

STATE OF NEW HAMPSHIRE

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161st Session of the New Hampshire General Court

Legislative

SENATE CALENDAR

**REPORTS, AMENDMENTS, HEARINGS,
MEETINGS AND NOTICES**

THE SENATE WILL MEET IN SESSION ON WEDNESDAY, APRIL 1, 2009 AT 1:00 P.M.

LAID ON THE TABLE

SB 21, enabling certain persons to vote in primaries prior to turning 18 years of age. **3/25/09, pending motion OTP, Election Law and Veterans' Affairs, SJ 9, pg. TBA**

SB 34, providing that registers of probate be present at the probate office in accordance with personnel rules established by the supreme court. **2/18/09, pending motion OTP, Judiciary, SJ 5, pg. 58**

SB 83, establishing a committee to study net loss carry forward provisions under the business taxes. **3/25/09, pending motion OTP, Ways & Means, SJ 9, pg. TBA**

SB 136-FN, relative to the motor vehicle registration fee supporting a municipal and transportation improvement fund. **3/4/09, pending motion ITL, Public and Municipal Affairs, SJ 6, pg. 79**

SB 146-FN-A, relative to liquor profits deposited into the alcohol abuse prevention and treatment fund. **3/25/09, pending motion OTP, Ways & Means, SJ 9, pg. TBA**

SB 164-FN-A, relative to the expansion and funding of northern New Hampshire's electrical transmission system, and establishing the northern New Hampshire electrical transmission system improvement fund. **3/11/09, pending motion ITL, Energy, Environment and Economic Development, SJ 7, pg. 104**

SB 167-FN, relative to employee leasing companies. **3/11/09, pending motion OTP, Commerce, Labor and Consumer Protection, SJ 7, pg. 92**

SB 169-FN, relative to games of chance and establishing a gaming oversight authority and video lottery gaming. **3/11/09, pending motion ITL, Ways & Means, SJ 7, pg. 114**

SB 179-FN-A-L, providing for the recovery of horse racing, and expanding gaming operations in the north country and at pari-mutuel locations. **3/11/09, pending motion OTP, Ways & Means, SJ 7, pg. 114**

REPORTS

EDUCATION

CACR 11, relating to funding of public education. Providing that the general court shall define an adequate education and distribute state funds for public education in a manner that alleviates local disparities.

Inexpedient to Legislate, Vote 4-2.

Senator Merrill for the committee.

HB 74, relative to student membership on a school board.

Ought to Pass, Vote 6-0.

Senator Bragdon for the committee.

ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT

SB 50, relative to funds and programs of the department of environmental services.

Ought to Pass, Vote 5-0.

Senator Merrill for the committee.

SB 117, establishing a committee to study the feasibility of establishing a program to provide low-cost firewood from state lands to low-income individuals.

Ought to Pass with Amendment, Vote 5-0.

Senator Lasky for the committee.

SB 124, relative to beaver dams.

Ought to Pass with Amendment, Vote 6-0.

Senator Odell for the committee.

SB 127, making renewable energy facilities eligible for certain bonds issued by municipalities and business and industrial development authorities.

Ought to Pass, Vote 5-0.

Senator Fuller Clark for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 17, relative to Selective Service registration upon driver's license application or renewal.

Inexpedient to Legislate, Vote 3-2.

Senator Cilley for the committee.

SB 132, establishing a commission to study combining state agencies and programs to enhance efficiency and lower costs.

Ought to Pass, Vote 5-0.

Senator Fuller Clark for the committee.

SB 156, relative to the commission to study the creation of an animal care worker classification.

Ought to Pass, Vote 5-0.

Senator Cilley for the committee.

SB 173, authorizing the commissioner of corrections to accept certain gifts.

Ought to Pass, Vote 5-0.

Senator DeVries for the committee.

SB 178, relative to the operation of the special school district for the education of eligible offenders held in facilities operated by the department of corrections.

Ought to Pass with Amendment, Vote 4-1.

Senator Fuller Clark for the committee.

SB 190, relative to race track cocktail lounge licenses.

Ought to Pass, Vote 4-0.

Senator Carson for the committee.

SB 198, relative to the assessing standards board.

Inexpedient to Legislate, Vote 4-0.

Senator DeVries for the committee.

FINANCE

SB 10-FN-A-L, making an appropriation to the town of Allentown for disaster assistance in response to the May 2006 and April 2007 floods.

Ought to Pass with Amendment, Vote 7-0.

Senator D'Allesandro for the committee.

SB 67-FN-A, relative to funding certain AIDS services organizations.

Ought to Pass with Amendment, Vote 7-0.

Senator Sgambati for the committee.

SB 89-FN, relative to unemployment overpayments.

Ought to Pass, Vote 7-0.

Senator Hassan for the committee.

SB 144-FN, allowing the unemployment compensation trust fund to be charged for benefits paid for certain employee terminations.

Ought to Pass with Amendment, Vote 7-0.

Senator Hassan for the committee.

SB 182-FN-A, establishing a job creation credit against the business profits tax and the business enterprise tax for businesses manufacturing energy efficient products.

Ought to Pass with Amendment, Vote 7-0.

Senator Odell for the committee.

JUDICIARY

SB 43, relative to including a parent's residence in the parenting plan.

Inexpedient to Legislate, Vote 5-0.

Senator Letourneau for the committee.

SB 84, relative to the unused prescription drug program.

Inexpedient to Legislate, Vote 4-0.

Senator Houde for the committee.

SB 88, relative to recommendations of marital masters.

Ought to Pass, Vote 5-0.

Senator Reynolds for the committee.

SB 201-FN, relative to classification of misdemeanor offenses.

Ought to Pass with Amendment, Vote 5-0.

Senator Houde for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

SB 128, allowing municipalities to grant a property tax credit for low income persons owning residential property.
Inexpedient to Legislate, Vote 2-1.
Senator Roberge for the committee.

TRANSPORTATION AND INTERSTATE COOPERATION

HB 56-FN, renaming a bridge to honor U. S. Navy Seal Daniel Healy.
Ought to Pass with Amendment, Vote 5-0.
Senator Letourneau for the committee.
HB 99, relative to supervised driving time by persons completing driver education.
Ought to Pass, Vote 5-0.
Senator Gilmour for the committee.

AMENDMENTS

Senate Finance
March 26, 2009
2009-1087s
06/01

Amendment to SB 10-FN-A-LOCAL

Amend the bill by replacing section 1 with the following:

□ Appropriation; State Matching Funds for Federal Emergency Management Agency Flood Mitigation Assistance Grants. In response to May 2006 and April 2007 flood damage sustained by the neighborhoods of Riverside Drive and Albin Avenue in the town of Allenstown, subject to the approval of the governor and council, a sum not to exceed \$650,000 is hereby appropriated to the department of safety, bureau of emergency management, for the fiscal year ending June 30, 2009, as the required state match for federal disaster assistance funds from the Federal Emergency Management Agency for flood damage sustained during the “Mothers Day Flood” of May 2006 and the flood of April 2007. With prior approval of the fiscal committee, the department of safety, bureau of emergency management shall distribute the funds appropriated by this act to the town of Allenstown. The funds shall be distributed pursuant to the following funding formula: federal funds shall be used for 75 percent of eligible costs and state funds shall be used for the remaining costs. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Any unexpended funds shall lapse to the general fund on June 30, 2011.

