the Wetlands Council meet quarterly with the Commissioner of DES by allowing the option to meet with a designee of the commissioner instead. **Vote 20-0.**

TRANSPORTATION

SB 54-FN, relative to the road toll bond requirements for licensed fuel distributors. **OUGHT TO PASS.**

Rep. Daniel Pickering for Transportation. This bill allows for the release or reduction of the surety bond for road toll liability for licensed fuel distributors who have demonstrated 3 consecutive years of compliance with all licensing, reporting, and payment requirements. It also provides that any distributor that does not continue in compliance can be required to meet the bond requirement. This bill is supported by the Department of Safety and is similar to bills enacted in Vermont, Massachusetts, and Maine. **Vote 16-0.**

SB 92, relative to transfer of vehicle ownership. **OUGHT TO PASS.**

Rep. Suzanne Vail for Transportation. This bill requires the lessee of a vehicle to be listed on the vehicle registration certificate first, with the leasing company second, so that when a lessee transfers the vehicle registration to a purchased car, they receive a credit toward the transfer, and the transferred registration expires on the owner's birthday month. This bill was requested by the Department of Safety and will level the playing field across the board with all registrations. **Vote 16-0.**

SB 186, permitting a qualified veteran to obtain an additional set of special number plates. **OUGHT TO PASS.**

Rep. Laura Telerski for Transportation. Currently, veterans may receive one set of special number plates for free. This bill allows one additional set upon payment of the regular fee. The committee was unanimous in its vote to provide this benefit to New Hampshire veterans. **Vote 19-0.**

SB 188, relative to shore lights. **OUGHT TO PASS.**

Rep. Michael O'Brien for Transportation. This bill was brought forward to the committee by the Marine Patrol. With the advent of inexpensive LED lights, more landowners are identifying docks and other structures using colors that are designated for vessels under way. This causes confusion to the operator of other vessels and creates a potential hazard to navigation. This bill will allow the Marine Patrol to make a determination if the lights would affect safety. These changes would also protect property owners' rights, and aid in the safe operation of vessels at night. **Vote 17-1.**

SB 212, relative to limited driving privilege after revocation or suspension. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Smith for Transportation. This bill, as amended, allows first-time offenders of RSA 265-A:2 (DUI) to petition the court for limited driving privileges so that they may work or attend health appointments. The committee amendment fixed language that implied that the court could issue the license. **Vote 19-0.**

SB 215, relative to learning to drive and commercial motor vehicles designed to transport passengers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura Telerski for Transportation. This bill, as amended, makes a necessary change to clarify that in a commercial vehicle, an instructor may sit adjacent to a learning driver instead of "beside." This clarification is needed because some new commercial vehicles do not have a seat beside the driver and the instructor would be behind/adjacent to the driver. Additionally, this bill clarifies the number of passengers in a vehicle which would then require a commercial driver license. **Vote 19-0.**

THURSDAY, MAY 23 REGULAR CALENDAR

CHILDREN AND FAMILY LAW

SB 118, establishing a child fatality review committee. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Skip Berrien for the **Majority** of Children and Family Law. This legislation codifies the Child Fatality Review Committee which currently functions under a 1995 executive order. The Department of Health and Human Services in conjunction with the Office of the Medical Examiner establishes this committee with 25 members. The committee identifies patterns and risks of preventable deaths and makes recommendations regarding policies and practices. **Vote 12-6.**

Rep. Deanna Jurius for the **Minority** of Children and Family Law. This bill seeks to establish a standing child fatality review committee, which had previously operated under a 1995 executive order. The minority agrees with the majority about the importance of this standing committee to continue its work investigating child fatalities in our state; however, there were several unanswered questions raised regarding the housing of the committee and the subpoena power of the committee. Rather than rushing through an amendment process without hearing from stakeholders, the minority agreed that more time was needed to iron out concerns, the largest of which was that it is inappropriate to house the review committee in the Department of Health and Human Services.

EDUCATION

SB 140, (New Title) relative to credit for alternative, extended learning, and work-based programs. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Luneau for the **Majority** of Education. This bill places the authority with local school boards to grant academic credit for alternative, extended learning, and work-based programs. The Department of Education (DOE) is working with local for-profit and non-profit organizations to expand the opportunities for students to earn high school credit through participation in these programs. Extended learning opportunities already exist in many school districts across the state and this effort by the DOE will provide more students with more choices when it comes to learning outside the classroom. However, not every alternative, extended learning, or work-based program may be suitable to meet graduation requirements established by the local school board. This bill preserves local control by enabling school boards to determine when a student can be awarded academic credit for participation in these programs. **Vote 12-8.**

Rep. Glenn Cordelli for the **Minority** of Education. This bill effectively repeals the Learn Everywhere program that allows the State Board of Education to grant credits for learning programs outside the classroom. There are many organizations in New Hampshire that provide curriculum related learning opportunities across school district boundaries. Individual districts may grant "extended learning" credits for programs enrolling their students. For many organizations, such as the Boys and Girls Club or Civil Air Patrol, that teach/train students from multiple districts, individual applications to each district would be a hardship if not impossible. The Learn Everywhere program makes it possible. This program recognizes that much learning takes place outside the classroom and provides credits to students. It would be a disservice to students to repeal the program.

SB 196, relative to non-academic surveys administered by a public school to its students. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mel Myler for the **Majority** of Education. This bill makes changes to the requirements for school district policies governing the administration of non-academic surveys or questionnaires. The policies will allow parents or guardians to opt-out of participation either in writing or electronically. Schools must make available such surveys or questionnaires available at the school or on the school's website at least 10 days prior to distribution to students. The bill is in response to the dramatic drop in participation in surveys with response rates going from the 80% range down to the 20% range. Schools are required to teach about drug and alcohol abuse, to advocate against its use, but are discouraged from asking questions about it or gather data. The legislature has passed legislation calling for drug and alcohol education in each grade level, and Governor Sununu has indicated that schools need to do more to combat the opioid crisis through educating our youth, but the processes needed to fulfill these obligations are made much more difficult through previous legislation that has hampered their ability to do so. Schools are also continually, and rightly, exhorted to create a positive school climate and to address the needs of students. Obtaining active parental consent is a complex process, which can lead to low participation rates. Low participation rates may introduce biases in the data, which can then lead to mistaken assumptions about the population being surveyed. This bill enables educators to gather the data necessary to make the appropriate curriculum and program decisions to benefit their students, their communities, and to fulfill the ever increasing obligations from state and federal legislation. If there are particular issues in a community, then they can and should be handled at the community level by those dealing directly with the concern. **Vote 11-9.**

Rep. Glenn Cordelli for the **Minority** of Education. Existing law states a clear policy that no student shall be required to volunteer or submit to a non-academic survey without the written consent of a parent or legal guardian unless the student is an emancipated minor. The exception is the Youth Risk Behavior Survey which requires parents to opt-out. This bill eliminates the opt-in requirement which means that our students may be subjected to numerous invasive surveys without the knowledge of parents. For the protection of our students, it is important to keep existing law which was the result of a bi-partisan study committee in 2017.

ELECTION LAW

SB 67, relative to the definitions of resident and residency. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Wayne Moynihan for the **Majority** of Election Law. The effect of this bill is to modify the definition of residency in the NH statutes to enable constitutionally-eligible voters to vote in NH without having to incur financial costs to do so. The bill ensures that a person cannot be accused of violating motor vehicle laws if he or she does vote. The bill clarifies that a person who has their place of abode, home, and domicile address here, and who has demonstrated the intent to make NH his or her “principle place of physical presence to the exclusion of all others,” but who also may know or believe that at some point in the future they may or will move away from NH, may nonetheless vote where they are living without having to pay fees and obtain a NH drivers license, or to register a car that they may own in NH. Examples of people affected by this are college professors, hospital residents, full time college students, military personnel who may choose to register and vote in NH while assigned here, and other such citizens employed in NH on fixed term contracts. This bill creates a carve-out for such citizens in the definition of “resident” and “residence” in RSA 21:6. This chapter in the statutes is where definitions are set out in law for purposes of statutory construction. There are hundreds of places in the NH statutes, including the motor vehicle laws, where the terms “resident” and “residency” are used, and which refer back to RSA 21:6 for the definition. **Vote 12-8.**

Rep. Peter Hayward for the **Minority** of Election Law. The Minority believes that this legislation should be found Inexpedient to Legislate. The proposed language has too many inconsistencies and needs significant modifications. RSA 21:6 is an inappropriate section to address motor vehicle statutes. Motor vehicle rules, regulations, and exceptions belong solely in the motor vehicle statutes. The references to military personnel are incorrect, military are not an “included” group as they are governed by federal statute which supersedes state law. RSA 654:2 describes the definitions of ‘temporary absence’ or ‘presence for voting purposes’ and is the only appropriate location to describe such.

SB 68, relative to the centralized voter registration database. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Pearson for the **Majority** of Election Law. This bill allows for the limited release of information from the centralized voter registration database when required for judicial proceedings concerning voter infringement. The information will remain private via a protective order and will only be made available to the court when “it is reasonably necessary to determine whether the right to vote is being infringed on and to protect the right to vote from such infringements.” The majority believes this to be a noble and worthwhile goal. The majority also trusts New Hampshire courts to honor the private nature of the information--as the courts do every day with cases involving minors. **Vote 12-8.**

Rep. Kathleen Hoelzel for the **Minority** of Election Law. The minority believes that this bill eliminates the privacy interests of New Hampshire citizens in the belief that court protective orders are sufficient to protect those interests. Current law protects the release of voter information because that information is deemed personal and protected. These legal protections have been adopted over multiple sessions of the legislature, and ensure that the existence of a lawsuit does not open the door to disclosure unbeknownst to the persons whose information is being disclosed. The supporters of this bill mistakenly believe that a court is able to review the volume of data at issue here, the centralized voter data base containing thousands of names and multiple fields of information, and make a determination as to releasing certain information. The reality is that the court will likely order that the attorneys, or another third party, review the information to determine what may be relevant. Then, if the information is ordered to be produced, both sides have full access to it. There is no way to ensure that such information when in the hands of third parties is not copied or disseminated. While indeed certain court proceedings are confidential, in those instances the entire proceeding is confidential. If the information is determined to be relevant and is used in a court proceeding, the result will be public disclosure - the very thing this bill recognizes should be avoided.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 88-FN, relative to registry identification cards under the use of cannabis for therapeutic purposes law. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joe Schapiro for the **Majority** of Health, Human Services and Elderly Affairs. This bill eliminates a provision in the use of therapeutic cannabis law which requires a three-month provider patient relationship

prior to a provider certifying a patient with a qualifying medical condition. Given that some providers are understandably uncomfortable facilitating the use of therapeutic cannabis, some patients were being forced to give up a medical provider who they otherwise liked and to wait an additional three months. It should be noted that there is no such provision for providing medications, including opioids. While there was considerable discussion related to the possibility that this change could encourage medical practices focused solely on quick and unethical certifying of patients with a qualifying condition, the bipartisan majority of the committee felt that such abuses would be closely monitored and that fair and timely access is a priority. In addition, this bill mandates that the department will issue weekly, rather than monthly, reports of numbers and specific identification numbers of qualifying patients to alternative treatment centers. **Vote 18-3.**

Rep. Mark Pearson for the **Minority** of Health, Human Services and Elderly Affairs. This bill removes the requirement that an individual seeking certification for medical marijuana must, in most cases, have a patient-provider relationship of at least three months. The minority believes this removal will lead to “doctor-shopping,” in which individuals seeking the legal use of marijuana would shop around to obtain certification from a provider very willing to provide it, even though that provider does not know the patient. Sometimes a provider, in an ongoing professional relationship and who, therefore, knows the patient well, needs to give a compassionate, wise “no” to the request for certification. The minority is concerned that some providers who are in favor of recreational marijuana may grant certification to anyone wishing it, so as to foster recreational marijuana by the back door.

