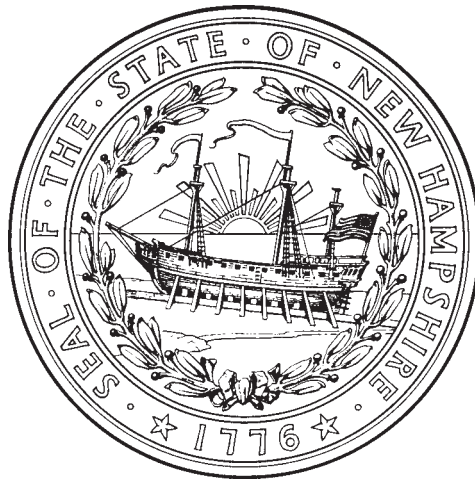


March 31, 2005
Nos. 10 - 11

STATE OF NEW HAMPSHIRE

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Legislative

SENATE JOURNAL

ADJOURNMENT – MARCH 24, 2005 SESSION
COMMENCEMENT – MARCH 31, 2005 SESSION

SENATE JOURNAL 10 (*Cont.*)

March 24, 2005

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 32, establishing a committee to study the feasibility of implementing the Second Chance drug rehabilitation program in the New Hampshire prison system.

HB 41, relative to the right-to-know oversight commission.

HB 43, relative to state employees appearing before the legislature.

HB 46-FN, relative to penalties for first-time DWI offenders.

HB 53, repealing a 1901 law relating to the apportionment of library funds in the town of Haverhill.

HB 61, extending the family law task force.

HB 83, repealing the obligation to provide persons applying for a marriage license with a list of family planning services and with brochures on fetal alcohol syndrome and the human immunodeficiency virus.

HB 86, relative to property held in police department property rooms.

HB 148, transferring the New Hampshire estuaries project from the department of environmental services to the university of New Hampshire.

HB 153-FN, relative to the collection of debts owed to the state.

HB 157, establishing a commission to study procurement methods for public works projects by state and local government agencies.

HB 160, naming a certain bridge on New Hampshire Route 3 between Pembroke and Allenstown.

HB 168, relative to the licensure of electrologists and establishing an electrology advisory committee.

HB 194, establishing a study committee to examine regulatory practices pertaining to the telecommunications industry.

HB 204-FN, relative to unauthorized video surveillance.

HB 223, relative to the procedure for assignment of juvenile probation and parole officers.

HB 240-FN, relative to psychotropic drugs and child protection.

HB 242, relative to falsification of motor vehicle applications filed with the department of safety.

HB 252, requiring bail hearings for persons arrested for probation violations.

HB 265, relative to minutes of land use board meetings involving developments of regional impact.

HB 266, relative to the procedure for dismissal or suspension of a police chief.

HB 269, establishing a statutory committee for the protection of human research subjects.

HB 280, relative to the manner of service in divorce and child custody proceedings.

HB 382, establishing a committee to develop a strategic capital plan for department of corrections' facilities.

HB 439, relative to registration requirements for criminal offenders.

HB 443, relative to the statute of limitations for fire code violations.

HB 444, relative to the surrender and condemnation of game animals to the fish and game department.

HB 445, relative to the taking of certain game birds and fur-bearing animals.

HB 446, relative to applications for resident hunting or fishing licenses.

HB 456-FN, relative to inhaling toxic vapors.

HB 460-FN, relative to the reimbursement to certain providers by the bureau of emergency communications.

HB 540-FN, relative to the disposal of real property purchased with highway or turnpike funds.

HB 568, establishing the greater Derry-Salem cooperative alliance for regional transportation.

HB 574-FN, requiring the reporting of burn injuries.

HB 603-FN-A, relative to the state's purchase of the Laconia district courthouse building and making an appropriation therefor.

HB 604-FN, discontinuing the use of tokens.

HB 625-FN-L, authorizing borrowing from the state revolving loan fund for the Winnepesaukee River Basin project.

HB 692-FN-L, relative to the county department of corrections.

INTRODUCTION OF HOUSE BILL(S)

Senator Flanders offered the following Resolution:

RESOLVED that, in accordance with the list in the possession of the Senate Clerk, House legislation numbered from HB 32 to 692, shall be by this resolution read a first and second time by the therein listed title(s) and referred to the therein designated committee(s).

Adopted.

First and Second Reading and Referral

HB 32, establishing a committee to study the feasibility of implementing the Second Chance drug rehabilitation program in the New Hampshire prison system. Internal Affairs

HB 41, relative to the right-to-know oversight commission. Judiciary

HB 43, relative to state employees appearing before the legislature. Internal Affairs

HB 46-FN, relative to penalties for first-time DWI offenders. Judiciary

HB 53, repealing a 1901 law relating to the apportionment of library funds in the town of Haverhill. Education

HB 61, extending the family law task force. Judiciary

HB 83, repealing the obligation to provide persons applying for a marriage license with a list of family planning services and with brochures on fetal alcohol syndrome and the human immunodeficiency virus. Public and Municipal Affairs

HB 86, relative to property held in police department property rooms. Public and Municipal Affairs

HB 148, transferring the New Hampshire estuaries project from the department of environmental services to the university of New Hampshire. Energy and Economic Development.