Senate Finance
March 26, 2009
2009-1084s
01/04

Amendment to SB 67-FN-A

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

AN ACT relative to funding certain AIDS services organizations and relative to certain operating budget reductions for fiscal year 2009.

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

¶ Human Immunodeficiency Virus; New Hampshire Care Program; Grants to AIDS Services Organizations. Amend 2007, 367:1 and 367:2 to read as follows:

367:1 Department of Health and Human Services; Human Immunodeficiency Virus ~~[Prevention]~~, *New Hampshire Care Program*. The department shall expend ~~[the sums of \$500,000 in the fiscal year ending June 30, 2008 and \$500,000 in the fiscal year ending June 30, 2009]~~ **50 percent of any newly appropriated unrestricted general funds in the state fiscal years ending June 30, 2010 and June 30, 2011** for the ~~[human immunodeficiency virus prevention program]~~ *New Hampshire Care program* in the department of health and human services for the purchase of antiretroviral drugs. The department shall fund the program from funds appropriated to the department ~~[in the state operating budget in fiscal years 2008 and 2009]~~.

367:2 Department of Health and Human Services; Grants to AIDS Services Organizations. The department shall distribute ~~[to the specified agencies the total sum of \$500,000 in the fiscal year ending June 30, 2008 and the total sum of \$500,000 in the fiscal year ending June 30, 2009 for grants]~~ **the remaining 50 percent of any newly appropriated unrestricted general funds in the state fiscal years ending June 30, 2010 and June 30, 2011** to the following AIDS services organizations: a Community Resource Network (ACORN) in Lebanon; AIDS Response-Seacoast in Portsmouth; AIDS Services for Monadnock in Keene; the Greater Manchester AIDS Project; and Southern New Hampshire HIV/AIDS Task Force in Nashua. The department shall fund said grants from funds appropriated to the department in the state operating budget ~~[in fiscal years 2008 and 2009]~~. The awarding of such grants to the specified agencies by the department of health and human services shall be on a per capita basis. The administration of these grants by the department of health and human services shall follow the procedures established by the ~~[Boston Public Health Commission AIDS Program, both for eligibility and billing]~~ *New Hampshire Care program*.

¶ Operating Budget; Legislative Branch. 2009, 1:2 is repealed and reenacted to read as follows:

1:2 Operating Budget; Legislative Branch; Lapse of Appropriation. The legislative branch shall lapse \$700,000 to the general fund on June 30, 2009. The lapse required by this section shall be in addition to the reductions required by 2008, 296:3.

¶ Effective Date.

I. Section 1 of this act shall take effect July 1, 2009.

II. The remainder of this act shall take effect June 30, 2009.

2009-1084s

AMENDED ANALYSIS

This bill clarifies the funding for the human immunodeficiency virus through the New Hampshire Care program within the department of health and human services and certain AIDS services organizations.

This bill requires the legislative branch to lapse \$700,000 to the general fund on June 30, 2009.

Energy, Environment, and Economic Development

March 26, 2009

2009-1076s

04/01

Amendment to SB 117

Amend the bill by replacing section 5 with the following:

¶ Report. The committee shall submit an interim report on or before November 1, 2009. The committee shall submit its final report on or before November 1, 2010 detailing 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, 2009.

Energy, Environment and Economic Development

March 26, 2009
2009-1075s
10/04

Amendment to SB 124

Amend RSA 210:9, II and II-a as inserted by section 1 of the bill by replacing it with the following:

II. Notwithstanding paragraph I or any other provision of law or rule of the executive director or the department of environmental services, a landowner, a landlord's employee, tenant, or caretaker, or any town or municipal or state official or employee, may destroy beaver ~~[and]~~, **remove** beaver dams, **or install or have installed beaver pipes or beaver fences** on property under their control to protect property, public highways, or bridges from damage or submersion ~~[with the permission of the owner of lands affected, if applicable]~~. ***Dam removal shall be permitted if machinery does not enter the water or create any disturbance by filling or dredging to adjacent surface water, wetlands, or their banks. Removal shall be done in a gradual manner that does not allow a sudden release of impounded water so as to cause erosion, siltation, of a safety hazard downstream.***

II-a. For purposes of paragraph II, the term "beaver pipes" means no more than 3 temporary structures with the widest dimension no larger than 15 inches that is placed in a beaver dam to allow water passage to maintain a desired water surface elevation, and the term "beaver fences" means posts and fencing installed at culverts in such a manner as to either encourage or discourage beaver damming against the fence.

2009-1075s

AMENDED ANALYSIS

This bill provides conditions for the removal of beaver dams and the use of beaver pipes or beaver fences.

Senate Finance
March 26, 2009
2009-1088s
06/09

Amendment to SB 144-FN

Amend RSA 282-A:32, I(a)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) The leaving of employment was necessary to protect the individual from domestic abuse, as defined in RSA 173-B:1 and in accordance with rules adopted by the commissioner, and the individual made all reasonable efforts to preserve the employment, and in addition:

(A) The individual relocated to escape the abuse; or

(B) The individual, due to changed circumstances, is able to return to the individual's employment, but the employer is unable to return the individual to the individual's job, or to comparable work, due solely to:

(i) A reduction in work force; or

(ii) Other economic conditions, and the individual did all things that a reasonably prudent person would have done to continue the employer-employee relationship or the possibility of reemployment during the period the individual was unable to work due to the domestic abuse; **or**

(4) The individual is separated from employment because he or she has become unable to perform some or all of his or her job duties due to an illness or injury that is not work-related or due to pregnancy, provided that a physician has attested to the individual's inability to perform work duties in a written notice. Nothing in this section shall relieve an employer of the duty to provide reasonable accommodation as that term is defined by state or federal law.

(5) The leaving of employment was necessary to allow the individual to accompany his or her spouse or civil union partner to a place from which it is impractical for the individual to commute due to a change in location of the spouse's or civil union partner's employment; or

(6) The leaving of employment was due to the illness or disability of a member of the individual's immediate family as those terms are defined by the Secretary of United States Department of Labor.

Senate Executive Departments and Administration
March 25, 2009
2009-1047s
04/09

Amendment to SB 178

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

AN ACT relative to the operation of the special school district for the education of eligible offenders held in facilities operated by the department of corrections, and establishing the director of community corrections position in the department of corrections.

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

1 New Subparagraph; Department of Corrections; Powers and Duties of Commissioner. Amend RSA 21-H:8, II by inserting after subparagraph (h) the following new subparagraph:

(i) Be responsible for the operation of the special school district established under RSA 194:60 for the purpose of providing appropriate education services to eligible offenders held in facilities operated by the department.

2 New Paragraph; Department of Corrections; Internal Organizational Units. Amend RSA 21-H:4 by inserting after paragraph VI the following new paragraph:

VII. The director of community corrections, under the supervision of the commissioner, who shall:

(a) Direct and oversee departmental services for inmates preparing for release from institutional settings into the community.

(b) Direct and oversee departmental services for individuals under probation or parole supervision in order to achieve stability within the community and reduce recidivism.

(c) Operate and administer all transitional work and housing units where inmates are assigned for minimum security and work release.

(d) Serve as the primary liaison between the department and community-based service providers, state courts, and municipal, county, and state entities with common issues and responsibilities, including substance abuse and mental health issues.

(e) Work with the department of justice and other state and federal agencies to identify, secure, and manage grant funds to supplement services available to offenders under departmental supervision, including but not limited to housing and employment assistance, substance abuse treatment, mental health treatment, and medical and prescription services.