JUDICIARY

SB 36, creating a cause of action for certain constitutional deprivations of right. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for the **Majority** of Judiciary. This bill establishes a right to sue for persons who have suffered a deprivation of rights under the New Hampshire Constitution. For 150 years, federal law has given persons deprived of rights under the United States Constitution the right to recover. In some cases, the NH Constitution gives claimants greater and different rights than those granted by the US Constitution but did not provide for recovery. This bill allows recovery in the NH Courts. The language of the bill as amended tracks United States civil rights statutes and its intent is to be interpreted in a similar manner to provide an equivalent state law result. **Vote 12-7.**

Rep. Barbara Griffin for the **Minority** of Judiciary. This bill came to the committee as a one paragraph, 134 word effort to provide citizens a cause of action for violation of New Hampshire constitutional rights that were otherwise without remedy. It became a bill of 11 paragraphs and 995 words that provides relief, regardless of other statutory remedies available with one exception only. Problems with the original bill were identified by the Department of Corrections, NHMA, and the Department of Justice. Concern of the award of attorney’s fees, while ultimately made discretionary in the amended bill, have according to the minority, a bar set so low that attorney’s fees would almost always be awarded to a prevailing party. Current statutory remedies for violations of constitutional interests, such as the taking of property for the layout of a road, do not provide for the award of attorney’s fees. In a case addressing such an issue, *Rockhouse v. Conway*, 127 NH 593 (1986) our state Supreme Court expressed just those concerns. In regard to the issue of claims covered in law now, the amended bill carves out an exception for claims brought by prisoners. Those claims of constitutional harm will still need to follow the process set in statute both as to venue and damages. However, now persons making a claim for another constitutional harm can choose between venues and select one that serves their purpose better, and may award attorney’s fees. Current examples of actions that do not allow for attorney’s fees are the appeal of planning board or zoning decision, and damages and actions for the layout of a road. A Right-to-Know violation provides for attorney’s fees only if the defendant knew the conduct was illegal; under this bill a Right-to-Know violation claim would include an award of attorneys’ fees unless the court determined that the award of fees was unjust. The minority recognizes the value of the exemption for claims made against the Department of Corrections and believes it should be afforded to other persons or entities that are currently covered by law. That minority proposes an amendment that this bill would not apply to any case in which the plaintiff has an alternate statutory remedy.

SB 296-FN, relative to live medical testimony in courts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra Altschiller for Judiciary.

The majority recognizes the value of having medical testimony as part of court cases involving injury. It also acknowledges in cases with medical injury claims of \$25,000 or less, hiring a physician for an entire day to come testify in court has the effect of seriously cutting into the amount awarded in civil cases to a person suffering and in need of relief. This bill, as amended, allows for certain medical and dental records and reports to be admissible in civil proceedings as evidence without compelling doctors to appear in court to give live medical testimony. The option to hire a doctor to provide live testimony is still preserved, while also providing an option to use certified medical records alone in the court proceedings. This measure is supported by the NH Medical Society, the NH Association for Justice and the NH Trial Lawyers Association. The committee heard

testimony that this is common practice used with success within cases handled by the NH Department of Labor. Currently small medical practices and non-profit medical centers struggle to provide services to people involved in litigation as the currently mandated court appearance can shut a practice down for an entire day. This bill does not in any way change the burden of proof nor will it apply to medical malpractice claims. The majority believes this option of using certified medical and dental records and reports will streamline the process, reduce costs to the parties and the judicial system and reduce the burdens on medical practitioners and their patients. **Vote 18-2.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 100, relative to discrimination in employment based on criminal background checks. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Bordy for the **Majority** of Labor, Industrial and Rehabilitative Services. The majority believes this removes the barrier of the criminal history question from employment applications. This allows the applicant's skills and experience to be considered in advance of a criminal background check. This bill does not prevent the question from being asked in an interview. The hiring decision remains with the employer. **Vote 12-7.**

Rep. Jonathan Mackie for the **Minority** of Labor, Industrial and Rehabilitative Services. The stated intent of this bill is helping people with criminal records obtain employment. The minority is of the opinion that the studies prove that this legislation has had the opposite effect. It also wastes both the prospective employee's and the employer's time and money when a criminal record would make the employee unsuitable for the job. The fact the bill includes anti-discrimination language reinforces the conclusion of the studies; that similar legislation in other states has negatively affected minority employment.

MUNICIPAL AND COUNTY GOVERNMENT

SB 31, relative to membership of the New Hampshire community development advisory committee. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Clyde Carson for the **Majority** of Municipal and County Government. This bill accomplishes two things. First, it adds an executive director of a regional development organization to the New Hampshire Development Advisory Committee, to be appointed by the governor. Secondly, it exempts the Community Development Finance Authority (CDFA) from the state rulemaking process. The governor proposed this in HB 2, but the Finance Committee took it out and felt it was better handled by a policy committee. The CDFA is already subject to federal regulations and the state rule making requirement delays its ability to direct funds to communities under the Community Development Block Grant program in a timely fashion. The exemption will be a direct benefit to municipal projects across the state. **Vote 13-7.**

Rep. Kevin Pratt for the **Minority** of Municipal and County Government. Community Development Finance Authority has been in operation for many years and administers the Community Development Block Grant for towns and cities. Many towns in southern NH have worked very successfully with the CDFA. The CDFA is very successfully and should not be changed.

SB 154, (New Title) allowing municipalities to adopt a credit against property taxes for certain workforce housing, and authorizing the sale of certain property by the town of Milton. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Clyde Carson for the **Majority** of Municipal and County Government. This bill has two purposes. First, it establishes a committee to study tax incentives for promoting development of dense workforce housing in community centers. Affordable housing is a key factor in attracting and retaining both businesses and workers in NH. This bill will look at a range of tax incentives that might be used to increase affordable housing and make recommendations for future legislation. Secondly, the Town of Milton requires authorization from the legislature for the sale of its "old fire station." The property was gifted to the town. The Milton select board currently lacks the authority to sell the property and needs it to satisfy the NH Division of Charitable Trusts. **Vote 17-3.**

Rep. Mona Perreault for the **Minority** of Municipal and County Government. A number of questions were raised at the hearing on this bill about the long term desirability and wisdom of addressing workforce housing issues through greater "density." The minority feels that the sponsors should examine a broader range of housing solutions. Both the majority and minority of the committee are in agreement on the language granting authorization to sell the property in Milton. It is unfortunate that section was amended into this bill, and we recommend that it find a new vehicle so that it can be passed without excessive delay.

SCIENCE, TECHNOLOGY AND ENERGY

SB 123, relative to lost and unaccounted for gas, and relative to electric distribution companies investment in natural gas operations. **OUGHT TO PASS.**

Rep. Chris Balch for Science, Technology and Energy. This bill requires the Public Utilities Commission to adopt rules for reporting lost and unaccounted for gas by the natural gas companies. The bill also prohibits electric distribution companies from acquiring natural gas capacity or supply or interests in natural gas infrastructure at ratepayer expense. The committee heard overwhelming testimony in supported of this bill as it protects both ratepayer interests as well as the environment. **Vote 16-3.**

SB 165, relative to net energy metering by low-moderate income community solar projects. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter Somssich for the **Majority** of Science, Technology and Energy. This bill, the “Low-Income Community Solar Act of 2019,” attempts to ensure that low to moderate income residents of our state can afford to participate in community solar projects. It is the opinion of the majority that all residents should have an opportunity to participate in home-grown solar energy generation. The sponsor of this bill collaborated with the Governor’s Office to offer the amendment before you. This aligns with one of the Governor’s priorities which is to find ways that low income residents can more fully participate in renewable energy projects. For those low-moderate income community solar projects authorized by the Public Utilities Commission, the proposed amendment provides for an additional incentive payment of 3 cents per kWh of energy generated until July 1, 2021, after which the payment declines to 2.5 cents per kWh. **Vote 12-7.**

Rep. Fred Plett for the **Minority** of Science, Technology and Energy. This bill would support low income solar installations by not only paying solar developers default service rates, but an additional 3 cents per kWh from July 1, 2019 through July 1, 2021, and 2.5 cents per kWh thereafter. As such, it raises electric rates for all other consumers. The bill requires that a solar project directly benefit at least 5 residential end-use customers, at least a majority of whom are at or below 300 percent of the poverty level, with no more than 15% of the generation attributable to non-residential end-user customers. Therefore, the application of this bill may wind up with few installations, but it is the principle of raising non-participant rates that drove the minority to vote against this bill.

TRANSPORTATION

SB 133-FN, relative to the definition of emergency vehicles. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Pickering for the **Majority** of Transportation. This bill was requested by the Department of Corrections to permit certain vehicles used by correctional officers to use sirens, blue lights, emergency lights, and warning lights in emergency conditions. Testimony revealed that many of these vehicles are already appropriately equipped, and the Department of Corrections has already established standard procedures and guidelines for use by the designated officers in the appropriate emergency situations. The bill was supported by the Department of Safety. **Vote 12-7.**

Rep. Chris True for the **Minority** of Transportation. Testimony was given that the Department of Corrections has 20 vehicles with sirens, blue lights, emergency lights, and warning lights. This bill would allow emergency response personnel, who are not police officers, to use lights, sirens, etc. that are only allowed to be used by police officers. The minority cannot support the bill which allow non-police officers to use this equipment on public roadways.

SB 220, relative to department of transportation access to crash data. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Steven Smith for the **Majority** of Transportation. This bill would have given the Department of Transportation expedited access to motor vehicle crash records. All governmental agents are subject to strict, detailed criteria for what they can and cannot do with categories of information. There are also strict penalties for violations. Unfortunately, this bill grants unlimited access to the Department of Transportation. The committee supports sharing the data, but not blanket permissions. **Vote 13-6.**

Rep. Casey Conley for the **Minority** of Transportation. This bill would create a uniform standard for local police agencies to supply crash data to the Department of Transportation. The agency uses this information to improve safety after a motor vehicle accident. Currently, many local police departments supply this information, but not all. The information that is shared with the state also can vary widely by department. Although privacy concerns have been raised, the bill specifically states the department will not disclose personally identifiable information. And to date, there have been no concerns that crash data already shared with the department violates in any way the New Hampshire Driver Privacy Act.