HB 153-FN, relative to the collection of debts owed to the state. Banks and Insurance

HB 157, establishing a commission to study procurement methods for public works projects by state and local government agencies. Public and Municipal Affairs

HB 160, naming a certain bridge on New Hampshire Route 3 between Pembroke and Allenstown. Transportation and Interstate Cooperation

HB 168, relative to the licensure of electrologists and establishing an electrology advisory committee. Public and Municipal Affairs

HB 194, establishing a study committee to examine regulatory practices pertaining to the telecommunications industry. Energy and Economic Development

HB 204-FN, relative to unauthorized video surveillance. Judiciary

HB 223, relative to the procedure for assignment of juvenile probation and parole officers. Judiciary

HB 240-FN, relative to psychotropic drugs and child protection. Education

HB 242, relative to falsification of motor vehicle applications filed with the department of safety. Transportation and Interstate Cooperation

HB 252, requiring bail hearings for persons arrested for probation violations. Judiciary

HB 265, relative to minutes of land use board meetings involving developments of regional impact. Public and Municipal Affairs

HB 266, relative to the procedure for dismissal or suspension of a police chief. Judiciary

HB 269, establishing a statutory committee for the protection of human research subjects. Public and Municipal Affairs

HB 280, relative to the manner of service in divorce and child custody proceedings. Judiciary

HB 382, establishing a committee to develop a strategic capital plan for department of corrections' facilities. Internal Affairs

HB 439, relative to registration requirements for criminal offenders. Judiciary

HB 443, relative to the statute of limitations for fire code violations. Judiciary

HB 444, relative to the surrender and condemnation of game animals to the fish and game department. Environment and Wildlife

HB 445, relative to the taking of certain game birds and fur-bearing animals. Environment and Wildlife

HB 446, relative to applications for resident hunting or fishing licenses. Environment and Wildlife

HB 456-FN, relative to inhaling toxic vapors. Education

HB 460-FN, relative to the reimbursement to certain providers by the bureau of emergency communications. Energy and Economic Development

HB 540-FN, relative to the disposal of real property purchased with highway or turnpike funds. Transportation and Interstate Cooperation

HB 568, establishing the greater Derry-Salem cooperative alliance for regional transportation. Transportation and Interstate Cooperation

HB 574-FN, requiring the reporting of burn injuries. Judiciary

HB 603-FN-A, relative to the state's purchase of the Laconia district courthouse building and making an appropriation therefor. Capital Budget

HB 604-FN, discontinuing the use of tokens. Transportation and Interstate Cooperation

HB 625-FN-L, authorizing borrowing from the state revolving loan fund for the Winnepesaukee River Basin project. Environment and Wildlife

HB 692-FN-L, relative to the county department of corrections. Judiciary

Out of Recess.

LATE SESSION

Senator Clegg moved that the Senate adjourn from the late session.

Adopted.

Adjournment.

SENATE JOURNAL 11

March 31, 2005

The Senate met at 10:00 a.m.

A quorum was present.

The Reverend David P. Jones, chaplain to the Senate, offered the prayer.

Lord of limitless abundance, let us spend down our lives in ways that do not deplete us or others but rather that endow us with riches available only through You. *Amen*

Senator Gottesman led the Pledge of Allegiance.

INTRODUCTION OF GUESTS HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 38, relative to theft of personal checks and credit cards.

HB 55-FN-A, relative to industrial hemp and establishing an industrial hemp special program fund.

HB 118, relative to bicycle helmet use by certain minors.

HB 129-FN-L, establishing a high performance school incentive.

HB 138-FN, requiring medical examiners to inventory and account for property taken from decedents.

HB 141-L, relative to the planning board's authority to limit building permits.

HB 147, relative to the death penalty.

HB 151, requiring school districts to develop a school age nutrition and physical activity committee.

HB 411, relative to the North Conway water precinct.

HB 499, relative to participation in and administration of the Manchester employees' contributory retirement system.

INTRODUCTION OF HOUSE BILL(S)

Senator Flanders offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House legislation numbered 38-499 shall be by this resolution read a first and second time by the therein listed title(s), and referred to the therein designated committee(s).

Adopted.

First and Second Reading and Referral

HB 38, relative to theft of personal checks and credit cards. Banks and Insurance

HB 55-FN-A, relative to industrial hemp and establishing an industrial hemp special program fund. Environment and Wildlife

HB 118, relative to bicycle helmet use by certain minors. Transportation and Interstate Cooperation

HB 129-FN-L, establishing a high performance school incentive. Education

HB 138-FN, requiring medical examiners to inventory and account for property taken from decedents. Public and Municipal Affairs

HB 141-L, relative to the planning board's authority to limit building permits. Public and Municipal Affairs

HB 147, relative to the death penalty. Judiciary

HB 151, requiring school districts to develop a school age nutrition and physical activity committee. Education

HB 411, relative to the North Conway water precinct. Environment and Wildlife

HB 499, relative to participation in and administration of the Manchester employees' contributory retirement system. Banks and Insurance

COMMITTEE REPORTS

SB 121, relative to all terrain vehicle trails and relative to the regulation of off highway recreational vehicles by a political subdivision. Environment and Wildlife Committee. Inexpedient to Legislate, Vote 5-0. Senator Barnes for the committee.

A division vote was requested.

Yeas: 11 - Nays: 12

Motion failed.

Senator Flanders moved ought to pass.

Senator Flanders offered a floor amendment.

Sen. Flanders, Dist. 7

March 30, 2005

2005-0975s

04/10

Floor Amendment to SB 121

Amend the bill by replacing section 2 with the following:

2 ATV and Trail Bike Operation on State Lands; Evaluation Process. Amend RSA 215-A:43, I(c) to read as follows:

(c) If it is to be a self-contained trail network, at least 700 contiguous acres are available within which the trail network can be situated, in either single state ownership or as a combination of abutting state properties. ***If the contiguous acreage of the state property is more than 45 percent of the total land base of a single municipality, the local governing body of that municipality shall review and approve any proposed trail development.***

2005-0975s

AMENDED ANALYSIS

This bill amends a step in the evaluation process for all terrain vehicle (ATV) trail approval by requiring that a proposed ATV or bike trail shall not pass within 400 feet of a water well supplying a public water system.

This bill also provides circumstances under which a municipality's governing body shall review and approve proposed trail development.

MOTION TO TABLE

Senator Burling moved to have SB 121 laid on the table.

The question is on the motion to table.

A roll call was requested by Senator Burling.

Seconded by Senator Larsen.

The following Senators voted Yes: Johnson, Kenney, Burling, Flanders, Odell, Gottesman, Foster, Larsen, D'Allesandro, Estabrook, Hassan, Fuller Clark.