3 Department of Corrections; Qualifications and Compensation of Certain Officials. Amend RSA 21-H:7, III to read as follows:

III. The salaries of the commissioner, assistant commissioner, professional standards director, director of security and training, **director of community corrections**, and the division directors of the department shall be as specified in RSA 94:1-a.

4 Department of Corrections; Status in Retirement System. Amend RSA 21-H:8-a to read as follows:

21-H:8-a ~~[Assistant Commissioner]~~ Status in Retirement System. For purposes of classification under RSA 100-A, the assistant commissioner, professional standards director, **director of community corrections**, and director of security and training of the department of corrections shall be considered permanent policemen if such individuals were permanent police members of group II for at least 10 years prior to appointment in their respective positions, and continue to be certified as police officers under RSA 188-F:26 and 188-F:27.

5 Compensation of Certain State Officers; Salaries Established. Amend RSA 94:1-a, I(b) as follows:

Delete:

HH Department of corrections warden, Lakes Region facility

Insert:

GG Department of corrections director of community corrections

6 Repeal. RSA 21-H:4, I(c), relative to operation of the special school district by the department of corrections, is repealed.

7 Effective Date. This act shall take effect July 1, 2009.

2009-1047s

AMENDED ANALYSIS

This bill:

I. Provides that operation of the special school district for eligible offenders shall be a duty of the commissioner of the department of corrections.

II. Establishes the position of director of community corrections in the department of corrections.

III. Eliminates the position of warden of the Lakes Region facility.

IV. Is a request of the department of corrections.

Senate Finance

March 26, 2009

2009-1086s

01/09

Amendment to SB 182-FN-A

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

AN ACT establishing a committee to study business tax credits.

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

1 Committee Established. There is established a committee to study business tax credits and the revenues attributable to business tax credits and their effectiveness.

2 Membership and Compensation.

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

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

(b) Three 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.

3 Duties. The committee shall study business tax credits and the revenues attributable to business tax credits, including, but not limited to:

I. The community development finance authority investment tax credit under RSA 162-L:10.

II. The economic revitalization zone tax credit under RSA 162-N.

III. The research and development tax credit under RSA 77-A:5, XIII.

IV. The Coos county job creation credit under RSA 162-Q.

V. The business profits tax credit for insurance taxes paid pursuant to RSA 400-A under RSA 77-A:5, III.

VI. The credit for business enterprise taxes against the business profits tax under RSA 77-A:5, X.

VII. The net loss carry forward provisions under the business profits tax and the business enterprise tax.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named 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.

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 December 1, 2009.

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

2009-1086s

AMENDED ANALYSIS

This bill establishes a committee to study business tax credits and the revenues attributable to business tax credits and their effectiveness.

Senate Judiciary

March 25, 2009

2009-1040s

04/03

Amendment to SB 201-FN

Amend RSA 625:9, IV(c)(2) as inserted by section 1 of the bill by replacing it with the following:

(2) The state files a notice of intent to seek class A misdemeanor penalties on or before the date of arraignment. Such notice shall be on a form approved in accordance with RSA 490:26-d.

Transportation and Interstate Cooperation

March 26, 2009

2009-1089s

06/09

Amendment to HB 56-FN

Amend the bill by replacing section 3 with the following:

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

HEARINGS

TUESDAY, MARCH 31, 2009

COMMERCE, LABOR AND CONSUMER PROTECTION, Room 102, LOB

Sen. Hassan (C), Sen. DeVries (VC), Sen. Reynolds, Sen. Cilley, Sen. Bragdon, Sen. Roberge

8:30 a.m. **SB 5**, prohibiting retailers from disclosing private consumer information to foreign states in connection with the collection of certain sales and use taxes.

9:15 a.m. **SB 188**, relative to hospital billing for professional services.

9:45 a.m. **SB 61**, relative to consumer credit report of satisfied debts.

EXECUTIVE SESSION MAY FOLLOW

EDUCATION, Room 103, LOB

Sen. Kelly (C), Sen. Merrill (VC), Sen. Fuller Clark, Sen. Lasky, Sen. Bragdon, Sen. Letourneau

10:15 a.m. **HB 169**, relative to the counting of charter school pupils in the definition of average daily membership in residence.

EXECUTIVE SESSION MAY FOLLOW

ELECTION LAW AND VETERANS' AFFAIRS, Room 101, LOB

Sen. Lasky (C), Sen. Houde (VC), Sen. Merrill, Sen. Barnes, Sen. Carson

8:30 a.m. **HB 35**, eliminating the office of vice-president from the presidential primary ballot.

8:45 a.m. **HB 513**, relative to the prohibition on voting in more than one state.

9:00 a.m. **HB 667-FN**, relative to misrepresenting the origin of a campaign call.

9:15 a.m. **HB 267**, relative to the definition of "election."

EXECUTIVE SESSION MAY FOLLOW

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

Sen. Cilley (C), Sen. Fuller Clark (VC), Sen. DeVries, Sen. Downing, Sen. Carson

2:00 p.m. **HB 633-FN**, relative to eligibility for medical benefits payment by the retirement system for certain group I teacher and political subdivision employee members.

2:01 p.m. **HB 685-FN**, relative to medical benefits payment by the retirement system for certain vested deferred group I members.

2:30 p.m. **HB 52-FN**, relative to the regulation of massage therapists.

2:50 p.m. **HB 172**, (New Title) allowing naturopathic doctors to dispense prescription drugs which are within their scope of practice.

3:05 p.m. **HB 339**, ratifying changes to the state building code adopted by the state building code review board and revising the definition of the state building code.

3:25 p.m. **HB 39-FN**, relative to the authority of the state board for the licensing and regulation of plumbers.

EXECUTIVE SESSION MAY FOLLOW

HEALTH AND HUMAN SERVICES, Room 103, SH

Sen. Sgambati (C), Sen. Gilmour (VC), Sen. Kelly, Sen. Gallus, Sen. Downing

8:30 a.m. **HB 226-FN**, relative to the lead paint poisoning law.

8:45 a.m. **HB 483**, establishing the developmental services quality council.

9:00 a.m. **HB 594-FN**, relative to the medicaid pharmacy benefits management program.

EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 103, SH

Sen. Reynolds (C), Sen. Lasky (VC), Sen. Houde, Sen. Roberge, Sen. Letourneau

2:00 p.m. **SB 142**, relative to registration of criminal offenders.

EXECUTIVE SESSION MAY FOLLOW

WAYS AND MEANS, Room 100, SH

Sen. Odell (C), Sen. D'Allesandro (VC), Sen. Janeway, Sen. Reynolds, Sen. Gilmour, Sen. Downing

10:15 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

WILDLIFE, FISH AND GAME AND AGRICULTURE, Room 103, LOB

Sen. Gallus (C), Sen. Janeway (VC), Sen. Merrill, Sen. Gilmour, Sen. Gatsas

2:00 p.m. **HB 182**, relative to fish and game department authorization to administer programs involving federal aid, and relative to biennial reports of the department.

2:05 p.m. **HB 451**, authorizing a transaction fee for license agents electronically issuing fish and game licenses.

2:10 p.m. **HB 526**, changing certain references in fish and game laws to river herring.

2:15 p.m. **HB 545-FN**, relative to the wildlife damage control program in the fish and game department.