2019 HOUSE BILLS AMENDED BY THE SENATE

HB 137, establishing a commission to examine the effects of wake boats in the state of New Hampshire. SJ 5/2/19

HB 140, establishing a commission to study the licensing of drivers from foreign countries. (House Concur 5/2/19)

HB 146, relative to the counting of defective ballots. SJ 5/2/19

HB 171, (New Title) establishing a commission to study equal access and opportunity for students with disabilities to participate in cocurricular activities. (House Concurrs 5/2/19)
HB 196, relative to proof of residency for fish and game purposes. (House Concurrs 5/2/19)
HB 286-L, relative to free inspection of records under the right-to-know law. (House Concurrs 5/8/19)
HB 320-FN, (New Title) relative to organizations authorized to issue decals for multi-use decal number plates. (House Concurrs 5/2/19)
HB 338, relative to rebates under the law governing unfair insurance practices. (House Concurrs 5/2/19)
HB 350, (New Title) relative to licensed health care providers authorized to certify that criteria has been met for the use of therapeutic cannabis. (House Concurrs 5/2/19)
HB 353, establishing a committee to study whether non-attorney legal professionals could be licensed to engage in the limited practice of law in the family division of the circuit court while under the supervision of a licensed attorney. (House Concurrs 5/8/19)
HB 354, establishing a committee to investigate whether modification should be made to the time frame for determining permanency pursuant to RSA 169-C:24-b. (House Concurrs 5/8/19)
HB 356, relative to the retention of certain reports by institutions of higher learning. (House Concurrs 5/2/19)
HB 364, (New Title) permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use and permitting qualifying patients and designated caregivers to donate excess cannabis to other qualifying patients. SJ 5/2/19
HB 365, relative to net energy metering limits for customer generators. (House Concurrs 5/2/19)
HB 396-FN-L, relative to delay or denial of records under the right-to-know law. (House Concurrs 5/2/19)
HB 463-FN, (Second New Title) relative to licensure of advanced pharmacy technicians. (House Concurrs 5/2/19)
HB 457-FN, (New Title) establishing a committee to study the making, preservation, and Internet availability of audio and video recordings of proceedings of committees of the house of representatives. (House Concurrs 5/8/19)
HB 511-FN, relative to vaping. SJ 4/25/19
HB 570, establishing a commission to study career pathways from full-time service year programs to post-secondary education and employment opportunities in support of New Hampshire's future workforce needs. (House Concurrs 5/8/19)
HB 572, proclaiming the second Saturday in June as Pollyanna of Littleton New Hampshire Recognition Day. (House Concurrs 5/2/19)
HB 663, relative to the definition of agriculture and existing agricultural uses. (House Concurrs 5/8/19)
HB 692-FN, relative to dental care for Medicaid recipients. SJ 5/2/19
HB 736, reestablishing the commission to study environmentally-triggered chronic illness. SJ 4/18/19

COMMITTEE MEETINGS

FRIDAY, MAY 17

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

9:00 a.m. Regular meeting.

COMMITTEE TO STUDY THE LAWS RELATING TO CONDOMINIUM AND HOMEOWNERS' ASSOCIATIONS (RSA 356-B:70), Room 202, LOB

1:00 p.m. Organizational meeting.

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a), New Hampshire Public Utilities Commission, 21 South Fruit Street, Hearing Room A, Concord

9:00 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

NEW HAMPSHIRE TRANSPORTATION COUNCIL (RSA 238-A:2), Room 203, LOB

9:00 a.m. Regular meeting.

MONDAY, MAY 20

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Room 303, LOB ***Please Note Time Changes*

11:00 a.m. Subcommittee meeting - View.

12:00 p.m. Subcommittee meeting - Recertification.

1:00 p.m. Subcommittee meeting - Exemptions.

COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILD-LIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30), Room 305, LOB

11:00 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

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.

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

9:00 a.m. Regular meeting.

PUBLIC SCHOOL INFRASTRUCTURE COMMISSION (RSA 198:15-z), Room 209, LOB

9:30 a.m. Regular meeting.

THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD (RSA 170-G:6-a), Dolloff Building, 117 Pleasant Street, Concord

2:00 p.m. Regular meeting.

TUESDAY, MAY 21

CHILDREN AND FAMILY LAW, Room 206, LOB

Presentations:

10:00 a.m. University of New Hampshire: 2018 New Hampshire Child Support Review Report

1:00 p.m. Daniel Schroeder, PhD, and Dartmouth College Students: Parental Alienation and Emancipation of Minors Research Projects.

Anyone who is interested is welcome to attend the presentations.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

11:00 a.m. Executive session on **SB 17**, relative to financial regulation technicals under insurance law; **SB 58-FN**, relative to reimbursement rates for low-dose mammography coverage; **SB 63**, relative to sharing of insurer rebates with enrollees; **SB 64**, relative to antifraud plans maintained by insurance companies; **SB 98**, clarifying the New Hampshire trust code; **SB 110**, relative to the investigations by the state fire marshal; **SB 194-FN**, relative to the insurance data security law; **SB 192**, relative to self-service storage facility liens; **SB 195-FN**, relative to insurance continuing education; **SB 225-FN**, adding physician assistants to certain New Hampshire laws; **SB 226-FN**, relative to registration of pharmacy benefit managers, and reestablishing the commission to study greater transparency in pharmaceutical costs and drug rebate programs; **SB 228-FN**, relative to multiple-employer welfare arrangements; **SB 251**, relative to the life and health insurance guaranty association and relative to an unfair insurance practice regarding certain prescriptions; **SB 272-FN**, relative to mental health parity under the insurance laws; **SB 279-FN**, relative to access to fertility care.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:30 a.m. Subcommittee work session on **SB 311-FN**, relative to annulment of criminal records.

10:00 a.m. **SB 250-FN**, relative to forgery of a certificate of insurance.

1:30 p.m. Executive session on **SB 250-FN**, relative to forgery of a certificate of insurance; **SB 311-FN**, relative to annulment of criminal records; **SB 173-FN**, relative to criminal history background checks by employers and public agencies.

FINANCE - DIVISION II, Room 209, LOB

10:00 a.m. Division work session on **SB 185-FN-A**, relative to development of the New Hampshire state rail trails plan by the department of transportation and making an appropriation therefor.

FINANCE - DIVISION II JOINT WITH FINANCE DIVISION III, Rooms 210-211, LOB

11:30 a.m. Division work session on **SB 82-FN**, relative to school food and nutrition programs.

FINANCE - DIVISION III, Rooms 210-211, LOB

10:00 a.m. Division work session on **SB 290-FN**, relative to the New Hampshire granite advantage health care program; **SB 293-FN**, relative to federally qualified health care centers and rural health centers reimbursement.

11:00 a.m. Division work session on **SB 292-FN**, relative to implementation of the new mental health 10-year plan.

FISH AND GAME AND MARINE RESOURCES, Great Bay Discover Center, 89 Depot Road, Greenland

10:00 a.m. Informational session.

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

10:00 a.m. Executive session on **SB 85**, reestablishing the commission to study environmentally-triggered chronic illness; **SB 111**, relative to the collection of health care data; **SB 115**, establishing a

commission to study the business environment for mental health providers in New Hampshire; ***SB 176***, establishing a committee to study mental health and human service business process alignment and information system interoperability; ***SB 180***, relative to privileged communications under the law governing mental health practice; ***SB 252-FN***, relative to the detection and prevention of financial exploitation of vulnerable adults.

LEGISLATIVE ADMINISTRATION, Room 303, LOB

1:30 p.m. Full committee work session on ***SB 235-FN***, relative to sexual harassment complaints in the general court and authorizing an independent human resources professional.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:15 a.m. Continued executive session on ***SB 39***, relative to the repair of roads not maintained by a municipality.

10:30 a.m. Executive session on ***SB 209***, establishing a commission to create a New Hampshire recovery memorial.

11:15 a.m. ***SB 285-FN***, establishing a coastal resilience and economic development program.

TRANSPORTATION, Room 203, LOB

10:00 a.m. ***SB 56***, establishing a committee to study motor vehicle registrations and drivers' licenses of active duty military personnel.

10:30 a.m. ***SB 200***, relative to wildlife corridors.

1:00 p.m. Continued executive session on ***SB 238-FN***, relative to the registration of motor vehicles owned by veterans.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Full committee work session on ***SB 190-FN***, relative to apportionment of sales under the business profits tax.

1:00 p.m. Revenue Estimates.

WEDNESDAY, MAY 22

FINANCE, Rooms 210-211, LOB

10:00 a.m. Executive session on ***SB 2-FN***, relative to funding for job training programs in the department of business and economic affairs; ***SB 125-FN***, relative to parental reimbursement for voluntary services provided under the child in need of services (CHINS) program; ***SB 289-FN***, relative to health and human services.

PUBLIC WORKS AND HIGHWAYS, Rooms 201-203, LOB

10:00 a.m. ***SB 241-FN-A***, relative to funding for the project development phase of the capitol corridor rail project.

RULES, Room 303, LOB

1:15 p.m. Regular meeting.

THURSDAY, MAY 23

COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T), New Hampshire Hospital Association, 125 Airport Road, Concord

2:00 p.m. Regular meeting.

HOME EDUCATION ADVISORY COUNCIL (RSA 193-A:10), New Hampshire Department of Education, Londergan Hall, Room 12, 101 Pleasant Street, Concord

3:30 p.m. Regular meeting.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

12:00 p.m. or 5 minutes after the start of break for lunch from the House Session, executive session on ***SB 10***, establishing the state minimum hourly rate based on whether an employer offers paid sick days to an employee.

FRIDAY, MAY 24

ELECTRIC VEHICLE CHARGING STATIONS INFRASTRUCTURE COMMISSION (RSA 4-G:1), Room 203, LOB

11:00 a.m. Regular meeting.

NEW HAMPSHIRE STATE HOUSE BICENTENNIAL COMMISSION (RSA 17-R:1), Room 204, LOB

2:00 p.m. Regular meeting.

TUESDAY, MAY 28

FISH AND GAME AND MARINE RESOURCES, Powder Mill State Fish Hatchery, 288

Merrymeeting Road, Durham

10:00 a.m. Informational session.

JUDICIARY, Room 208, LOB

10:00 a.m. Executive session on **SB 149**, relative to voluntary application of the uniform prudent management of institutional funds act to certain charitable trusts; **SB 262-FN**, relative to the property interest in abandoned personal materials; **SB 263**, relative to anti-discrimination protection for students in public schools.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:30 a.m. Executive session on **SB 241-FN-A**, relative to funding for the project development phase of the capitol corridor rail project; **SB 285-FN**, establishing a coastal resilience and economic development program.

TRANSPORTATION, Room 203, LOB

10:00 a.m. Executive session on **SB 56**, establishing a committee to study motor vehicle registrations and drivers' licenses of active duty military personnel; **SB 200**, relative to wildlife corridors.

11:01 a.m. Continued executive session on **SB 37**, relative to the registration of motor vehicles; **SB 218**, relative to duties of the commissioner of transportation regarding air navigation facilities.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Executive session on **SB 41-FN**, relative to historical racing; **SB 74-FN-A**, relative to register of deeds fees used to support the land and community heritage investment program (LCHIP), and establishing a committee to study the economic impact of land conservation; **SB 96**, establishing a film production incentive fund in the state film office; **SB 134-FN**, relative to the administration of the meals and rooms tax; **SB 187**, relative to OHRV dealer and rental agency registration fees and snowmobile registration fees; **SB 190-FN**, relative to apportionment of sales under the business profits tax; **SB 242-FN**, 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; **SB 246-FN**, relative to licensing of child daycare, residential care, and child-placing agencies; **SB 270-FN**, establishing a tax credit against the business profits tax for donations to career and technical education centers.