The following Senators voted No: Gallus, Boyce, Green, Roberge, Eaton, Bragdon, Clegg, Gatsas, Barnes, Martel, Letourneau, Morse.

Yeas: 12 - Nays: 12

Motion failed.

The question is on the adoption of the floor amendment.

Adopted.

The question is on the adoption of the bill as amended.

A roll call was requested by Senator Kenney.

Seconded by Senator Larsen.

The following Senators voted Yes: Gallus, Boyce, Green, Flanders, Roberge, Eaton, Bragdon, Clegg, Gatsas, Barnes, Martel, Letourneau, Morse.

The following Senators voted No: Johnson, Kenney, Burling, Odell, Gottesman, Foster, Larsen, D'Allesandro, Estabrook, Hassan, Fuller Clark.

Yeas: 13 - Nays: 11

Adopted.

Ordered to third reading.

SB 122, relative to the procedure for approval of solid waste facilities. Environment and Wildlife Committee. Inexpedient to Legislate, Vote 5-0. Senator Barnes for the committee.

Committee report of inexpedient to legislate is adopted.

SB 179, requiring hunters to report the death or injury of domestic animals. Environment and Wildlife Committee. Ought to pass with amendment, Vote 4-1. Senator Hassan for the committee.

Environment and Wildlife

March 23, 2005

2005-0893s

08/09

Amendment to SB 179

Amend the bill by replacing section 1 with the following:

1 New Section; Reporting the Death or Injury of Domestic Animals. Amend RSA 207 by inserting after section 39-a the following new section:

207:39-b Reporting the Death or Injury of Domestic Animals. Any person, while actually engaged in hunting or in pursuit of wild animals or wild birds who shall cause death, injury, or damage to domestic animals through the discharge of a firearm or bow and arrow shall report the death, injury, or damage to such domestic animals to the local police department.

Amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

SB 187, relative to allowing alternative certified hazardous waste coordinator programs. Environment and Wildlife Committee. Ought to Pass, Vote 5-0. Senator Johnson for the committee.

Adopted.

Ordered to third reading.

SB 86, permitting on-site samples and retail sales by liquor manufacturer licensees. Executive Departments and Administration Committee. Ought to pass with amendment, Vote 6-0. Senator Barnes for the committee.

Senate Executive Departments and Administration

March 23, 2005

2005-0903s

03/09

Amendment to SB 86

Amend the bill by replacing section 1 with the following:

1 Liquor Manufacturer License. Amend RSA 178:6 to read as follows:

178:6 Liquor Manufacturer License.

I. A liquor manufacturer licensee may ferment, distill, blend, age, and bottle liquor other than wine in this state. A liquor manufacturer licensee may sell the liquor it manufactures to the commission for resale in this state.

II. No liquor manufactured, blended, or bottled in this state by any manufacturer shall be sold or delivered in this state in any manner which is inconsistent with the provisions of this title.

III. Each liquor manufacturer distilling less than 5,000 cases of liquor per year shall have the right to sell at retail at its facility for off-premises consumption any of its liquor. Each retail sale shall be limited to one 9-liter case or less per sale. No liquor manufacturer shall sell more than 12 9-liter cases of liquor to any one customer in any calendar year.

IV. A liquor manufacturer may provide to visitors at its facility samples of liquor for tasting. Samples shall not exceed ½ ounce, and shall not be provided to any persons under 21 years of age.

V. Notwithstanding paragraph III, no liquor manufacturer shall sell at its facility any of its liquor to on-premises licensees.

VI. Each liquor manufacturer shall maintain records and prepare reports for the commission which shall indicate the sales made under paragraph III and shall pay to the commission monthly a fee equal to 8 percent of such sales on or before the tenth day of the month following the sale.

VII. The commission shall adopt rules, pursuant to RSA 541-A, relative to reports of liquor manufacturers under paragraph VI.

[H:] ***VIII.*** Each liquor manufacturer shall have the right to transport the liquor it manufactures, blends, or bottles in bottles or other closed containers to the state border for transportation and sale outside the state to holders of a United States basic permit issued under the Federal Alcohol Administration Act.

2005-0903s

AMENDED ANALYSIS

This bill permits liquor manufacturer licensees to sell liquor at retail for off-premises consumption. This bill requires the licensee to report the sales to the commission and establishes a tax on the sales.

This bill also permits liquor manufacturer licensees to provide samples to visitors at its facility.

Amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

SB 190-L, relative to workforce housing opportunities. Executive Departments and Administration Committee. Re-refer to committee, Vote 6-0. Senator Fuller Clark for the committee.

Committee report of re-refer is adopted.

SB 199, establishing exemptions from certain administrative requirements for the department of regional community-technical colleges. Executive Departments and Administration Committee. Ought to pass with amendment, Vote 5-1. Senator Kenney for the committee.

Senate Executive Departments and Administration

March 23, 2005

2005-0902s

04/03

Amendment to SB 199

Amend the bill by replacing all after section 4 with the following:

5 Repeal. RSA 188-F:13-a, relative to the department of regional community-technical colleges' exemption from a hiring delay, hiring freeze, prohibition on equipment purchases, and departmental budget reduction order, is repealed.

6 Effective Date.

I. Section 5 of this act shall take effect July 1, 2007.

II. The remainder of this act shall take effect July 1, 2005.

2005-0902s

AMENDED ANALYSIS

This bill allows the department of regional community-technical colleges to:

I. Accept and expend any federal moneys or private grant funds without the approval of the governor and council or meeting the computation of indirect costs requirements.

II. Enter into contracts for food and vending services, after competitive bidding, at any of its campuses.

III. Be exempt from any hiring delay, hiring freeze, equipment purchase freeze, or budget reduction order until July 1, 2007.

Amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

SB 89-FN, relative to financing federally aided highway projects. Finance Committee. Ought to Pass, Vote 6-0. Senator Morse for the committee.