2:20 p.m. **HB 612**, (New Title) relative to the suspension or revocation of fish and game licenses.

2:25 p.m. **HB 148**, relative to the sale and vaccination of animals.

2:30 p.m. **HB 41**, allowing the executive director of fish and game to donate certain hunting and fishing permits to the wildlife heritage foundation of New Hampshire.

EXECUTIVE SESSION MAY FOLLOW

THURSDAY, APRIL 2, 2009

COMMERCE, LABOR AND CONSUMER PROTECTION, Room 101, LOB

Sen. Hassan (C), Sen. DeVries (VC), Sen. Reynolds, Sen. Cilley, Sen. Bragdon, Sen. Roberge

2:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT, Room 102, LOB

Sen. Fuller Clark (C), Sen. Merrill (VC), Sen. Cilley, Sen. Lasky, Sen. Odell, Sen. Carson

8:30 a.m. **SB 97**, relative to customer information regarding energy sources and the environmental characteristics of their electric service.

(THE PREVIOUS HEARING FOR SB 97 WAS RECESSED ON MARCH 26TH)

EXECUTIVE SESSION ON PENDING LEGISLATION

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

PUBLIC AND MUNICIPAL AFFAIRS, Room 103, LOB

Sen. DeVries (C), Sen. Houde (VC), Sen. Sgambati, Sen. Roberge, Sen. Barnes

8:30 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

TRANSPORTATION AND INTERSTATE COOPERATION, Room 101, LOB

Sen. Letourneau (C), Sen. Gilmour (VC), Sen. Fuller Clark, Sen. Kelly, Sen. Gatsas

10:30 a.m. **HB 372**, (New Title) relative to drivers' licenses for persons with certain seizure disorders.

11:00 a.m. **HB 671-FN**, amending the motorist service signing program to allow the department of transportation to charge a fee for attraction signs.

11:15 a.m. **HB 284-FN**, increasing the contract amount that triggers the bond requirement on public projects.

11:45 a.m. **HB 162**, relative to recycled and rebuilt vehicles.

EXECUTIVE SESSION MAY FOLLOW

TUESDAY, APRIL 7, 2009

ELECTION LAW AND VETERANS' AFFAIRS, Room 101, LOB

Sen. Lasky (C), Sen. Houde (VC), Sen. Merrill, Sen. Barnes, Sen. Carson

8:30 a.m. **HB 105**, relative to voting machines for the counting of ballots.

8:45 a.m. **HB 265**, relative to proving qualifications to vote.

9:00 a.m. **HB 292**, (New Title) relative to financial disclosures, lobbyist registrations and statements, prohibited gifts, and executive branch volunteers.

EXECUTIVE SESSION MAY FOLLOW

HEALTH AND HUMAN SERVICES, Room 103, SH

Sen. Sgambati (C), Sen. Gilmour (VC), Sen. Kelly, Sen. Gallus, Sen. Downing

8:30 a.m. **HB 64-FN**, (New Title) relative to eligibility for Aid to the Needy Blind.

8:45 a.m. **HB 497**, relative to the automated external defibrillator advisory commission.

9:00 a.m. **HB 544**, relative to data collected by health care facilities.

EXECUTIVE SESSION MAY FOLLOW

TUESDAY, APRIL 14, 2009

ELECTION LAW AND VETERANS' AFFAIRS, Room 101, LOB

Sen. Lasky (C), Sen. Houde (VC), Sen. Merrill, Sen. Barnes, Sen. Carson

8:30 a.m. **HB 387**, relative to observation of voter registration.

8:45 a.m. **HB 622**, amending the hearing dates of the ballot law commission.

9:00 a.m. **HB 623**, making various changes to the election laws.

EXECUTIVE SESSION MAY FOLLOW

HEALTH AND HUMAN SERVICES, Room 103, SH

Sen. Sgambati (C), Sen. Gilmour (VC), Sen. Kelly, Sen. Gallus, Sen. Downing

8:30 a.m. **HB 132**, relative to access to case records of the department of health and human services.

8:45 a.m. **HB 234**, establishing a committee to study the certificate of need process.

EXECUTIVE SESSION MAY FOLLOW

MEETINGS

FRIDAY, MARCH 27, 2009

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62)

9:00 a.m. Room 305, LOB Regular Meeting

ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

9:30 a.m. NH Department of Revenue Regular Meeting

Administration

Medical & Surgical Building

109 Pleasant Street

Concord, NH

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m. Room 201, LOB Complaint Hearing

COMMISSION TO STUDY REQUIREMENTS FOR SAFE AND SECURE LANDFILLS (HB 672, Chapter 252:1, Laws of 2007)

Cancelled Room 304, LOB Regular Meeting

ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

1:30 p.m. NH Department of Revenue Low Income Housing Subcommittee

Administration

Medical & Surgical Building

109 Pleasant Street

Concord, NH

MONDAY, MARCH 30, 2009

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)

9:00 a.m. Room 305, LOB Regular Meeting

JOINT COMMITTEE ON EMPLOYEE CLASSIFICATION (RSA 14:14-C)

11:00 a.m. Room 306, LOB Regular Meeting

TUESDAY, MARCH 31, 2009

EXOTIC AQUATIC WEEDS AND SPECIES COMMITTEE (RSA 487:30)

3:00 p.m. Room 308, LOB Regular Meeting

WEDNESDAY, APRIL 1, 2009

ADVISORY COMMITTEE ON EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES (RSA 186-C:3-b)

4:15 p.m. NH Department of Education Regular Meeting

Londergan Hall, Room 15

101 Pleasant Street

Concord, NH

FRIDAY, APRIL 3, 2009

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

Cancelled Room 100, SH Continued Meeting

COMMISSION TO STUDY REQUIREMENTS FOR SAFE AND SECURE LANDFILLS (HB 672, Chapter 252:1, Laws of 2007)

1:00 p.m. Room 304, LOB Regular Meeting

MONDAY, APRIL 6, 2009

CITIZENS TRADE POLICY COMMISSION (19-L:1)

9:00 a.m.	Room 307, LOB	Regular Meeting
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ELECTRONIC BALLOT COUNTING DEVICE ADVISORY COMMITTEE (HB 285, Chapter 134:1, Laws of 2008)

10:00 a.m.	HAVA Conference Room	Regular Meeting
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Archives and Record Management Building
71 South Fruit Street
Concord, NH

JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1)

11:00 a.m.	Room 100, SH	Regular Meeting
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COMMISSION TO STUDY ISSUES RELATING TO STORMWATER (HB 1295, Chapter 71:1, Laws of 2008)

1:00 p.m.	Room 305, LOB	Regular Meeting
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COMMISSION TO STUDY THE PREVENTION OF CHILDHOOD OBESITY (HB 1422, Chapter 219:1, Laws of 2008)

3:15 p.m.	Room 205, LOB	Regular Meeting
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FRIDAY, APRIL 10, 2009

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-e:1,I)

9:30 a.m.	Room 101, LOB	Regular Meeting
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GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m.	Room 102, LOB	Regular Meeting
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MONDAY, APRIL 13, 2009

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

10:00 a.m.	Room 100, SH	Public Hearing on draft proposed amendments to the Ethics Guidelines and Regular Meeting
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FRIDAY, APRIL 17, 2009

FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)

9:00 a.m.	Rooms 210-211, LOB	Regular Business
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JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m.	Rooms 306-308, LOB	Regular Meeting
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GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J:1)