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), New Futures Conference Room, 1 Eagle Square, Concord

9:00 a.m. Regular meeting.

WEDNESDAY, MAY 29

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

1:00 p.m. Full committee work session on retained bills.

FRIDAY, MAY 31

JOINT COMMITTEE ON EMPLOYEE CLASSIFICATION (RSA 14:14-C), Room 104, LOB

11:30 a.m. Regular meeting.

NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22), Room 100, SH

1:00 p.m. Regular meeting.

MONDAY, JUNE 3

COMMISSION TO STUDY THE EFFECTIVENESS OF THE CURRENT STATUTES RELATED TO MANAGEMENT OF NON-TIDAL PUBLIC WATERWAYS AND THE CONSTRUCTION OR PLACEMENT OF STRUCTURES WITHIN THEM (RSA 482-A:35), Room 305, LOB

1:00 p.m. Regular meeting.

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

10:30 a.m. Regular meeting.

STATE COMMITTEE ON AGING (RSA 161-F:7, I), New Hampshire Department of Health and Human Services, Brown Building, Room 232, 129 Pleasant Street, Concord

10:00 a.m. Regular meeting.

TUESDAY, JUNE 4

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.

FRIDAY, JUNE 7

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

9:00 a.m. Continued meeting.

COMMISSION ON DEMOGRAPHIC TRENDS (RSA 4-C:37), Room 307, LOB

9:00 a.m. Regular meeting.

SUNDAY, JUNE 9

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1), New Hampshire Technical Institute Sweeney Crocker Building Room 225 Concord

1:00 p.m. Regular meeting.

MONDAY, JUNE 10

CURRENT USE BOARD (RSA 79-A:3), New Hampshire Department of Revenue Administration, Conference Room 334, 109 Pleasant Street, Concord

9:00 a.m. Public hearing on Administrative Rules Cub 100, Cub 200, and Cub 300.

9:30 a.m. Regular meeting.

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

1:30 p.m. Regular meeting.

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

1:30 p.m. Regular meeting.

FRIDAY, JUNE 14

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

10:00 a.m. Regular meeting.

THURSDAY, JUNE 20

COMMISSION ON POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D), Walker Building, Room 274, 21 South Fruit Street, Concord

2:30 p.m. Regular meeting.

FRIDAY, JUNE 21

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

9:00 a.m. Regular meeting.

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a), New Hampshire Public Utilities Commission, 21 South Fruit Street, Hearing Room A, Concord

9:00 a.m. Regular meeting.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1), Governor and Council Chambers, SH

9:30 a.m. Regular meeting.

MONDAY, JUNE 24

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

9:00 a.m. Regular meeting.

TUESDAY, JUNE 25

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

10:00 a.m. Regular meeting.

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), New Futures Conference Room, 1 Eagle Square, Concord

9:00 a.m. Regular meeting.

THURSDAY, JUNE 27

COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T), New Hampshire Hospital Association, 125 Airport Road, Concord

2:00 p.m. Regular meeting.

FRIDAY, JUNE 28

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

9:00 a.m. Continued meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive Committee will meet on **Friday, May 31st at 9:30 a.m.** in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood for subcommittee chairs to report budget recommendations.

The **Rockingham** County Executive Committee will hold a public hearing for the FY 2020 budget on **Monday, June 10th at 6:00 p.m.** in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood for subcommittee chairs to report budget recommendations. Executive Committee meeting to follow to consider changes.

The **Rockingham** County Executive Committee will meet on **Wednesday, June 26th at 5:30 p.m.** in the Commissioner's Conference Room of the Rockingham County Nursing Home in Brentwood, to finalize any unfinished business.

The **Rockingham** County Convention meeting will be held on **Wednesday, June 26th at 6:00 p.m.**, in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood, to adopt the FY 2020 County budget. Additional convention meeting, if needed, will be on **Friday, June 28th at 9:30 a.m.**

Rep. David A. Welch, Clerk

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB116, HB176, HB224, HB270, HB363, HB506, HB518, HB521, HB557, HB 616, HB621, HB623, HB625, HB630, HB636, HB680, HB 686, HB692, HB705, HB706, HB709, HB710, HB711, HB712, HB713, HB714, HB715, HB716, HB717, HB 718, HB719, HB721, HB722, HB723, HB724, HB725, HB726, HB727, HB730, HB731, HB732, HB733, HB735, SB5, SB6, SB7, SB41, SB52, SB54, SB88, SB93, SB122, SB173, SB186, SB187, SB190, SB193, SB205, SB235, SB246, SB255, SB257, SB273, SB282, SB289, SB292, SB296, SB297, SB310.

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 celebrating its Bicentennial in June of 2019. The New Hampshire State House Bicentennial Commission has produced several commemorative items, which are on sale in the State House Visitors' Center, including shirts, cups, bottle openers, stickers, and our challenge coin, all featuring the logo for our

big anniversary. More items will be coming over the coming months and all the proceeds go the State House Bicentennial Commemorative Fund. You can follow us online at <https://nhstatehouse200.com> or Facebook and Instagram for event and merchandising updates.

Reps. Robert Renny Cushing and David Welch

The Legislative Youth Advisory Council is looking for recommendations of young people aged 15-22, who would be interested in serving on the council. Created in 2006, LYAC is a statutory committee which serves as a link between young people and New Hampshire government, and advises the legislature on issues of concern to youth. Please forward any recommendations to NHLegislativeYouth@gmail.com. Applications will be accepted until July 12, 2019.

Rep. Marjorie Porter

Any members interested in participating in an animal caucus please contact Rep. Cam Kenney at Cam.Kenney@leg.state.nh.us or Rep. Katherine Rogers at Katbeep@icloud.com, and we will set up a time in the future to gather together and discuss future plans.

Reps. Cam Kenney and Katherine Rogers

The House Republican Alliance will meet on every **Tuesday at 8:30 a.m.** in Room 307, LOB. All Republicans are welcome.

Reps. Carol McGuire, Jim Spillane, and Mike Sylvia

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Association cordially invites you to attend the 27th Annual Fallen New Hampshire Law Enforcement Officers Memorial Ceremony, to honor the law enforcement officers throughout the State of New Hampshire who have made the ultimate sacrifice and died in the line of duty while protecting the citizens of this state. The ceremony will be held on **Friday, May 17th** beginning promptly at **9:45 a.m.** at the memorial site in front of the Legislative Office Building. The ceremony will proceed rain or shine. A light luncheon reception will be served immediately following. Please do not hesitate to contact Colonel Kevin Jordan at the New Hampshire Fish and Game Department at 603-271-3128 if you have any questions.

Stephen J. Shurtleff, Speaker

All legislators are invited to celebrate Lafayette Day on **Monday, May 20th at 10:00 a.m.** in Representatives Hall. As the only living Major General on the occasion of the nation's 50th anniversary, General Lafayette was asked by the President and Congress to tour the country, all 24 states, to commemorate the occasion. He visited many NH communities, including Concord, where he addressed a joint session of the legislature. SB 217 was recently passed allowing signage along the Lafayette Trail to commemorate that visit.

Rep. Ray Gagnon

The OWLS will meet during the House session lunch break on **Thursday, May 23rd** in the Webster Room (Room 308, SH), to organize for this term. Please bring your lunch.

Rep. Debra Desimone

We've had to reschedule our first formal meeting to coordinate the October 6th Softball game. We need to agree to game and player rules as well begin the planning and actions needed for a successful game. The meeting will be held following session on **Thursday, May 23rd** in Room 202, LOB. Email jess.edwards@leg.state.us.nh if you would like a copy of a read-ahead document prior to the meeting.

Reps. Ben Baroody, Jeffrey Salloway, and Jess Edwards

The Children's Caucus will convene on **Wednesday, May 29th at 1:00 p.m.** in the New Futures' Conference Room, 100 North Main Street, 4th floor, to brainstorm on legislation for 2020 and beyond. All legislators are welcome.

Rep. Skip Berrien

The NHARPC is sponsoring a legislative breakfast on **June 6th from 8:00 a.m. to 10:00 a.m.** in the State House cafeteria. The New Hampshire Association of Regional Planning Commissions(NHARPC) is the affiliation of the nine regional planning commissions in the state of New Hampshire. This breakfast gives NHARPC a chance to stay connected with NH legislators on the work of regional planning commissions and to show our appreciation for what our legislators do.

Rep. David Meader

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 2018-2019. 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

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>#/GRADE</i>
May 17	9:00	ELL Social Students – Concord	10/HS
May 17	9:30	Strong Foundations Charter School – Pembroke	48/5
May 17	10:00	Moharimet School – Lee & Madbury	46/4
May 17	11:00	Bristol Elementary School	45/4
May 20	9:45/11:15 SH/HM	Belmont Elementary School	88/4
May 13	11:30	Making Community Connections Charter School – Keene	8/HS
May 21	10:00/11:00	Pelham Elementary School	100/4
May 21	11:30	Campton Elementary School	25/4
May 22	9:00	Kensington Elementary School	20/4
May 22	10:00	Pelham Elementary School	50/4
May 22	10:30	Madison Elementary School	TBA/3-4
May 22	12:00	St. Elizabeth Seton School – Rochester	20/4
May 23	9:00	Belmont High School	14/9
May 23	10:00/11:15 SH/HM	MastWay School – Lee, Madbury	66/4
May 23	10:15	Winnacunnet HS Marine Corp-JROTC – Hampton	10/HS
May 23	9:30	Nelson Elementary School	24/4
May 24	10:00/11:30	Grinnell Elementary School – Derry	80/4
May 24	11:00	Bluff Elementary School – Claremont	40/4
May 28	9:00	New Found Memorial Middle School	35/8
May 28	10:00/12:00 SH/HM	Ray School – Hanover	90/4
May 28	10:30	Mount Royal Academy – Sunapee	20/4
May 29	9:30/10:45 SH/HM	Riddle Brook School – Bedford	90/4
May 29	10:00	Lincoln Akerman School – Hampton	45/4
May 30	9:30/10:45 SH/HM	Riddle Brook School – Bedford	68/4
May 30	10:00/11:30 SH/HM	Stratham Memorial School	100/4
May 30	2:00	Vintage Hill Assisted Living – Pittsfield	10/Srs
May 31	9:45	Florence Rideout School – Wilton	44/4
May 31	10:00	Salisbury and Webster Schools	30/4
May 31	10:15/11:30	Symonds School – Keene	63/4
June 5	9:30	Russell Elementary School	20/4
June 5	10:00	SAU 58- Stark, Groveton and Stratford Schools	
June 5	11:00/12:00	Peterborough Elementary School	60/4
June 7	9:45	Marlborough School	17/4
June 7	9:45	Lin-Wood School – Lincoln & Woodstock	20/4`
June 7	11:00	Newfields Elementary School	25/4

DATE	TIME	GROUP	#/GRADE
June 10	10:00	Whitefield School	22/4
June 10	10:30	Chesterfield School	49/3
June 11	10:15	Effingham Elementary School	20/4
June 11	11:00	UNH – North East Agriculture Summer Conference	30/adults
June 11	12:15	Pleasant St. School – Laconia	55/4
June 12	9:00	Dunbarton Elementary School	42/4
June 13	10:00/11:15 SH/HM	Interlakes Elementary School – Meredith	60/4
June 14	9:00	Candia Moore School	40/4
June 14	9:30	Benjamin Franklin Elementary School – Keene	47/4
June 19	10:15	Wheelock School – Keene	46/4
June 25	9:00	AARP group	
June 26	9:00	MCPHS Pharmacy Students – Manchester	14/COL
June 26	10:00	St. Marie's Childcare Center	40/3-6

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to SB 26 **(2019-1665h)**

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

Amend RSA 151-G:1, II(d) as inserted by section 2 of the bill by replacing it with the following:

(d) The state epidemiologist, department of health and human services, *or designee*.