The question is on the motion of ought to pass.

A roll call was requested by Senator Green.

Seconded by Senator Flanders.

The following Senators voted Yes: Gallus, Johnson, Kenney, Boyce, Burling, Green, Flanders, Odell, Roberge, Eaton, Bragdon, Gottesman, Foster, Clegg, Larsen, Gatsas, Barnes, Martel, Letourneau, D'Allesandro, Estabrook, Morse, Hassan, Fuller Clark.

The following Senators voted No: None.

Yeas: 24 - Nays: 0

Adopted.

Ordered to third reading.

SB 163-FN, establishing the New Hampshire pharmaceutical assistance program. Finance Committee. Ought to Pass, Vote 7-0. Senator Clegg for the committee.

The question is on the motion of ought to pass.

A roll call was requested by Senator Barnes.

Seconded by Senator Martel.

The following Senators voted Yes: Gallus, Johnson, Kenney, Boyce, Burling, Green, Flanders, Odell, Roberge, Eaton, Bragdon, Gottesman, Foster, Clegg, Larsen, Gatsas, Barnes, Martel, Letourneau, D'Allesandro, Estabrook, Morse, Hassan, Fuller Clark.

The following Senators voted No: None.

Yeas: 24 - Nays: 0

Adopted.

Ordered to third reading.

SB 191-FN, allowing retirement system members to make additional contributions to their accounts. Finance Committee. Inexpedient to Legislate, Vote 4-3. Senator Morse for the committee.

The question is on the motion of inexpedient to legislate.

A division vote was requested.

Yeas: 13 - Nays: 11

Committee report of inexpedient to legislate is adopted.

SB 210-FN, relative to a declaratory judgment to adjudicate constitutional nexus. Finance Committee. Ought to Pass, Vote 7-0. Senator Boyce for the committee.

Adopted.

Ordered to third reading.

SB 30, establishing the Collaborative Practice for Emergency Contraception Act. Health and Human Services Committee. Ought to Pass, Vote 3-2. Senator Estabrook for the committee.

Senator Kenney offered a floor amendment.

Sen. Kenney, Dist. 3
March 30, 2005
2005-0979s
01/09

Floor Amendment to SB 30

Amend RSA 318:47-e as inserted by section 3 of the bill by inserting after paragraph VI the following new paragraph:

VII. Emergency contraception drug therapy as authorized under this section shall only be available to women 18 years of age or older.

2005-0979s

AMENDED ANALYSIS

This bill establishes the Collaborative Practice for Emergency Contraception Act. Under this bill, a pharmacist may initiate emergency contraception drug therapy to women 18 years of age or older in accordance with procedures developed by the New Hampshire pharmacy board and a physician or other authorized prescriber who is acting within his or her scope of practice.

Senator Hassan moved the question.

The question was moved without objection.

The question is on the adoption of the floor amendment.

A roll call was requested by Senator Kenney.

Seconded by Senator Barnes.

The following Senators voted Yes: Kenney, Boyce, Green, Clegg, Gatsas, Barnes, Letourneau, Morse.

The following Senators voted No: Gallus, Johnson, Burling, Flanders, Odell, Roberge, Eaton, Bragdon, Gottesman, Foster, Larsen, Martel, D'Allesandro, Estabrook, Hassan, Fuller Clark.

Yeas: 8 - Nays: 16

Floor amendment failed.

The question is on the motion of ought to pass.

A roll call was requested by Senator Kenney.

Seconded by Senator Green.

The following Senators voted Yes: Gallus, Burling, Green, Flanders, Odell, Eaton, Gottesman, Foster, Clegg, Larsen, D'Allesandro, Estabrook, Hassan, Fuller Clark.

The following Senators voted No: Johnson, Kenney, Boyce, Roberge, Bragdon, Gatsas, Barnes, Martel, Letourneau, Morse.

Yeas: 14 - Nays: 10

Adopted.

Ordered to third reading.

SB 119, establishing a committee to study exempting acute care rehabilitation from the nursing home moratorium. Health and Human Services Committee. Ought to Pass, Vote 3-2. Senator Fuller Clark for the committee.

Adopted.

Ordered to third reading.

SB 171, establishing a committee to study HIV/AIDS service delivery. Health and Human Services Committee. Ought to pass with amendment, Vote 5-0. Senator Estabrook for the committee.

Health and Human Services
March 23, 2005
2005-0889s
01/04

Amendment to SB 171

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

AN ACT establishing a commission to study HIV/AIDS service delivery.

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

1 Statement of Purpose.

I. The general court recognizes that:

- (a) Over 1,000 New Hampshire citizens are infected with HIV/AIDS;
- (b) This number would be higher if HIV/AIDS service organizations throughout New Hampshire were not delivering services through federal and grant funding, which is decreasing dramatically;
- (c) New Hampshire's hospitals, welfare offices, physicians, health departments, homeless shelters, mental health providers, and food pantries are increasingly unable to provide help to people living with HIV/AIDS;
- (d) Without services, infection rates will rise and we will see escalating costs in treatment for seriously ill people and continued intravenous drug use;
- (e) HIV/AIDS individuals in care are far more likely to live longer and act responsibly about transmission of HIV than people who are not in care; and
- (f) New Hampshire has not directly supported services for HIV/AIDS care; therefore, future federal and grant funding will require greater state effort.