9:30 a.m.	The Willows at Families in Transition	Regular Meeting
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161 South Beech Street
Manchester, NH

GUARDIAN AD LITEM BOARD (RSA 490-C:1)

10:00 a.m.	Room 102, LOB	Special Hearing in the Matter of Marie Dubreuil
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MONDAY, APRIL 20, 2009

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)

9:00 a.m.	Room 100, SH	Regular Meeting
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HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)

10:00 a.m.	Room 205, LOB	Regular Meeting
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TUESDAY, APRIL 21, 2009

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)

3:00 p.m. Room 201, LOB Regular Business

THURSDAY, APRIL 23, 2009

COMMISSION TO DEVELOP ALTERNATIVES TO THE DISPOSAL OF MEDICAL SHARPS IN HOUSEHOLD WASTE (HB 1502, Chapter 259:2, Laws of 2008)

2:00 p.m. Room 304, LOB Regular Meeting

NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2)

2:00 p.m. Upham Walker House Regular Meeting
Concord, NH

GUARDIAN AD LITEM BOARD (RSA 490-C:1)

3:00 p.m. Room 103, SH Public Comment Hearing Procedural Revisions to Guardian Ad
Litem Rules

FRIDAY, MAY 1, 2009

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Rooms 306-308, LOB Continued Meeting

MONDAY, MAY 4, 2009

CITIZENS TRADE POLICY COMMISSION (RSA 19-L:1)

9:00 a.m. Room 307, LOB Regular Meeting

WEDNESDAY, MAY 6, 2009

ADVISORY COMMITTEE ON EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES (RSA 186-C:3-b)

4:00 p.m. NH Department of Education Regular Meeting
Londergan Hall, Room 15
101 Pleasant Street
Concord, NH

FRIDAY, MAY 8, 2009

GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m. Room 102, LOB Regular Meeting

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

9:30 a.m. Room 101, LOB Regular Meeting

FRIDAY, MAY 15, 2009

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Rooms 306-308, LOB Regular Meeting

MONDAY, MAY 18, 2009

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)

9:00 a.m. Room 100, SH Regular Meeting

FRIDAY, MAY 22, 2009

ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

9:30 a.m. NH Department of Revenue Regular Meeting

Administration
Medical & Surgical Building
109 Pleasant Street
Concord, NH

FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2009 BILLS:

SENATE BILLS: 25, 28, 39, 65, 79, 99, 100, 103, 106, 135, 137, 139, 141, 146, 159, 163, 165, 167, 169, 174, 175, 176, 177, 179, 182, 185, 192, 201, 202.

HOUSE BILLS: 30, 41, 52, 56, 112, 216, 223, 256, 423, 460, 600, 602, 685.

LEGISLATIVE ETHICS COMMITTEE

Draft Proposed Amendments to the Ethics Guidelines

The Legislative Ethics Committee has scheduled a public hearing on the following draft amendments to the Ethics Guidelines on Monday, April 13, 2009, at 10:00 a.m. in Room 100 of the State House.

Legislative Ethics Committee

Explanation: Matter added to the current guidelines appears in ***bold italics***.
Matter removed from the current guidelines appears ~~[in brackets and struckthrough]~~.
Matter tentatively added appears in **underlined bold italics** followed by an asterisk {*}.
Matter tentatively removed appears ~~[in brackets and struckthrough]~~ followed by an asterisk {*}.

ETHICS GUIDELINES

2 DEFINITIONS.

- I. "Anything Of Value" includes but is not limited to the following:
 - (a) A pecuniary item, including money, or a bank bill or note;
 - (b) A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment of money;
 - (c) A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
 - (d) A stock, bond, note, or other investment interest in an entity;
 - (e) A receipt given for the payment of money or other property;
 - (f) A cause of action;
 - (g) A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
 - (h) A loan or forgiveness of indebtedness;
 - (i) A work of art, antique, or collectible;
 - (j) An automobile or other means of personal transportation;
 - (k) Real property or an interest in real property, including title to realty, a fee simple or partial interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial interest in realty;
 - (l) A promise of employment or continued employment;
 - (m) A rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person's status as a public official or public employee, or the sale or trade of something for reasonable compensation that would

ordinarily not be available to a member of the public.

II. "Conflict Of Interest" is the condition in which a legislator has a financial interest in any official activity.

III. *"Expense Reimbursement" shall mean any price, charge, fee, expense, or other cost which is waived, forgiven, reduced, prepaid, or reimbursed in any form for the reasonable expenses of attendance, registration, travel, meals, or lodging related to a bona fide conference, meeting, seminar or educational or informational program, when the source of such reimbursement is other than the state, a county, or the United States of America.*

III. *"Family Member" shall mean any person related to and living in the same domicile as a legislator, legislative officer, or legislative employee who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.*

~~III.]~~ V. "Financial Interest" is a reasonably foreseeable direct material financial effect ~~[, distinguished from its effect on the public generally, on the legislator or his or her spouse]~~ ~~[arising from a change in law, a change in administrative rule, a decision whether or not to award a contract, grant a license or permit, discipline a licensee or permittee, or other decision by government affecting a business, profession, occupation, group, or matter enumerated in RSA 15-A:5, I(d) that results in a greater financial effect on you or a family member than it would on the general public]* which is greater on the legislator, legislative officer, legislative employee, or a family member than on the general public.*~~

VI. (a) "Gift" shall mean:

(1) Money in any amount, whether in the form of cash, check or any other negotiable or non-negotiable instrumentality for the transfer of money.

(2) Any other tangible thing, intangible thing, service, or the use thereof having more than insignificant economic value. Any such item with a value of less than \$25 is presumed to be of insignificant economic value.

(b) Notwithstanding subparagraph (a), "gift" shall not mean:

(1) A political contribution as defined in RSA 664.

(2) A commercially reasonable loan, made in the ordinary course of business.

(3) Repayment to an elected official, public official, public employee, constitutional official, or legislative employee of a bona fide loan made by such a person.

(4) A ceremonial plaque, award, or other commemorative object, which is personally inscribed to the recipient and which has inconsequential economic value. A ceremonial object or award with a value of \$150 or less is presumed to be of inconsequential economic value.

(5) Objects which primarily serve an informational purpose provided in the ordinary course of business, such as reports, books, maps, or charts.

(6) Money in any form, an object, or any tangible or intangible thing of economic value, where the donor's act of giving is purely private and personal in nature and the money, object, or thing of economic value would have been given and received even if the person were not an elected official, public official, public employee, constitutional official, or legislative employee.

(7) Wages, salary, benefits, mileage, or payment for expenses received by the person in his or her regular course of employment or business which is unrelated to the government position held.

(8) Wages, salary, benefits, mileage, or payment for expenses paid to the person by the state, a county, or the United States of America related to performance of official duties.

(9) Tickets or free admission to a charitable, ceremonial, or political event provided that:

(A) The proceeds of the event are subject to the political contributions and expenditure reporting law, RSA 664; or

(B) The event is sponsored by a charitable organization that is registered with the division of charitable trusts, department of justice, or which is a charitable organization pursuant to section 501(c)(3) of the federal tax code; or

(C) The event is published as an event open for attendance by any member of the general court in the calendar of the senate or the house.