Amendment to SB 31 **(2019-1462h)**

Proposed by the Majority of the Committee on Municipal and County Government - r

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

AN ACT adding a member to the New Hampshire community development advisory committee and exempting the community development finance authority from the administrative procedure act.

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

2 New Subparagraph; Administrative Procedure Act; Exemptions; Community Development Finance Authority Added. Amend RSA 541-A:21, I by inserting after subparagraph (jj) the following new subparagraph: (kk) RSA 162-L, relative to the community development finance authority.

3 New Sections; Community Development Finance Authority; Exemption From Administrative Procedure Act and Rulemaking Authority. Amend RSA 162-L by inserting after section 4 the following new sections:

162-L:4-a Exemption From Administrative Procedure Act and Rulemaking Authority. The authority shall be exempt from the provisions of RSA 541-A and may adopt rules in accordance with its own procedures to facilitate, implement, and carry out the powers, duties, and purposes of the authority enumerated in this chapter and such other and additional powers and purposes as shall be conferred upon it.

162-L:4-b Relation to Other Agencies. The financial and administrative operations of the authority shall be exempt from the rules of any department, commission, board, bureau, or agency of the state except to the extent and in the manner provided in this chapter.

4 Community Development Finance Authority; Community Development Block Grant Program; Reference Change. Amend RSA 162-L:17, IV and V to read as follows:

IV. The authority shall solicit applications from eligible municipalities. Any eligible municipality desiring to receive funds under this subdivision shall complete and submit an application in accordance with the rules adopted ~~[under RSA 162-L:16]~~ **by the authority**.

V. The authority shall evaluate the relative merits of the applications based on the rules, criteria, and procedures adopted ~~[under RSA 162-L:16]~~ **by the authority**.

5 Repeal. RSA 162-L:16, IV, relative to the adoption of rules under the administrative procedure act, is repealed.

6 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

2019-1462h

AMENDED ANALYSIS

This bill:

I. Adds an executive director of a regional development organization to the community development advisory committee.

II. Exempts the community development finance authority from rulemaking under RSA 541-A, the administrative procedure act.

Amendment to SB 36

(2019-1922h)

Proposed by the Minority of the Committee on Judiciary - r

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

1 New Chapter; New Hampshire Civil Rights Act. Amend RSA by inserting after chapter 541-D the following new chapter:

CHAPTER 541-E

NEW HAMPSHIRE CIVIL RIGHTS ACT

541-E:1 Civil Action for Deprivation of State Constitutional Rights. Every natural person who, under color of any statute, ordinance, regulation, custom, or usage of this state or any of its political subdivisions, subjects, or causes to be subjected, any person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the New Hampshire constitution shall be liable in superior court for any actual damages to the injured party. Any lawsuit brought under this section shall be filed no later than 3 years after the date of the alleged violation, subject only to the provisions of RSA 508:4, I. In any action or proceeding seeking to enforce this section, the court, in its discretion, may allow the prevailing party reasonable attorney's fee and costs. In adjudicating a request for reasonable attorney's fees and costs under this section, the court may award such reasonable attorney's fees and costs to a prevailing party unless the court concludes that special circumstances would render such an award unjust, including if a plaintiff engaged in outrageous or bad faith conduct or a grant of the award would impose unjust hardship. In any action in the superior court pursuant to this section, there shall be a right to a jury trial. For any claim brought under this section, the defense and indemnification provisions of RSA 99-D:2 and RSA 31:106 shall apply. Nothing in this section waives any privileges or immunities from suit established by law. The provisions of RSA 623-B and RSA 541-E:2 shall apply to any claim brought under this section by an inmate who is confined in any jail, prison, or other correctional facility. This section shall not apply to any case in which the plaintiff has a separate statutory remedy.

541-E:2 Claims Brought By Inmates For Damages Under the New Hampshire Constitution.

I. No claim shall be brought with respect to prison conditions under this section by an inmate as defined by RSA 623-B:1 who is confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.

II. In any claim brought by an inmate under RSA 541-E:1 who is confined to any jail, prison, or other correctional facility in which attorney's fees are authorized, such fees shall not be awarded, except to the extent that:

(a) The fee was directly and reasonably incurred in proving an actual violation of the plaintiff's rights under the New Hampshire constitution; and

(b) The amount of the fee is proportionately related to the court ordered relief for the found violation or the fee was directly and reasonably incurred in enforcing the relief ordered for the violation.

III. Whenever a monetary judgment is awarded pursuant to paragraph II, a portion of the judgment, not to exceed 25 percent, shall be applied to satisfy the amount of attorney's fees awarded against the defendant. If the award of attorney's fees is not greater than 150 percent of the judgment, the excess shall be paid by the defendant.

IV. Nothing in this section shall prohibit an inmate from entering into an agreement to pay an attorney's fee in an amount greater than the amount authorized under this section, if the fee is paid by the individual rather than by the defendant pursuant to RSA 541-E:1.

V. No civil claim for damages under RSA 541-E:1 may be brought by an inmate confined to jail, prison, or other correctional facility for mental or emotional injury suffered while in custody without a prior showing of physical injury or the commission of a sexual act.

VI. To the extent practicable, in any claim brought with respect to prison conditions under RSA 541-E:1 by an inmate confined to a jail, prison, or other correctional facility, pretrial proceedings in which the inmate's participation is required or permitted shall be conducted by telephone, video conference, or other telecommunications technology without removing the inmate from the facility in which the inmate is confined. Subject to the agreement of the official of the state or local unit of government with custody over the inmate, hearings may be conducted at the facility in which the inmate is confined. To the extent practicable, the court shall allow counsel to participate by telephone, video conference, or other communications technology in any hearing held at the facility.

VII. A defendant may waive the right to reply to any claim brought by an inmate confined to jail, prison, or other correctional facility under RSA 541-E:1 unless ordered to respond by the court. Notwithstanding any other law or rule of procedure, such waiver shall not constitute an admission of the allegations con-

tained in the complaint. No relief shall be granted to the plaintiff unless a reply has been filed. The court may require any defendant to reply to a claim brought under RSA 541-E:1 if it finds, after a review under RSA 623-B:3, II, that the plaintiff has a reasonable opportunity to prevail on the merits.

2 Indemnification; Civil Rights Suits; Cross Reference. Amend RSA 31:106 to read as follows:

31:106 Indemnification; Civil Rights Suits. All cities, towns, counties, village districts and precincts, school districts, chartered public schools, school administrative units, and other municipal corporations and political subdivisions shall indemnify and save harmless any person employed by it and any member or officer of its governing board, administrative staff, or agencies including but not limited to selectmen, school board members, chartered public school trustees, city councilors and aldermen, town and city managers, regional planning commissioners, town and city health officials, overseers of public welfare, and superintendents of schools from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of any act or omission constituting a violation of the civil rights of an employee, teacher or student, or any other person under any federal law *or RSA 541-E* if such act or omission was not committed with malice, and if the indemnified person at the time of such act or omission was acting within the scope of employment or office.

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

Amendment to SB 36

(2019-1931h)

Proposed by the Majority of the Committee on Judiciary - r

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

1 New Chapter; New Hampshire Civil Rights Act. Amend RSA by inserting after chapter 541-D the following new chapter:

CHAPTER 541-E

NEW HAMPSHIRE CIVIL RIGHTS ACT

541-E:1 Civil Action for Deprivation of State Constitutional Rights. Every natural person who, under color of any statute, ordinance, regulation, custom, or usage of this state or any of its political subdivisions, subjects, or causes to be subjected, any person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the New Hampshire constitution shall be liable in superior court for any actual damages to the injured party. Any lawsuit brought under this section shall be filed no later than 3 years after the date of the alleged violation, subject only to the provisions of RSA 508:4, I. In any action or proceeding seeking to enforce this section, the court, in its discretion, may allow the prevailing party reasonable attorney's fee and costs. In adjudicating a request for reasonable attorney's fees and costs under this section, the court should award such reasonable attorney's fees and costs to a prevailing party unless the court concludes that special circumstances would render such an award unjust, including if a plaintiff engaged in outrageous or bad faith conduct or a grant of the award would impose unjust hardship. In any action in the superior court pursuant to this section, there shall be a right to a jury trial. For any claim brought under this section, the defense and indemnification provisions of RSA 99-D:2 and RSA 31:106 shall apply. Nothing in this section waives any privileges or immunities from suit established by law. The provisions of RSA 623-B and RSA 541-E:2 shall apply to any claim brought under this section by an inmate who is confined in any jail, prison, or other correctional facility.

541-E:2 Claims Brought By Inmates For Damages Under the New Hampshire Constitution.

I. No claim shall be brought with respect to prison conditions under this section by an inmate as defined by RSA 623-B:1 who is confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.

II. In any claim brought by an inmate under RSA 541-E:1 who is confined to any jail, prison, or other correctional facility in which attorney's fees are authorized, such fees shall not be awarded, except to the extent that:

(a) The fee was directly and reasonably incurred in proving an actual violation of the plaintiff's rights under the New Hampshire constitution; and

(b) The amount of the fee is proportionately related to the court ordered relief for the found violation or the fee was directly and reasonably incurred in enforcing the relief ordered for the violation.

III. Whenever a monetary judgment is awarded pursuant to paragraph II, a portion of the judgment, not to exceed 25 percent, shall be applied to satisfy the amount of attorney's fees awarded against the defendant. If the award of attorney's fees is not greater than 150 percent of the judgment, the excess shall be paid by the defendant.

IV. Nothing in this section shall prohibit an inmate from entering into an agreement to pay an attorney's fee in an amount greater than the amount authorized under this section, if the fee is paid by the individual rather than by the defendant pursuant to RSA 541-E:1.

V. No civil claim for damages under RSA 541-E:1 may be brought by an inmate confined to jail, prison, or other correctional facility for mental or emotional injury suffered while in custody without a prior showing of physical injury or the commission of a sexual act.