II. The general court therefore hereby establishes a commission to study HIV/AIDS service delivery systems.

2 Commission Established. There is established a commission to study HIV/AIDS service delivery systems.

3 Membership and Compensation.

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

- (a) Three members of the senate, 2 of whom shall be from the health and human services committee, appointed by the president of the senate.
- (b) Three members of the house of representatives, 2 of whom shall be from the health, human services and elderly affairs committee, appointed by the speaker of the house of representatives.
- (c) Four representatives of New Hampshire AIDS service organizations, one each appointed by the directors of the following organizations:
 - (1) Southern New Hampshire HIV/AIDS Task Force.
 - (2) The Greater Manchester AIDS Project.
 - (3) AIDS Response Seacoast.
 - (4) Southern New Hampshire Integrated Care Program, Dartmouth-Hitchcock Medical Center.
- (d) The administrator of the STD/HIV prevention section, department of health and human services, or designee.
- (e) The director of the division of behavioral health, department of health and human services, or designee.
- (f) Two consumers of AIDS services organizations, one appointed by the speaker of the house of representatives and one appointed by the president of the senate.
- (g) One representative of the New Hampshire Medical Society, appointed by the society.
- (h) A nurse licensed under RSA 326-B, appointed by the New Hampshire board of nursing.

II. The commission shall solicit information from the commissioner of the department of health and human services or any other person or entity the commission deems relevant to its study.

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

4 Duties. The commission shall:

I. Research and recommend an effective service delivery system model for people living with HIV/AIDS in New Hampshire.

II. Investigate service delivery system models and associated fiscal issues of designation and distribution of funding in the other 5 New England states.

III. Assess the genuine care needs of persons living with HIV/AIDS in New Hampshire.

IV. Recommend levels of budgetary support necessary to implement a system model.

5 Chairperson; Quorum. 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.

6 Report. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2005.

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

2005-0889s

AMENDED ANALYSIS

This bill establishes a commission to study HIV/AIDS service delivery.

MOTION TO TABLE

Senator Clegg moved to have SB 171 laid on the table.

The question is on the motion to table.

A roll call was requested by Senator Estabrook.

Seconded by Senator Foster.

The following Senators voted Yes: Gallus, Johnson, Kenney, Boyce, Flanders, Odell, Roberge, Eaton, Bragdon, Clegg, Barnes, Martel, Letourneau, Morse.

The following Senators voted No: Burling, Green, Gottesman, Foster, Larsen, Gatsas, D'Allesandro, Estabrook, Hassan, Fuller Clark.

Yeas: 14 - Nays: 10

Adopted.

LAIID ON THE TABLE

SB 171, establishing a committee to study HIV/AIDS service delivery.

SB 183, authorizing licensed medical adult day program facilities to assist clients with medication. Health and Human Services Committee. Ought to Pass, Vote 5-0. Senator Martel for the committee.

Adopted.

Ordered to third reading.

SB 216, establishing a commission to study area agencies and relative to rules regarding area agencies. Health and Human Services Committee. Inexpedient to Legislate, Vote 3-2. Senator Martel for the committee.

Motion failed.

Senator Boyce moved ought to pass.

Senator Boyce offered a floor amendment.

Sen. Eaton, Dist. 10
 Sen. Barnes, Dist. 17
 Sen. Letourneau, Dist. 19
 Sen. Martel, Dist. 18
 Sen. Boyce, Dist. 4
 Sen. Morse, Dist. 22
 Sen. Flanders, Dist. 7
 Sen. Roberge, Dist. 9
 Sen. Clegg, Dist. 14
 Sen. Gallus, Dist. 1
 Sen. Johnson, Dist. 2
 March 31, 2005
 2005-0983s
 01/09

Floor Amendment to SB 216

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

AN ACT establishing a commission to study area agencies.

Amend the bill by deleting section 6 and renumbering the original section 7 to read as 6.

2005-0983s

AMENDED ANALYSIS

The bill establishes a commission to study the 12 existing area agencies.

The question is on the adoption of the floor amendment.

A roll call was requested by Senator Burling.

Seconded by Senator Estabrook.

The following Senators voted Yes: Gallus, Johnson, Kenney, Boyce, Flanders, Odell, Roberge, Eaton, Bragdon, Clegg, Barnes, Martel, Letourneau, Morse.

The following Senators voted No: Burling, Green, Gottesman, Foster, Larsen, Gatsas, D'Allesandro, Estabrook, Hassan, Fuller Clark.

Yeas: 14 - Nays: 10

Floor amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

SJR 3, encouraging the New Hampshire Congressional delegation to support the federal Child Custody Protection Act. Health and Human Services Committee. Inexpedient to Legislate, Vote 3-2. Senator Fuller Clark for the committee.

The question is on the motion of inexpedient to legislate.

A roll call was requested by Senator Barnes.

Seconded by Senator Boyce.

The following Senators voted Yes: Gallus, Kenney, Burling, Flanders, Odell, Eaton, Bragdon, Gottesman, Foster, Clegg, Larsen, Gatsas, Martel, D'Allesandro, Estabrook, Morse, Hassan, Fuller Clark.

The following Senators voted No: Johnson, Boyce, Green, Roberge, Barnes, Letourneau.

Yeas: 18 - Nays: 6

Committee report of inexpedient to legislate is adopted.

SB 47, relative to the definition of “party” or “parties” for the apportionment of fault in civil litigation. Judiciary Committee. Ought to Pass, Vote 4-2. Senator Gottesman for the committee.

The question is on the motion of ought to pass.

A roll call was requested by Senator Foster.

Seconded by Senator Clegg.

The following Senators voted Yes: Burling, Gottesman, Clegg, Letourneau, D’Allesandro, Hassan.

The following Senators voted No: Gallus, Johnson, Kenney, Boyce, Green, Flanders, Odell, Roberge, Eaton, Bragdon, Foster, Larsen, Gatsas, Barnes, Martel, Estabrook, Morse, Fuller Clark.

Yeas: 6 - Nays: 18

Motion failed.

Senator Flanders moved inexpedient to legislate.

Adopted.

SB 47 is inexpedient to legislate.

SB 56, relative to nonuse of a seat belt as evidence in a civil action. Judiciary Committee. Ought to pass with amendment, Vote 5-1. Senator Clegg for the committee.

Senate Judiciary

March 23, 2005

2005-0901s

06/04

Amendment to SB 56

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

AN ACT relative to penalties for eluding pursuit by a law enforcement officer.