(10) Meals, beverages, lodging, or transportation associated with attendance at:

(A) Any event for which the primary significance is ceremonial or celebratory, provided the event is public or, if by invitation only, is planned to have an attendance greater than 50 people; or

(B) Any event where the person is attending in an official capacity representing the state and/or the senate, house, or the agency of which the person is a member.

(11) Expense reimbursement or an honorarium.

(12) Meals and beverages consumed at a meeting or event, the purpose of which is to discuss official business.

VII. "Honorarium" means a payment in any form to a legislator, legislative officer, or legislative employee for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities . Honorarium does not include a payment for such activities for which the person is being compensated by the state, a county, the United States of America, or by any other employer or client, where the activity giving rise to the honorarium is not related to or associated with any public office or government employment.

~~IV.]~~ VIII. "Immediate Family" includes a spouse, guardian, parent, sibling, child or dependent.

~~IV.]~~ IX. "Legislation" is a bill, resolution or constitutional amendment.

~~IV.]~~ X. "Official Activities" is the conduct of activities which relate to official responsibilities including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.

XI. "Official Business" means, for legislators, legislative officers, and legislative employees, the discussion or transaction of legislative business, namely, any official action or non-action with regard to any potential pending or existing bill, resolution, amendment, report, or study, any other matter pending or proposed in a committee or in either house of the general court, or an issue of public policy which is or may be the subject of legislative attention, or any other matter which is within the official jurisdiction or cognizance of the general court.

3 LEGISLATOR'S FINANCIAL DISCLOSURE FORM.

{NOTE: IF 2009, SB155 BECOMES LAW, THE FORM PRESCRIBED IN THIS SECTION SHALL BE REPLACED IN ITS ENTIRETY WITH THE FINANCIAL DISCLOSURE FORM PRESCRIBED BY SB155}

Every representative, senator, and officer of the House and Senate, shall file with the Legislative Ethics Committee the following financial disclosure form ~~[on or before January 31 of each year]~~ **annually no later than the third Friday in January.***

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

Required by the Legislative Ethics Committee (RSA 14-B)

Name of Legislator/Officer _____
(print name)

Address _____
street town/city zip code

Office _____ County/District _____ Telephone Number _____

I. Sources of Income

Identify below the name, address, and type of any professional, business, or other organization (including any unit of government) in which you ~~or [your spouse]~~ **a family member** * are or were an **employee**, officer, director, associate, partner, proprietor, ~~[employee]~~ or member, or served in any **professional** or advisory capacity, from which you or ~~[your spouse]~~ **a family member*** derived any income (including retirement benefits other than federal retirement and/or disability benefits) in excess of **\$10,000** during the preceding calendar year. **For purposes of this form a family member**

means a person related to you and living in the same domicile as you and who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.*

- 1) a) Name of organization _____
b) Address of organization _____
c) Type of organization _____
- 2) a) Name of organization _____
b) Address of organization _____
c) Type of organization _____
- 3) a) Name of organization _____
b) Address of organization _____
c) Type of organization _____

(attach additional sheets if necessary)

[Please note: every State Senator, State Representative, and Officer of the General Court is required to file this form.] [If you feel that your income during the preceding calendar year does not qualify for disclosure according to the criteria stated above, signify by [checking] **writing your initials** on the line below.]

If you or a family member had no qualifying income, indicate by writing your initials on the following statement.*
[My income does not qualify _____]*

- My or my family member's income does not qualify _____.*

[COMPLETION OF THIS SECTION IS OPTIONAL.]

[Disclosure and description below of your financial interest may eliminate the need to follow the conflict of interest procedure established in Section 5 of the Ethics Guidelines. If your participation in an official activity creates a conflict of interest not disclosed by the information on this form, you must complete and file a Declaration of Intent Form in accordance with Section 5 of the Ethics Guidelines. See Section 5 of the Ethics Guidelines for information regarding particular conflicts of interest that you may have.]

II. Disclosure of Financial Interests

[IDENTIFY AND DESCRIBE BELOW ANY FINANCIAL INTEREST YOU OR YOUR SPOUSE MAY HAVE. FOR THIS SECTION, "FINANCIAL INTEREST" MEANS THAT A CHANGE IN THE LAW, A CHANGE IN ADMINISTRATIVE RULE, A DECISION WHETHER OR NOT TO AWARD A CONTRACT, GRANT A LICENSE OR PERMIT, DISCIPLINE A LICENSEE OR PERMITTEE, OR OTHER DECISION BY GOVERNMENT AFFECTING THE BUSINESS, PROFESSION, OCCUPATION, GROUP, OR MATTER DEALING WITH ANY OF THESE SUBJECTS LISTED BELOW WOULD POTENTIALLY HAVE A GREATER FINANCIAL EFFECT ON YOU OR YOUR SPOUSE THAN IT WOULD ON THE GENERAL PUBLIC.] *

Identify and describe below any financial interest you or a family member may have. An individual has a reportable financial interest in a business, profession, occupation, group or matter listed in this section if a change in law, administrative rule, or other official action by the general court affecting the listed business, profession, occupation, group, or matter would potentially have a greater financial effect on the individual reporting the financial interest or that individual's family member than it would on the general public.*

- Please note: If your participation in an official activity creates a conflict of interest not disclosed by the information on this form, you must complete and file a Declaration of Intent Form in accordance with section 5 of the Ethics Guidelines. See section 5 of the Ethics Guidelines for information regarding particular conflicts of interest you may have.*

Do you or [your spouse] a family member* have a financial interest, as defined above, in any of the following businesses, professions, occupations, groups, or matters? For purposes of this form a family member means a person related to you and living in the same domicile as you and who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.* Check any of the following which apply and describe the nature of your or your [spouse's] family member's* financial interest:

☐

- (a) any profession, occupation, or business licensed or certified by the State of New Hampshire
- _____

- ☐ (b) health care
- ☐ (c) insurance
- ☐ (d) real estate, including brokers, agents, developers, and landlords
- ☐ (e) banking or financial services
- ☐ (f) State of New Hampshire, county or municipal employment
- ☐ (g) the New Hampshire Retirement System
- ☐

(h) the current use land assessment program
- ☐ (i) restaurants and lodging
- ☐ (j) the sale and distribution of alcoholic beverages
- ☐

(k) the practice of law
- ☐

(l) any business regulated by the Public Utilities Commission
- ☐ (m) horse or dog racing, or other legal forms of gambling
- ☐ (n) education
- ☐ (o) water resources
- ☐ (p) agriculture
- ☐

(q) New Hampshire taxes: Business Profits Tax, Business Enterprise Tax, Interest and Dividends Tax
- ☐ (r) other

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

Signature of Legislator/Officer

Complete and return to the Legislative Ethics Committee no later than [January 31, ____:] ***the third Friday in January.****

{NOTE: If Senate Bill 155 of the 2009 legislative session becomes law, then section 3 of these guidelines shall be replaced with the following:}

3 LEGISLATOR'S FINANCIAL DISCLOSURE FORM.

Every representative, senator, and officer of the House and Senate, shall file with the Legislative Ethics Committee ~~the following~~ a financial disclosure form **pursuant to RSA 14-B:8 annually** ~~[on or before January 31 of each year]~~ **no later than the third Friday in January.***