VI. To the extent practicable, in any claim brought with respect to prison conditions under RSA 541-E:1 by an inmate confined to a jail, prison, or other correctional facility, pretrial proceedings in which the inmate's participation is required or permitted shall be conducted by telephone, video conference, or other telecommunications technology without removing the inmate from the facility in which the inmate is confined. Subject to the agreement of the official of the state or local unit of government with custody over the inmate, hearings may be conducted at the facility in which the inmate is confined. To the extent practicable, the court shall allow counsel to participate by telephone, video conference, or other communications technology in any hearing held at the facility.

VII. A defendant may waive the right to reply to any claim brought by an inmate confined to jail, prison, or other correctional facility under RSA 541-E:1 unless ordered to respond by the court. Notwithstanding any other law or rule of procedure, such waiver shall not constitute an admission of the allegations contained in the complaint. No relief shall be granted to the plaintiff unless a reply has been filed. The court may require any defendant to reply to a claim brought under RSA 541-E:1 if it finds, after a review under RSA 623-B:3, II, that the plaintiff has a reasonable opportunity to prevail on the merits.

2 Indemnification; Civil Rights Suits; Cross Reference. Amend RSA 31:106 to read as follows:

31:106 Indemnification; Civil Rights Suits. All cities, towns, counties, village districts and precincts, school districts, chartered public schools, school administrative units, and other municipal corporations and political subdivisions shall indemnify and save harmless any person employed by it and any member or officer of its governing board, administrative staff, or agencies including but not limited to selectmen, school board members, chartered public school trustees, city councilors and aldermen, town and city managers, regional planning commissioners, town and city health officials, overseers of public welfare, and superintendents of schools from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of any act or omission constituting a violation of the civil rights of an employee, teacher or student, or any other person under any federal law *or RSA 541-E* if such act or omission was not committed with malice, and if the indemnified person at the time of such act or omission was acting within the scope of employment or office.

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

2019-1931h

AMENDED ANALYSIS

This bill creates a cause of action for persons deprived of civil rights by persons acting under color of state law.

This bill also allows inmates in jail, prison, or another correctional facility to bring a claim for violation of certain civil rights.

Floor Amendment to SB 36

(2019-2033h)

Proposed by Rep. B. Griffin

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

1 New Chapter; New Hampshire Civil Rights Act. Amend RSA by inserting after chapter 541-D the following new chapter:

CHAPTER 541-E

NEW HAMPSHIRE CIVIL RIGHTS ACT

541-E:1 Civil Action for Deprivation of State Constitutional Rights. Every natural person who, under color of any statute, ordinance, regulation, custom, or usage of this state or any of its political subdivisions, subjects, or causes to be subjected, any person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the New Hampshire constitution shall be liable in superior court for any actual damages to the injured party. Any lawsuit brought under this section shall be filed no later than 3 years after the date of the alleged violation, subject only to the provisions of RSA 508:4, I. In any action or proceeding seeking to enforce this section, the court, in its discretion, may allow the prevailing party reasonable attorney's fee and costs. In adjudicating a request for reasonable attorney's fees and costs under this section, the court should award such reasonable attorney's fees and costs to a prevailing party unless the court concludes that special circumstances would render such an award unjust, including if a plaintiff engaged in outrageous or bad faith conduct or a grant of the award would impose unjust hardship. In any action in the superior court pursuant to this section, there shall be a right to a jury trial. For any claim brought under this section, the defense and indemnification provisions of RSA 99-D:2 and RSA 31:106 shall apply. Nothing in this section waives any privileges or immunities from suit established by law. The provisions of RSA 623-B and RSA 541-E:2 shall apply to any claim brought under this section by an inmate who is confined in any jail, prison, or other correctional facility. This section shall not apply to any case in which the plaintiff has a separate statutory remedy.

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(b) The amount of the fee is proportionately related to the court ordered relief for the found violation or the fee was directly and reasonably incurred in enforcing the relief ordered for the violation.

III. Whenever a monetary judgment is awarded pursuant to paragraph II, a portion of the judgment, not to exceed 25 percent, shall be applied to satisfy the amount of attorney's fees awarded against the defendant. If the award of attorney's fees is not greater than 150 percent of the judgment, the excess shall be paid by the defendant.

IV. Nothing in this section shall prohibit an inmate from entering into an agreement to pay an attorney's fee in an amount greater than the amount authorized under this section, if the fee is paid by the individual rather than by the defendant pursuant to RSA 541-E:1.

V. No civil claim for damages under RSA 541-E:1 may be brought by an inmate confined to jail, prison, or other correctional facility for mental or emotional injury suffered while in custody without a prior showing of physical injury or the commission of a sexual act.

VI. To the extent practicable, in any claim brought with respect to prison conditions under RSA 541-E:1 by an inmate confined to a jail, prison, or other correctional facility, pretrial proceedings in which the inmate's participation is required or permitted shall be conducted by telephone, video conference, or other telecommunications technology without removing the inmate from the facility in which the inmate is confined. Subject to the agreement of the official of the state or local unit of government with custody over the inmate, hearings may be conducted at the facility in which the inmate is confined. To the extent practicable, the court shall allow counsel to participate by telephone, video conference, or other communications technology in any hearing held at the facility.

VII. A defendant may waive the right to reply to any claim brought by an inmate confined to jail, prison, or other correctional facility under RSA 541-E:1 unless ordered to respond by the court. Notwithstanding any other law or rule of procedure, such waiver shall not constitute an admission of the allegations contained in the complaint. No relief shall be granted to the plaintiff unless a reply has been filed. The court may require any defendant to reply to a claim brought under RSA 541-E:1 if it finds, after a review under RSA 623-B:3, II, that the plaintiff has a reasonable opportunity to prevail on the merits.

2 Indemnification; Civil Rights Suits; Cross Reference. Amend RSA 31:106 to read as follows:

31:106 Indemnification; Civil Rights Suits. All cities, towns, counties, village districts and precincts, school districts, chartered public schools, school administrative units, and other municipal corporations and political subdivisions shall indemnify and save harmless any person employed by it and any member or officer of its governing board, administrative staff, or agencies including but not limited to selectmen, school board members, chartered public school trustees, city councilors and aldermen, town and city managers, regional planning commissioners, town and city health officials, overseers of public welfare, and superintendents of schools from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of any act or omission constituting a violation of the civil rights of an employee, teacher or student, or any other person under any federal law **or RSA 541-E** if such act or omission was not committed with malice, and if the indemnified person at the time of such act or omission was acting within the scope of employment or office.

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

Amendment to SB 86

(2019-1664h)

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

Amend RSA 171-A:34, II(a)(10)-(14) as inserted by section 1 of the bill by replacing them with the following:

(10) A psychologist licensed under RSA 329-B, appointed by the Community Support Network, Inc. (CSNI).

(11) A representative of the New Hampshire council on developmental disabilities, appointed by the council.

(12) A representative of the Brain Injury Association of New Hampshire, appointed by the association.

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

Amend RSA 171-A:34, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Make recommendations for accomplishing best service system delivery and addressing service system gaps for individuals with psychiatric diagnoses and/or high risk behaviors, including criminal behaviors, currently in the developmental services system. Commission recommendations may include, but shall not be limited to: proposed legislation; suggested rulemaking; department planning, including inter-department collaboration and memoranda of understanding; and nongovernmental organization roles. In formulating its recommendations, the commission shall consider the requirements of 42 C.F.R. section 441.301(c)(4), which requires that certain Medicaid-funded services be provided in settings that are integrated with the community beginning in 2022.

Amend RSA 171-A:34, V as inserted by section 1 of the bill by replacing it with the following:

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

**Amendment to SB 88-FN
(2019-1667h)**

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs - r
Amend RSA 126-X:1, XVII as inserted by section 2 of the bill by replacing it with the following:

XVII. "Written certification" means documentation of a qualifying medical condition by a provider pursuant to rules adopted by the department pursuant to RSA 541-A for the purpose of issuing registry identification cards, after having completed a full assessment of the patient's medical history and current medical condition made in the course of a provider-patient relationship ~~[of at least 3 months in duration. The 3-month requirement for the provider-patient relationship required in this paragraph shall not apply if the provider issuing the written certification certifies that the onset of the patient's qualifying medical condition occurred within the past [3 months] and the certifying provider is primarily responsible for the patient's care related to his or her qualifying medical condition, or if the patient is enrolled in hospice care or is medically eligible for hospice care with a prognosis of 6 months or less but has chosen to seek palliative or curative treatment, or both].~~ The date of issuance and the patient's qualifying medical condition, symptoms or side effects, the certifying provider's name, medical specialty, and signature shall be specified on the written certification.

**Amendment to SB 100
(2019-1760h)**

Proposed by the Majority of the Committee on Labor, Industrial and Rehabilitative Services - r
Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Opportunity to Compete. Amend RSA 275 by inserting after section 37-b the following new section:

275:37-c Opportunity to Compete.

I. In this section:

(a) "Applicant for employment" means any person an employer considers when identifying potential employees, through any means including, but not limited to, recruitment, solicitation, or seeking personal information, or any person who requests consideration for employment by an employer, or who requests information from an employer related to seeking employment, and includes any person who is currently an employee of the employer.

(b) "Criminal record" means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, release, or conviction including, but not limited to, any sentence arising from a verdict or plea of guilty or nolo contendere, including a sentence of incarceration, a suspended sentence, a sentence of probation, or a sentence of conditional discharge.

(c) "Employee" means a person who is hired for a wage, salary, fee, or payment to perform work for an employer, but excludes any person employed in the domestic service of any family or person at the person's home, any independent contractors, or any directors or trustees. The term also includes interns and apprentices.

(d) "Employer" means any person, company, corporation, firm, labor organization, or association which has 1 or more employees over 20 calendar weeks and does business, employs persons, or takes applications for employment within this state, including the state or any subdivision of the state. The term shall include state and local governmental entities, job placement and referral agencies, other employment agencies, but excludes the United States or any of its departments, agencies, boards, or commissions, or any employee or agent thereof.

(e) "Employment" means any occupation, vocation, job, or work with pay, including temporary or seasonal work, contingent work, and work through the services of a temporary or other employment agency; any form of vocational apprenticeship; or any internship. The physical location of the prospective employment shall be in whole, or substantial part, within this state.

(f) "Employment application" means a form, questionnaire, or similar document or collection of documents that an applicant for employment is required by an employer to complete whether the application exists in a hard copy, electronic, or Internet medium. "Employment application" does not include criminal background checks necessary to authorize access to a federally regulated facility pursuant to federal law or regulation.

II. No public or private employer or employer's agent shall inquire about a prospective employee's prior arrests, criminal charges, or convictions on an employment application, unless the employer needs to screen applications for specific criminal convictions because it is prohibited from hiring those with such convictions under state or federal law, or a position that is exclusive to a contract or subcontract that is subject to state or federal law prohibiting the hiring of an individual with a criminal record, then the employer may inquire only about those prior arrests, criminal charges, or convictions directly implicated by applicable state or federal law.

III. As part of an employment application process, no employer or employer's agent shall conduct a criminal record check of an applicant prior to the initial interview or make any inquiry covered by paragraph II except in person or by telephone, if it is standard practice for that employer to conduct telephone interviews. In cases where there is only one applicant for an open position at the close of the application period, the employer may inquire about the applicant's criminal background in writing without the need to do an in person or telephone interview, provided that the applicant has the opportunity to provide a written response.