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

1 Disobeying an Officer; Eluding Pursuit. Amend RSA 265:4, I(c) to read as follows:

(c) Purposely neglect to stop when signaled to stop by any law enforcement officer who is in uniform or who displays his badge conspicuously on the outside of his outer coat or garment, or who signals such person to stop by means of any authorized audible or visual emergency warning signals[;], or otherwise willfully attempt to elude pursuit by a law enforcement officer [by increasing] ***without an increase in*** speed, extinguishing headlamps while still in motion, ***or*** abandoning a vehicle while being pursued, ***provided that a person shall not be deemed to be attempting to elude pursuit if such person is signaled to stop at night by a law enforcement officer and elects to proceed to the nearest well-lighted public place;***

2 Disobeying an Officer; Penalties. Amend RSA 265:4, III(b) to read as follows:

(b) Any person who violates the provisions of subparagraph I(c)[;] and is involved in a motor vehicle accident which causes serious bodily injury as defined in RSA 625:11, VI while being pursued, ***or who willfully attempts to elude pursuit by a law enforcement officer by increasing speed to 25 miles per hour or more over the posted speed limit and committing 2 or more additional traffic violations,*** shall be guilty of a class B felony.

3 Effective Date. This act shall take effect January 1, 2006.

2005-0901s

AMENDED ANALYSIS

This bill makes the penalty for willfully attempting to evade pursuit by a law enforcement officer by increasing speed to 25 miles per hour or more over the posted speed limit and committing 2 or more additional traffic violations a class B felony.

Amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

SB 61, relative to judges giving notice of intent to retire. Judiciary Committee. Ought to pass with amendment, Vote 5-0. Senator Green for the committee.

Senate Judiciary

March 23, 2005

2005-0900s

10/09

Amendment to SB 61

Amend RSA 493:3 as inserted by section 1 of the bill by replacing it with the following:

493:3 Optional Retirement. Any supreme or superior court judge, full-time district court judge, or full-time probate court judge who is eligible to retire pursuant to the provisions of RSA 100-C may retire. The judge shall give not less than 30 days' notice nor more than 90 days' notice of the judge's intention to retire to the chief justice of the supreme court or the administrative judge of the judge's court and to the governor and council and the board of trustees of the judicial retirement plan under RSA 100-C. If a chief justice wishes to retire, the chief justice shall give not less than 30 days' notice nor more than 90 days' notice of the chief justice's intention to retire to the senior associate justice of the chief justice's court and to the governor and council. If an administrative judge wishes to retire, the administrative judge shall give not less than 30 days' notice nor more than 90 days' notice of the administrative judge's intention to retire to the chief justice of the supreme court and to the governor and council and the board of trustees of the judicial retirement plan. Retirement shall be effective upon acceptance by the governor and council. The vacancy created by the retirement of a judge shall be filled according to law.

Amendment adopted.

Senator Gatsas offered a floor amendment.

Sen. Gatsas, Dist. 16

March 30, 2005

2005-0969s

10/09

Floor Amendment to SB 61

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

AN ACT relative to judges giving notice of intent to retire, and relative to retired status for judges and assignment of judicial referees.

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

2 Chapter Title; Retired Judges. Amend the chapter title of RSA 493-A to read as follows:

RETIRED JUDGES; JUDICIAL REFEREES

3 Judges; Senior Active Status; Retired Status. RSA 493-A:1 is repealed and reenacted to read as follows:

493-A:1 Senior Active Status; Retired Status.

I. Any full-time justice of the supreme, superior, district, or probate court who retires from regular active service prior to age 70 pursuant to RSA 100-C, may elect to take either senior active status or retired status for the period prior to the time when the justice reaches age 70. A justice who desires to be designated on senior active status shall make such election by providing written notice to the chief justice or administrative justice of the court from which he or she retired. The first such election shall be made not later than 30 days prior to the date the justice's retirement becomes effective and shall be valid for one year from the date of the justice's retirement. Thereafter, a justice who desires to remain in senior active status shall provide a similar notice on an annual basis to the chief or administrative justice of the court from which the justice retired not later than 30 days prior to the anniversary date of the justice's retirement. Each election shall be valid for a period of one year, except that an election made for the year in which the justice reaches age 70 shall terminate on the day before the justice turns 70. A justice who desires to be designated on retired status may do so at any time following his or her retirement from regular active service by providing written notice of this election to the chief or administrative justice of the court from which the justice retired; provided, however, that once a justice elects to be designated on retired status such election shall be final and the justice shall not thereafter be allowed to return to senior active status.

II. A senior active justice shall have all the powers of a justice in regular active service and may serve on the court from which he or she retired or on any other court in which he or she is authorized by law to serve.

III. A justice who elects to be designated on senior active status shall not, during the period while such designation is in effect, engage in the practice of law, but such justice may serve as a teacher or professor of law at an educational institution.

4 New Section; Judicial Referees; Assignment. Amend RSA 493-A by inserting after section 1 the following new section:

493-A:1-a Judicial Referees.

I. Any full-time justice of the supreme, superior, district, or probate court who is mandatorily retired from either regular active service or senior active service upon reaching age 70, and any part-time district or probate court justice who is mandatorily retired upon reaching age 70, shall thereafter be eligible to serve as a judicial referee on the court from which he or she retired or on any other court in which his or her service as a referee is authorized by law.

II. A judicial referee may be assigned to take testimony, receive and review evidence, and make recommendations for findings of fact and conclusions of law in any court specified in paragraph I by the chief justice or the administrative justice of the court from which the referee retired. All recommendations of judicial referees shall be approved by a justice in regular active service or senior active service of the court to which the referee is assigned. A judicial referee shall not preside over jury trials and shall not enter final orders in any case.

III. Nothing in this section shall prevent a retired justice of the supreme, superior, district, or probate courts from sitting as a temporary justice of the supreme court when selected to do so pursuant to the procedures specified in RSA 490:3.