{NEW FORM TO BE SET FORTH IN FULL IN THIS SECTION FOR CONVENIENT REFERENCE}

4 PROHIBITED ACTIVITIES.

- I. Legislators shall not solicit, accept, or agree to accept anything of value from another for themselves or other persons, if the legislator receives such thing of value:
 - (a) Knowing or believing the other's purpose to be the influencing of an action, decision, opinion, recommendation, or other official activity.
 - (b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the ~~[giver or another member of the legislature]~~ **legislator or the General Court.**
 - (c) In return for advice or other assistance relating to a legislator's official activities.
 - (d) In return for introducing legislation, testifying before any legislative committee or state agency, voting in committee or in House or Senate session, or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.
 - (e) In return for an endorsement, nomination, appointment, approval or disapproval of any person for a position as, or advancement of, a public servant.
 - (f) In return for having given a decision, opinion, recommendation, nomination, vote, or other official activity.
 - (g) In violation of RSA 15-B.**
- II. Legislators shall not:
 - (a) Reveal information which the legislator has obtained confidentially in the course of his official activities.
 - (b) Reveal information about state agency operations or decisions which the legislator would not reveal to any member of the general public requesting such information.
 - (c) Threaten reprisals or promise inducements of any kind to influence another so as to obtain special personal benefits for the legislator, the legislator's immediate family, or for certain constituents which would not be available to others under similar conditions.
 - (d) Conduct private negotiations with any governmental agency in an attempt to obtain a decision on a pending matter which would result in special personal benefit to the legislator, to the legislator's immediate family, or to certain constituents which would not be available to others under similar conditions.
- III. Legislators shall not use their public position or office to obtain anything of value for the private benefit of the legislator or the legislator's immediate family.
- IV. Legislators shall not use state-provided services or facilities for private gain.
- V. Legislators shall not become involved in any official activity without complying with the conflict of interest procedure set forth in this document.
- VI. Legislators shall not engage in conduct that constitutes sexual harassment as defined in RSA 14-B:1.
- VII. Nothing in this section on prohibited activities should be construed to prohibit the following:
 - (a) The giving or receiving of campaign contributions made for the purpose of defraying the costs of a political campaign.*
 - (b) Assistance to constituents in their dealings with state agencies.
 - (c) Advocacy of a particular outcome on matters pending before a state agency when the legislator believes such a decision would benefit the general public or the legislator's constituents generally.

(d) Submission by a legislator of recommendations or references on behalf of a candidate for state employment when the legislator believes the candidate is qualified to be a suitable public employee.

~~[(e) Acceptance of awards, prizes or other honors of a minimal value.]~~

~~[(f) Acceptance of anything of value the receipt of which would otherwise be a violation of this section where the value is less than \$250.00 in aggregate from any single source during any calendar year.] *~~

~~[(g)]~~ **(e) Acceptance of *expense* reimbursement [or underwriting of actual] for the reasonable expenses for attendance, registration, travel, meals, and lodging[, and subsistence directly] related to [attendance at] a bona fide conference, meeting, seminar, or educational or informational [or educational conference, seminar, or meeting.] program related to the legislator's office** so long as disclosure of any such reimbursement [or underwriting, including the identity of the primary sponsor or sponsors and including financial contributors.] is made [within 15 calendar days of the legislator's return from such conference (if expenses are underwritten) or, within 15 calendar days of reimbursement] ***no later than the last day of the month following the month during which the expense reimbursement was received.*** This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B. ***This provision shall not be construed to require reporting of an expense reimbursement made by an organization to which the general court pays dues, when the prepayment, underwriting or reimbursement is provided because of the dues paid.***

(f) Acceptance of an honorarium so long as disclosure is made no later than the last day of the month following the month during which the honorarium was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.

(g) Acceptance of meals or beverages with a value of greater than \$25 consumed at a meeting or event [pertaining to] the purpose of which is to discuss* official business so long as disclosure is made no later than ten (10) days following the meeting or event at which the meals or beverages were consumed. This disclosure shall be filed in a report in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.

(h) Acceptance of anything permitted to be accepted pursuant to RSA 15-B, except that acceptance of meals or beverages as permitted by subparagraph (g) shall be limited to \$250 in the aggregate from any single source during any calendar year. *

5 CONFLICT OF INTEREST PROCEDURE.

I. No declaration shall be required if no benefit or detriment could reasonably be expected to accrue to the legislator **or the legislator's family member*** as a member of a business, profession, occupation, or other group, to any greater extent than to any other member of such business, profession, occupation, or other group, provided that disclosure of the legislator's **or family member's*** membership is made in the Financial Disclosure Form pursuant to section 3 of the Ethics Guidelines. For purposes of these guidelines, groups shall be limited to ones generally recognized and of a substantial size.

II. When a legislator becomes aware that a conflict of interest exists or may exist and the conditions set forth in paragraph I are not met, the legislator shall proceed in accordance with either subparagraph (a) or (b):

(a) Declare that the legislator will not participate in any official activity associated with the issue.

(b) Declare that the legislator intends to participate in the official activity and will provide a description the conflict of interest including:

- a. names of all entities, both public and private, which might be affected;
- b. the nature of any benefit which may accrue to the legislator **or legislator's family member***;
- c. the nature of any financial interest in the issue;
- d. the nature of any relationship which existed, exists or may exist between the legislator and
- e. any person or entity which might be affected;
- f. such additional information as may be required to permit clear public awareness and understanding of the nature and extent of the conflict.

III. The declaration required in subparagraphs II (a) and (b) of this procedure shall be publicly announced prior to the legislator's initial participation in the official activity. The information required in subparagraph (b) shall be filed with

the clerk of the member's respective body within 24 hours of the time of the official activity and be made available for public inspection during normal business hours.

6 LEGISLATIVE EMPLOYEE CODE OF CONDUCT.

I. General Principles of Conduct.

- (a) A legislative employee or officer should view his or her work for the General Court as a public service and should strive to promote the common good of the citizens of the State of New Hampshire through the devotion of his or her professional talents and energies to the support of the General Court in its mission as the representative of the citizens of this state.
- (b) A legislative employee or officer should act in a way that makes him or her worthy of the trust the General Court places in staff members and officers.
- (c) A legislative employee or officer should provide objective advice, information, and alternatives to legislators, independent of the employee's or officer's personal beliefs or interests or the interests of third parties. A legislative employee or officer should avoid activities that conflict with this objectivity or give the appearance of conflict.
- (d) A legislative employee or officer should treat all legislators with dignity and respect, and provide services of equal quality to the employee's or officer's appropriate legislative clientele.

II. Definitions.

- (a) "Legislative Employee" includes all house, senate, and joint staff whether employed on a part-time, full-time, permanent or temporary basis.
- (b) "Legislative Officer" includes those employees of the House and Senate who are elected by members of the General Court.

III. Prohibited Activities.

(a) A legislative employee or officer shall not violate the provisions of RSA 15-B.

~~[(a)]~~ **(b)** A legislative employee or officer shall not accept any gift from givers who wish to influence the work activities of the employee or officer.

(c) A legislative employee or officer shall not accept any employment or serve in any position, in addition to legislative employment, which would impair the employee's or officer's independence of judgment.

(d) Except within the scope of employment, a legislative employee or officer shall not provide any service to a lobbyist or any other person with a direct personal interest in any matter or action pending before the General Court.