IV. No employer or employer's agent shall discriminate against an employment applicant based on the racial or ethnic origin of the applicant as determined by the applicant's first or last name consistent with state and federal law prohibiting discrimination.

2 Effective Date. This act shall take effect 180 days after its passage.

2019-1760h

AMENDED ANALYSIS

This bill prohibits discrimination in employment based on criminal background checks.

Amendment to SB 118

(2019-1816h)

Proposed by the Majority of the Committee on Children and Family Law - r

Amend RSA 132:41, III(j) as inserted by section 1 of the bill by replacing it with the following:

(j) One representative of the judicial branch, appointed by the chief justice of the supreme court.

Amend RSA 132:41, III(m) as inserted by section 1 of the bill by replacing it with the following:

(m) The director of the division of fire standards and training and emergency medical services, department of safety, or designee.

Floor Amendment to SB 118

(2019-1849h)

Proposed by Rep. Yokela

Amend RSA 132:41, I as inserted by section 1 of the bill by replacing it with the following:

I. The office of the child advocate, in conjunction with the office of the chief medical examiner and in accordance with RSA 611-B, shall establish a child fatality review committee to conduct comprehensive, multidisciplinary reviews of preventable infant, child, and youth deaths in New Hampshire for the purpose of identifying factors associated with the deaths and to make recommendations for system changes to improve services for infants, children, and youth.

Amend RSA 132:41, III(o) - (y) as inserted by section 1 of the bill by replacing them with the following:

(o) An early childhood education specialist, appointed by the commissioner of the department of education.

(p) A maternal and child health specialist, appointed by the director of the office of the child advocate.

(q) A representative of a child advocacy center, appointed by the director of the office of the child advocate.

(r) A representative of Court Appointed Special Advocates (CASA), appointed by the director of CASA.

(s) A psychiatrist or psychologist licensed in this state, appointed by the director of the office of the child advocate.

(t) A representative of a parent advocacy organization, appointed by the director of the office of the child advocate.

(u) An epidemiologist from a New Hampshire college or university, appointed by the director of the office of the child advocate.

(v) A domestic violence specialist, appointed by the director of the office of the child advocate.

(w) A representative of a statewide law enforcement officers' advisory council, appointed by the director of the office of the child advocate.

(x) A representative of a family resource center or home visiting program, appointed by the director of the office of the child advocate.

(y) A member of the public, appointed by the governor.

Amend RSA 132:41, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The committee may request such records, documents, reports, reviews, recommendations, correspondence, data, and other evidence that the committee deems relevant to its objectives.

2019-1849h

AMENDED ANALYSIS

This bill establishes a child fatality review committee.

Amendment to SB 127

(2019-1608h)

Proposed by the Committee on Judiciary - c

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

AN ACT relative to the Hampton judicial district and establishing the Hampton district court as a site for judicial branch family division cases.

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

1 Judicial Districts; Hampton District. Amend RSA 502-A:1, II to read as follows:

II. HAMPTON DISTRICT. The Hampton district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, and Seabrook. The district division for the district shall be [~~temporarily~~] located in [~~Seabrook~~] **Hampton**, holding sessions regularly therein and elsewhere in the district as justice may require.

2 Judicial Branch Family Division; Sites. Amend RSA 490-D:4, III-IV to read as follows:

III. The courthouses in Rockingham county which will house the judicial branch family division shall be the court facility in Brentwood, the Portsmouth District Court, the Salem District Court, the Candia District Court, [~~and~~] the Derry District Court, **and the Hampton District Court**.

IV.(a) Matters arising in municipalities located within the Portsmouth district [~~, the Hampton district, and the towns of Newfields, Newmarket, and Stratham~~] shall be heard in the Portsmouth District Court.

(b) Matters arising in municipalities located within the Salem district shall be heard in the Salem District Court.

(c) Matters arising in municipalities located within the Derry district shall be heard in the Derry District Court.

(d) Matters arising in municipalities located within the Exeter district [~~(except for the towns of Newfields, Newmarket, and Stratham)~~] and the Plaistow district shall be heard in the court facility in Brentwood.

(e) Matters arising in municipalities located within the Candia district shall be heard in the Candia District Court.

(f) Matters arising in municipalities located within the Hampton district shall be heard in the Hampton District Court.

3 Effective Date.

I. Section 2 of this act shall take effect January 1, 2020.

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

2019-1608h

AMENDED ANALYSIS

This bill amends the statute governing the Hampton judicial district and establishes the Hampton district court as a site for judicial branch family division cases.

Amendment to SB 141

(2019-1824h)

Proposed by the Committee on Education - c

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

AN ACT establishing a committee to study violence in schools.

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

1 Findings. The general court makes the following findings:

I. There has been rising concern about violence in the schools of New Hampshire and the nation, along with its effects on teachers, staff, and students.

II. Effective legislative activities in the area of public education requires a thorough understanding of the challenges involving student behavior facing our public schools.

2 Committee Established. There is established a committee to study violence in New Hampshire schools.

3 Membership and Compensation.

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

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

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

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

4 Duties.

I. The committee shall examine the following issues:

(a) The extent to which violence and other problematic student behavior are an issue in New Hampshire schools.

(b) Changes over time in the rate and types of violent and other problematic student behavior.

(c) The causes of such behavior.

(d) The adequacy of existing laws, regulations, policies, and practices to address violence and its causes, effective interventions, and appropriate administrative responses. The review shall include RSA 135-F, RSA 193, RSA 193-D, RSA 281-A:64, Ed 200-1200, and LAB 600 and 1400.

(e) The availability of effective interventions to prevent and respond to dangerous and other problem student behaviors and improve school climate.

II. During its examination, the committee shall:

(a) Review available research and data.

(b) Accept testimony from school personnel and advocacy organizations, along with experts in the fields of education, school climate and safety, and student behavioral interventions.

(c) Review other states' educator safety laws, including but not limited to New York, Massachusetts, Michigan, Nevada, Louisiana, and Texas.

III. Following its review, the committee shall make recommendations for further legislation to improve school climate and safety for students, faculty, and staff in New Hampshire schools. It shall also make recommendations for improved reporting and data collection, if its review finds that such improvements are necessary.

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

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2019.

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

2019-1824h

AMENDED ANALYSIS

This bill establishes a committee to study violence in schools.

Amendment to SB 154

(2019-1577h)

Proposed by the Committee on Municipal and County Government - r

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

AN ACT establishing a committee to study tax incentives for promoting development of dense workforce housing in community centers, and authorizing the sale of certain property by the town of Milton.

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

1 Committee Established. There is established a committee to study the use of tax incentives for promoting development of dense workforce housing in community centers.

2 Membership and Compensation.

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

(a) Three members of the house of representatives, 2 of whom shall be members of the house municipal and county government committee and one whom shall be a member of the house ways and means committee, appointed by the speaker of the house of representatives.

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

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

3 Duties. The committee shall study and make recommendations for legislation to create tax incentives for promoting development of dense workforce housing in community centers.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2019.

6 Town of Milton; Authorization to Sell Property. Notwithstanding RSA 41:14-a, II(c), the town of Milton is hereby authorized to sell property located at 460 White Mountain Highway, known as "the old fire station," which has been listed for sale with a real estate broker in order to satisfy the requirements of the division of charitable trusts, department of justice.

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

2019-1577h

AMENDED ANALYSIS

This bill establishes a committee to study tax incentives for development of dense workforce housing in community centers. This bill also authorizes the town of Milton to sell certain property through a real estate broker.

Amendment to SB 165

(2019-1827h)

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

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

2 Net Energy Metering; Group Host; Community Solar. Amend RSA 362-A:9, XIV(c) to read as follows:

(c) Notwithstanding paragraph V, a group host shall be paid for its surplus generation at the end of each billing cycle at rates consistent with the credit the group host receives relative to its own net metering under either subparagraph IV(a) or (b) or alternative tariffs that may be applicable pursuant to paragraph XVI. ~~[Each group member of]~~ **Alternatively**, a group host ~~[for a low-moderate income community solar project, as defined in RSA 362-F:2, X-a,]~~ may **elect to** receive credits on the customer electric bill for each member and the host~~[, provided that there shall be only one new project under this paragraph in each utility's service territory by December 31, 2019 with such projects available on a first-come, first-served basis],~~ **with the utility being allowed the most cost-effective method of doing so according to an amount or percentage specified for each member on PUC form 909.09 (Application to Register or Re-register as a Host), along with a 3 cent per kwh addition from July 1, 2019 through July 1, 2021 and a 2.5 cent per kwh addition thereafter for low-moderate income community solar projects, as defined in RSA 362-F:2, X-a. On or before July 1, 2022, the commission shall report on the costs and benefits of such an addition and the development of the market for low-moderate income community solar projects, and provide a recommendation on whether the addition shall be increased or decreased.** The commission shall report on the costs and benefits of ~~[such projects]~~ **low-moderate income community solar projects, as defined in RSA 362-F:2, X-a** on or before ~~[December 31, 2019]~~ **June 1, 2020. The commission shall authorize at least 2 new low-moderate income community solar projects, as defined in RSA 362-F:2, X-a, each year in each utility's service territory beginning January 1, 2020.** On an annual basis, for all group host systems except for residential systems with an interconnected capacity under 15 kilowatts, the electric distribution utility shall calculate a payment adjustment if the host's surplus generation for which it was paid is greater than the group's total electricity usage during the same time period. The adjustment shall be such that the resulting compensation to the host for the amount that exceeded the group's total usage shall be at the utility's avoided cost or its default service rate in accordance with subparagraph V(b) or paragraph VI or alternative tariffs that may be applicable pursuant to paragraph XVI. The utility shall pay or bill the host accordingly.

3 Definition; Low-moderate Income Community Solar Project. Amend RSA 362-F:2, X-a to read as follows:

X-a. "Low-moderate income community solar project" means ground-mounted or rooftop solar arrays that directly benefit a group of at least 5 residential end-user customers, where at least a majority of the residential end-user customers are at or below 300 percent of the federal poverty guidelines. **No more than 15 percent of the projected load for such project shall be attributable to non-residential end-user customers.**

4 Effective Date. This act shall take effect July 1, 2019.

Amendment to SB 164

(2019-1743h)

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

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

AN ACT establishing a committee to study unprotected drinking water sources.

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

1 Committee Established. There is established a committee to study unprotected drinking water sources.

2 Membership and Compensation.

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

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

(b) Four members of the house of representatives, 2 appointed by the speaker of the house of representatives and 2 appointed by the house minority leader.

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

III. The committee shall solicit advice and testimony from the following organizations, entities, and individuals and any other individual or organization with information relevant to the committee's study:

(a) The state treasurer.

(b) Representatives of the department of environmental services.

(c) Representatives of a state or regional land trust.

(d) Representatives of the New Hampshire Water Works Association.

(e) Representatives of the New Hampshire Association of Conservation Commissions.

(f) Members of the public who have business experience related to the creation and/or delivery of clean and safe drinking water.

(g) Members of the public who represent citizens receiving their drinking water from private wells.

(h) A municipal official from a municipality without a public drinking water system.

(i) Any other stakeholders, nonprofit organizations, and other parties with an interest in the purpose of the water supply land protection grant program.