5 Repeal. RSA 491:23, relative to appointment of former judges as referees, auditors and masters, is repealed.

6 Application; Status of Judicial Retirement Plan. If any provision of this act is determined to affect the validity or status for federal tax purposes of the judicial retirement plan established under RSA 100-C, this act or the offending provision thereof shall be deemed null and void and shall be of no further force or effect.

7 Effective Date. This act shall take effect July 1, 2005.

2005-0969s

AMENDED ANALYSIS

This bill establishes a procedure for supreme, superior, district, probate, and administrative judges to give notice of intent to retire.

This bill also revises the procedure for assignment of judicial referees and establishes senior active status judges.

Floor amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

Senator Burling rule #42 on SB 61.

SB 139, relative to admission into evidence of certain medical bills, reports, and records. Judiciary Committee. Ought to pass with amendment, Vote 4-2. Senator Clegg for the committee.

Senate Judiciary

March 23, 2005

2005-0895s

09/01

Amendment to SB 139

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

AN ACT relative to admission into evidence of certain medical bills, reports, and records in civil cases.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Medical and Hospital Services; Evidence in Civil Cases. Amend RSA 516 by inserting after section 37 the following new subdivision:

Medical and Hospital Services; Evidence in Civil Cases

516:38 Medical and Hospital Services; Evidence in Civil Cases.

I. In any civil court or civil administrative action or proceeding, itemized bills and reports, including hospital medical records or any other medical records, relating to medical, dental, hospital services, prescriptions, or orthopedic appliances rendered to or prescribed for an injured person, or any report of any examination of such injured person, including, but not limited to hospital medical records or any other medical records subscribed and sworn to under the penalties of perjury by the physician, dentist, authorized agent of a hospital or health maintenance organization rendering such services or by the pharmacist or retailer of orthopedic appliances, shall, subject to the court's discretion, be admissible as evidence of:

- (a) The fair and reasonable charge for such services or the necessity of such services or treatments;
- (b) The diagnosis and prognosis of the physician or dentist;
- (c) The opinion of such physician or dentist as to the proximate cause of the diagnosed condition; and
- (d) The opinion of such physician or dentist as to disability or incapacity, if any, proximately resulting from the diagnosed condition.

II. Written notice of the intention to offer a bill, hospital medical record or any other medical record, or report as evidence, together with a copy of the bill, hospital medical record or other medical record, or report, shall be given to the opposing party or parties, or to their attorneys, by certified mail, return receipt requested, not less than 30 days before the introduction of the bill, hospital medical record or other medical record, or report into evidence, and an affidavit of such notice and the return receipt shall be filed with the clerk of the court or with the administrative agency after the receipt is returned.

III. Nothing contained in this section shall be construed to limit the right of any party to the action to summon, at his or her own expense, such physician, dentist, pharmacist, retailer of orthopedic appliances, or agent of such hospital or health maintenance organization or the records of such hospital or health maintenance organization for the purpose of cross examination with respect to such bill, record, or report or to rebut the contents thereof, or for any other purpose, nor to limit the right of any party to the action or proceeding to summon any other person to testify in respect to such bill, record, or report or for any other purpose.

IV. In this section:

(a) "Physician" and "dentist" shall include any person who is licensed to practice as such under the laws of the jurisdiction within which services were rendered, and shall also include chiropodists, chiropractors, optometrists, osteopaths, physical therapists, podiatrists, psychologists, and other medical personnel licensed to practice under the laws of the jurisdiction within which services were rendered.

(b) "Hospital" means any hospital licensed under RSA 151:2, or licensed or regulated by the laws of any other state, or by the laws and regulations of the United States of America, including hospitals of the Veterans Administration or similar type institutions, whether incorporated or not.

(c) "Health maintenance organization" shall have the same meaning as defined in RSA 151-C:2.

2005-0895s

AMENDED ANALYSIS

This bill establishes criteria for admission into evidence of certain medical bills, reports, and records in civil cases.

The question is on the adoption of the committee amendment.

A roll call was requested by Senator Johnson.

Seconded by Senator Barnes.

The following Senators voted Yes: Burling, Eaton, Gottesman, Foster, Clegg, Larsen, Gatsas, D'Allesandro, Estabrook, Hassan, Fuller Clark.

The following Senators voted No: Gallus, Johnson, Kenney, Boyce, Green, Flanders, Odell, Roberge, Bragdon, Barnes, Martel, Morse.

Yeas: 11 - Nays: 12

Amendment failed.

Senator Letourneau is excused.

The question is on the motion of ought to pass.

Motion failed.

Senator Bragdon moved inexpedient to legislate.

Adopted.

SB 139 is inexpedient to legislate.

SB 167, relative to extension of guardianship. Judiciary Committee. Ought to Pass, Vote 5-0. Senator Gottesman for the committee.

Adopted.

Ordered to third reading.

SB 168, relative to administration of estates. Judiciary Committee. Ought to pass with amendment, Vote 5-0. Senator Gottesman for the committee.

Senate Judiciary

March 23, 2005

2005-0899s

09/10

Amendment to SB 168

Amend the bill by inserting after section 7 the following and renumbering the original sections 8-10 to read as 9-11, respectively:

8 Property Not to be Sold. Amend RSA 554:9 to read as follows:

554:9 Property Not to be Sold.

I. Personal property specifically bequeathed shall not be sold, if not needed for the payment of debts; and any property may be reserved at the sale, unless so needed, for the benefit or upon the request of the heirs or legatees, and the administrator shall be discharged by delivery thereof to the persons entitled thereto.

II. At any time after the appointment of the administrator, without petition to the court, a single motor vehicle registered in this state in the decedent's name, if used for family purposes, may be transferred by the administrator to a legatee or heir, if not needed for the payment of debts.

Amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

SB 185, relative to the possibility of reverter. Judiciary Committee. Inexpedient to Legislate, Vote 5-0. Senator Foster for the committee.

Committee report of inexpedient to legislate is adopted.

MOTION TO REMOVE FROM THE TABLE

Senator Martel moved to have SB 143 removed from the table.