(e) Nothing in this paragraph should be construed to prohibit the following:

- (1) Acceptance of awards, prizes, honors, or gifts of a minimal value.
- (2) Acceptance of informational material relevant to the employee's or officer's official function, such as books, pamphlets, reports, documents, periodicals, or other information that is recorded in a written, audio, or visual format.
- (3) Acceptance of **expense** reimbursement ~~[or underwriting of actual]~~ **for the reasonable** expenses for **attendance**, registration, travel, **meals, and** lodging~~], and subsistence directly~~ related to ~~[attendance at]~~ a bona fide **conference, meeting, seminar, or educational or** informational ~~[or educational conference, seminar, or meeting,]~~ **program related to the legislative employee's or officer's employment** so long as disclosure of any such reimbursement ~~[or underwriting, including the identity of the primary sponsor or sponsors and including financial contributors,]~~ is made ~~[to the joint committee on legislative facilities or the fiscal committee of the general court as appropriate within 15 calendar days of the employee's or officer's return from such conference (if expenses are underwritten) or within 15 calendar days of reimbursement]~~ **no later than the last day of the month following the month during which the expense reimbursement was received.** This disclosure shall be **filed in the Office of the Secretary of State and shall be** in a form prescribed ~~[by the above-cited committees and shall be made available to the public upon request]~~ **in RSA 15-B. This provision shall not be construed to require reporting of an expense reimbursement made by an organization to which the general court pays dues, when the prepayment, underwriting or reimbursement is provided because of the dues paid.**
- (4) **Acceptance of an honorarium so long as disclosure is made no later than the last day of the month following the month during which the honorarium was received. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.**

(5) Acceptance of meals or beverages with a value of greater than \$25 consumed at a meeting or event ~~[pertaining to]~~ the purpose of which is to discuss * official business so long as disclosure is made no later than ten (10) days following the meeting or event at which the meals or beverages were consumed. This disclosure shall be filed in a report in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.

(6) Acceptance of anything permitted to be accepted pursuant to RSA 15-B, except that acceptance of meals or beverages as permitted by subparagraph (e)(5) shall be limited to \$250 in the aggregate from any single source during any calendar year.*

~~[(b)]~~ **(f)** A legislative employee or officer shall not use or attempt to use the employee's or officer's official position to (a) personally obtain any privilege, exemption, special treatment or any other thing of value, or (b) obtain any such benefit for others except as required to perform duties within the scope of employment.

~~[(e)]~~ **(g)** A legislative employee or officer shall not accept or solicit anything of value for the private benefit of the employee or officer or the employee's or officer's immediate family under circumstances in which it can be reasonably inferred that the legislative employee's or officer's independence of judgment is impaired or is intended as a reward for any official action.

~~[(d)]~~ **(h)** A legislative employee or officer shall not use state-provided services or facilities for private gain.

~~[(e)]~~ **(i)** A legislative employee or officer shall not disclose confidential information acquired by reason of the employee's or officer's official position to any person or group not entitled to receive such information, nor shall the employee or officer use such information for personal gain or benefit or for the benefit of others.

~~[(f)]~~ **(j)** A legislative employee or officer shall not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the employee's or officer's supervisory officer.

IV. Disclosure Procedure. When a legislative employee or officer becomes aware that his or her participation in a particular activity presents a conflict of interest or conflicts with his or her objectivity or gives the appearance of a conflict, the employee or officer shall immediately make disclosure of this fact to his or her supervisory officer. All such reports shall be forwarded to the Chief of Staff of the House, the Chief of Staff of the Senate, the Director of the Office of Legislative Services, or Legislative Budget Assistant, as appropriate.

NOTICES

The members of the New Hampshire Dental Society will be inviting legislators to events in their area in order to educate legislators regarding oral health issues in New Hampshire. Events are being scheduled for the months of February and March. Please watch for invitations in the mail.

Senator Sylvia B. Larsen, Senate President
Senator Peter E. Bragdon, Minority Leader

TUESDAY, MARCH 31, 2009

All legislators and staff are welcome to the annual massage therapy day for a free chair massage in Room 212, LOB from 9:30 a.m. to 2:00 p.m. on Tuesday, March 31. This event is sponsored by the New Hampshire Chapter of the National Association of Massage Therapists.

Senator Margaret Wood Hassan, Majority Leader

WEDNESDAY, APRIL 8, 2009

All legislators and staff are cordially invited to mingle with a diverse selection of New Hampshire's leading labor, environmental, social and citizen advocacy organizations on Wednesday, April 8th from 7:30 a.m. to 9:00 a.m. in State House Rm. 100. Staff and key leaders will be on hand to discuss issue priorities and legislative briefings on cross-over bills. A light breakfast and drinks will be served. For a listing of organizations, visit

<http://www.granitestateprogress.org/page/s/breakfast4809>.

Senator Betsi DeVries

THURSDAY, APRIL 9, 2009

The members of the New Hampshire Association of Realtors cordially invite all Senators and Staff to a reception at the Holiday Inn on Thursday, April 9, 2009 beginning at 3:00 p.m. or following session. Look forward to seeing you there.

Senator Margaret Wood Hassan, Majority Leader

Senator Peter E. Bragdon, Minority Leader

THURSDAY, APRIL 16, 2009

The New Hampshire Preservation Alliance, together with the N.H. Department of Education and other partners, is pleased to invite legislators to ***A Forum on School Building Aid and Siting Policies: Opportunities for New Hampshire*** on **Thursday, April 16th**, 3:00 p.m. - 4:30 p.m. Presentation by national advisor and architect Royce Yeater to be followed by discussion with representatives from the Department of Education, The Jordan Institute and AIA NH. Refreshments will be served. New Hampshire Historical Society Library, 30 Park Street, Concord.

Senator Margaret Wood Hassan, Majority Leader

Senator Peter E. Bragdon, Minority Leader

SENATE SCHEDULE

Thursday, April 09, 2009	CROSSOVER - Last day to ACT on all remaining Senate Bills.
Thursday, May 07, 2009 exempted pursuant to Senate Rule 26(b).	Deadline for Policy Committees to ACT on all House money bills, except bills
Monday, May 25, 2009	Memorial Day (State Holiday).
Thursday, June 04, 2009	Last day to ACT on all remaining House bills.
Wednesday, June 10, 2009	Last day to FORM Committees of Conference.
Thursday, June 18, 2009, at 12:00 p.m.	Last day to SIGN Committee of Conference Reports.
Thursday, June 25, 2009	Last day to ACT on Committee of Conference Reports.
Friday, July 3, 2009	Fourth of July (State Holiday).
Monday, September 7, 2009	Labor Day (State Holiday).
Wednesday, November 11, 2009	Veterans Day (State Holiday).
Thursday, November 26, 2009	Thanksgiving Day (State Holiday).
Friday, November 27, 2009	Day after Thanksgiving (State Holiday).
Friday, December 25, 2009	Christmas Day (State Holiday).

VISITORS' CENTER SCHEDULE - MARCH

State House Visitation Schedule 2009

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 **March 2009**. 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 remainder of the school year and **subject to change**. **Please contact the Visitors’ Center concerning school tour booking information.** Legislators planning to meet with students should notify the Visitors' Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director		Caitlin A. Daniuk, Public Information Administrator	
Mar. 27	9:30/11:00 SH/HM/SC	Jaffrey Grade School	66/4
Mar. 27	11:30	Wells Memorial School – Harrisville	12/4
Mar. 27	1:00	Strafford Elementary School	53/7
Mar. 30	10:00/11:30 SH/Pierce Manse	Atkinson Academy	90/4
Mar. 31	9:30/11:00 SH/HM	Webster Elementary School – Manchester	90/4