3 Duties. The committee shall:

I. Study the ways in which drinking water resources are contaminated from any source.

II. Work with the department of environmental services to determine and catalog all known unprotected high priority drinking water resources as outlined in the Drinking Water Land Protection Plan for New Hampshire Progress Report dated November 7, 2017.

III. Identify potential funding mechanisms, including sources of dedicated funding, for the future protection of high priority drinking water resources.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2020.

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

2019-1743h

AMENDED ANALYSIS

This bill establishes a committee to study unprotected drinking water sources.

Amendment to SB 177

(2019-1656h)

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

Amend RSA 135-C:29, II and III as inserted by section 1 of the bill by replacing them with the following:

II. The health care provider who is authorized to order involuntary emergency admission under RSA 135-C:28, I shall determine which transport option should be used to transport the person to New Hampshire hospital or the designated receiving facility. The transport options shall be by ambulance or by law enforcement. The transporting agency shall deliver the person to the designated receiving facility or New Hampshire hospital and shall determine whether restraint is necessary to protect the safety of the person, personnel conducting the transport, property, or the public. In the case of ambulance transport, such determination shall be in writing and shall state the factual basis for the conclusion that physical restraints are necessary. Physical restraints shall be used only to transport a person being admitted to New Hampshire hospital or a designated receiving facility, if necessary, to protect the safety of the person, personnel conducting the transport, property, or the public. For the purpose of this paragraph, "physical restraints" means the use of mechanical devices or other means to restrict the movement of a person or the movement or normal function of a portion of his or her body.

III. When the person being admitted to New Hampshire hospital or a designated receiving facility is a child under age 18, the health care provider shall consult with the parent, guardian, or legal custodian of the child prior to making the determination required under paragraph II.

**Amendment to SB 196
(2019-1802h)**

Proposed by the Majority of the Committee on Education - r

Amend RSA 186:11, IX-d as inserted by section 1 of the bill by replacing it with the following:

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose ***by written notice given via the student. In addition to the written notice, the school district may provide notice electronically.*** ~~[The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention.]~~ The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. ***The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically.*** In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

**Floor Amendment to SB 196
(2019-1848h)**

Proposed by Reps. A. Lekas and Shaw

Amend RSA 186:11, IX-d as inserted by section 1 of the bill by replacing it with the following:

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose ***by email or text, if available, in addition to any written notice given via the student.*** The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent, ***which may include email or text,*** of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

2019-1848h

AMENDED ANALYSIS

This bill requires a school district's policy governing non-academic surveys to require the district to notify a parent or guardian by email or text.

**Amendment to SB 212
(2019-1778h)**

Proposed by the Committee on Transportation - c

Amend the introductory paragraph of RSA 263:57-b, I as inserted by section 1 of the bill by replacing it with the following:

I. Notwithstanding any provision of law to the contrary, if a person is convicted of a first offense under RSA 265-A:2, I, not including any conviction involving driving a commercial motor vehicle, he or she may petition the court for ~~[a restoration of his or her operator's license with]~~ limited driving privileges. To qualify for consideration, the person shall submit proof of financial responsibility in accordance with RSA 265-A:28 and an application that demonstrates the need for the license. Satisfactory evidence of at least one of the following must be presented, including satisfactory proof from the employer, program, medical treatment facility, state-approved educational institution, or other destination:

**Amendment to SB 214
(2019-1979h)**

Proposed by the Committee on Public Works and Highways - c

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

1 Department of Transportation. The department shall, in accordance with its noise abatement policy, consider its type II noise abatement program, including projects eligible and related costs, as part of the state 10-year transportation improvement plan process, provided revenue becomes available for the program.

2 Layout of State Highways; Acquisition of Property; Historical Effects. Amend RSA 230:13, II(b) to read as follows:

(b) Construct, improve, and maintain transportation projects as directed by law and provide mitigation for existing or potential [environmental] effects of transportation projects ***on environmental and historical resources.***

2019-1979h

AMENDED ANALYSIS

This bill requires the department of transportation to consider its type II noise abatement policy. The bill also permits the commissioner of transportation to acquire private or public property to mitigate the effects of transportation projects on environmental and historical resources.

**Amendment to SB 215
(2019-1846h)**

Proposed by the Committee on Transportation - c

Amend the bill by replacing section 1 with the following:

1 Drivers' Licenses; Conditions and Requirements for a License; Exception for Persons Learning to Drive. Amend RSA 263:25, I to read as follows:

I. Except as provided in paragraph II, a person who does not possess a driver's license may drive a motor vehicle while being taught to drive, when accompanied by a person holding a driver's license of the appropriate class and type for the vehicle being driven, who is occupying the seat beside, or, ~~in the case of a bus~~ ***in the case of a commercial vehicle***, immediately adjacent to, the person who is being taught to drive. This exception shall not apply to persons whose driving privileges or driver's licenses have been suspended or revoked for cause, persons less than 15-1/2 years of age, and persons learning to drive commercial motor vehicles unless they meet the requirements of paragraph II. For all unlicensed drivers the person accompanying them shall be a certified driving instructor, parent, legal guardian, or responsible adult who is 25 years of age or older and who is a licensed driver. The person accompanying the unlicensed driver shall be liable for the violation of any provision of this title or rules adopted hereunder committed by such unlicensed driver. A person who is learning to drive pursuant to the provisions of this section shall have in his ***or her*** possession proof of the fact he ***or she*** meets the age requirement.

2019-1846h

AMENDED ANALYSIS

This bill requires a licensed driver to occupy the seat adjacent to a person learning to drive a commercial vehicle, and clarifies the minimum number of passengers a commercial vehicle is designed to transport for purposes of penalties for driving while subject to an out-of-service order.

**Amendment to SB 258
(2019-1805h)**

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

Amend RSA 167:4-d as inserted by section 1 of the bill by replacing it with the following:

167:4-d Medicaid Coverage of Telehealth Services.

I. It is the intent of this section to recognize the application of telehealth for covered services provided within the scope of practice of a physician or other health care provider as a method of delivery of medical care by which an individual at an originating site shall receive medical services which are clinically appropriate for delivery through telehealth from a health care provider at a distant site without in-person contact with the provider.

II. In this section:

(a) "Telehealth services" shall comply with 42 C.F.R. section 410.78, except for 42 C.F.R. section 410.78(b)(4). The use of the term "telemedicine" shall comply with the Centers for Medicare and Medicaid Services requirements governing the aforementioned telehealth services.

(b) "Distant site" means the location of the health care provider delivering services through telemedicine at the time the services are provided.

(c) "Originating site" means the location of the patient, whether or not accompanied by a health care provider, at the time services are provided by a health care provider through telemedicine, including, but

not limited to, a health care provider's office, a hospital, or a health care facility, or the patient's home or another nonmedical environment such as a school-based health center, a university-based health center, or the patient's workplace.

(d) "Remote patient monitoring" means the use of electronic technology to remotely monitor a patient's health status through the collection and interpretation of clinical data while the patient remains at an originating site. Remote patient monitoring may or may not take place in real time. Remote patient monitoring shall include assessment, observation, education and virtual visits provided by all covered providers including licensed home health care providers.

(e) "Store and forward," as it pertains to telemedicine and as an exception to 42 C.F.R. section 410.78, means the use of asynchronous electronic communications between a patient at an originating site and a health care service provider at a distant site for the purpose of diagnostic and therapeutic assistance in the care of patients. This includes the forwarding and or transfer of stored medical data from the originating site to the distant site through the use of any electronic device that records data in its own storage and forwards its data to the distant site via telecommunication for the purpose of diagnostic and therapeutic assistance.

III.(a) Coverage under this section shall include the use of telehealth or telemedicine for Medicaid-covered services provided within the scope of practice of a physician or other health care provider as a method of delivery of medical care:

(1) Which is an appropriate application of telehealth services provided by physicians and other health care providers, as determined by the department based on the Centers for Medicare and Medicaid Services regulations, and also including persons providing psychotherapeutic services as provided in He-M 426.08 and 09;

(2) By which telemedicine services for primary care, remote patient monitoring, and substance use disorder services shall only be covered in the event that the patient has already established care at an originating site via face-to-face in-person service; and

(3) By which an individual shall receive medical services from a physician or other health care provider who is an enrolled Medicaid provider without in-person contact with that provider.

(b) Nothing in this section shall be construed to prohibit the Medicaid program from providing coverage for only those services that are medically necessary and subject to all other terms and conditions of the coverage.

IV. This section shall be conditioned upon review and approval of a state plan amendment submitted by the department to the Centers for Medicare and Medicaid Services, as deemed necessary.

V. The department shall adopt rules, pursuant to RSA 541-A, necessary to carry out the purposes of this section.

Amend RSA 415-J:2, II-b as inserted by section 3 of the bill by replacing it with the following:

II-b. "Remote patient monitoring" means the use of electronic technology to remotely monitor a patient's health status through the collection and interpretation of clinical data while the patient remains at an originating site. Remote patient monitoring may or may not take place in real time. Remote patient monitoring shall include assessment, observation, education, and virtual visits provided by all covered providers including licensed home health care providers.

Amend the bill by replacing section 5 with the following:

5 Effective Date.

I. Sections 3 and 4 of this act shall take effect January 1, 2020.

II. The remainder of this act shall take effect 60 days after its passage.

Amendment to SB 282-FN

(2019-1845h)

Proposed by the Committee on Education - c

Amend RSA 193-J:2, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Training school faculty and staff, including contracted personnel and designated school volunteers, in youth suicide risk factors, warning signs, protective factors, response procedures, referrals, post-intervention, and resources available within the school and community consistent with the provisions of paragraph II.

Amend RSA 193-J:2, II as inserted by section 1 of the bill by replacing it with the following:

II. Each school district and chartered public school shall, within 9 months of the effective date of this chapter, require all school faculty and staff, including contracted personnel, to receive at least 2 hours of training in suicide awareness and prevention annually. Such training may include, but not be limited to, youth suicide risk factors, warning signs, protective factors, response procedures, referrals, post-intervention, and resources available within the school and community. The training may be accomplished within the framework of existing in-service training programs or offered as part of ongoing professional development activities. School districts and chartered public schools shall allow the use of self-training materials in fulfilling the annual training requirements of this paragraph and each school district and chartered public school may determine how to both administer the annual training requirements and ensure that such training requirements are met. This paragraph may apply to all or some school volunteers in accordance with school district policy.

**Amendment to SB 296-FN
(2019-1572h)**

Proposed by the Committee on Judiciary - r

Amend RSA 516:29-c, I(a)-(d) as inserted by section 2 of the bill by replacing them with the following:

(a) The reasonable necessity of such services, treatments, or appliances, and the fair and reasonable charges for the same, provided that those matters are attested to in the record or report, or in the accompanying certification;

(b) The diagnosis and prognosis of the licensed health care provider, provided that such diagnosis or prognosis is expressly stated by the author of the record or report;

(c) The opinion of such licensed health care provider as to the proximate cause of the diagnosed condition, provided that such opinion is expressly stated by the author of the record or report; and

(d) The opinion of such licensed health care provider as to disability or incapacity, if any, proximately resulting from the diagnosed condition, provided that the opinion is expressly stated by the author of the record or report.