Adopted.

SB 143, relative to the adoption and use of impact fees for public open space. Public and Municipal Affairs Committee.

The question is on the adoption of the committee amendment (0694).

Amendment adopted.

Senator Martel offered a floor amendment.

Sen. Martel, Dist. 18
March 31, 2005
2005-0982s
06/01

Floor Amendment to SB 143

Amend RSA 675:2, I-a as inserted by section 3 of the bill by replacing it with the following:

I-a. A zoning ordinance, or amendment to a zoning ordinance, that allows the assessment of impact fees for public open space shall be adopted by an affirmative vote of 60 percent of all the members of the legislative body, authorized to establish or amend a zoning ordinance, present and voting.

2005-0982s

AMENDED ANALYSIS

This bill allows a city or town to adopt a zoning ordinance, or an amendment to a zoning ordinance, that includes impact fees for public open space if the ordinance or amendment receives an affirmative vote of 60 percent of the legislative body authorized to adopt it. The bill also establishes maximum impact fees and reduces the maximum impact fee by $\frac{1}{2}$ for developments that include workforce housing units.

Floor amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

SB 213, authorizing the department of environmental services to adopt rules from the California Air Resources Board. Transportation and Interstate Cooperation Committee. Inexpedient to Legislate, Vote 4-0. Senator Martel for the committee.

Committee report of inexpedient to legislate is adopted.

SB 221, relative to identification requirements for obtaining a driver's license. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 4-0. Senator Burling for the committee.

Motion failed.

Senator Burling moved to re-refer.

Adopted.

SB 221 is re-referred to the Transportation and Interstate Cooperation Committee.

SB 226, relative to the regulation of snowmobiles and off highway recreational vehicles. Transportation and Interstate Cooperation Committee. Ought to pass with amendment, Vote 4-0. Senator Flanders for the committee.

Transportation and Interstate Cooperation

March 23, 2005

2005-0878s

10/04

Amendment to SB 226

Amend RSA 215-C:11, III as inserted by section 1 of the bill by replacing it with the following:

III. Upon complaint, information, indictment or trial of any person charged with a violation of this section, the court may admit evidence obtained under RSA 215-C:12 of the amount of drugs in the defendant's blood or the defendant's alcohol concentration as defined in RSA 259:3-b at the time alleged, as shown by chemical, infrared molecular absorption or gas chromatograph test or tests of his or her breath, urine, or blood.

Amend RSA 215-C:27, I as inserted by section 1 of the bill by replacing it with the following:

I. If a person refuses a test as provided in RSA 215-C:13 or submits to a test described in RSA 215-C:12 which discloses an alcohol concentration of 0.08 or more or, in the case of a person under the age of 21, 0.02 or more, such person shall be subject to an administrative license suspension as described in RSA 265:91-a. The law enforcement officer shall conform to the requirements of RSA 265:91-a provided, however, that the

law enforcement officer shall have reasonable grounds to believe the arrested person had been driving, operating, or attempting to operate or was in actual physical control of a snowmobile while under the influence of intoxicating liquor or controlled drugs or while the arrested person has an alcohol concentration of 0.08 or more or, in the case of a person under the age of 21, 0.02 or more.

Amend RSA 215-C:27, III (b)(1) and (2) as inserted by section 1 of the bill by replacing it with the following:

(1) Six months if there is no prior refusal under RSA 265:92, RSA 215-C:13, or RSA 215-A:11-b, no prior driving while intoxicated or aggravated driving while intoxicated convictions, and no prior administrative license suspension pursuant to RSA 265:91-a, RSA 215-A:11-q, or RSA 215-C:27.

(2) Two years if there is a prior refusal under RSA 265:92, RSA 215-A:11-b, or RSA 215-C:13, or a prior driving while intoxicated or aggravated driving while intoxicated conviction, or a prior administrative suspension pursuant to RSA 265:91-a, RSA 215-A:11-q, or this section. If a license or driving privilege has been suspended under RSA 265:91-a, RSA 215-A:11-q, or this section and the person is also convicted on criminal charges arising out of the same event, both the suspension and court ordered revocation shall be imposed pursuant to RSA 265:91-c.

Amend the introductory paragraph of RSA 215-C:39, VI as inserted by section 1 of the bill by replacing it with the following:

VI. Registration after transfer as provided in RSA 215-C:37- \$13.

Amend the bill by replacing section 19 with the following:

19 Administrative License Suspension. Amend RSA 215-A:11-q, III(b)(1) and (2) to read as follows:

(1) Six months if there is no prior refusal under RSA 265:92 [~~or~~], RSA 215-A:11-b, **or RSA 215-C:13**, no prior driving while intoxicated or aggravated driving while intoxicated convictions, and no prior administrative license suspension pursuant to RSA 265:91-a [~~or~~], RSA 215-A:11-q, **or RSA 215-C:27**.

(2) Two years if there is a prior refusal under RSA 265:92 [~~or~~], RSA 215-A:11-b, **or RSA 215-C:13** or a prior driving while intoxicated or aggravated driving while intoxicated conviction, or a prior administrative suspension pursuant to RSA 265:91-a [~~or~~], RSA 215-A:11-q, **or RSA 215-C:27**. If a license or driving privilege has been suspended under RSA 265:91-a [~~or~~], RSA 215-A:11-q, **or RSA 215-C:27** and the person is also convicted on criminal charges arising out of the same event, both the suspension and court ordered revocation shall be imposed pursuant to RSA 265:91-c.

Amend RSA 215-A:29, III as inserted by section 33 of the bill by replacing it with the following:

III. A person 12 years of age or older operating an OHRV shall carry evidence of compliance with subparagraph I(b) **or RSA 215-C:49, I(b)** in the form of a valid driver's license or evidence of successfully completing an OHRV training program. The person shall present such evidence to any law enforcement officer who is empowered to enforce this chapter, upon demand of such law enforcement officer.

Amend RSA 215-A:30, III as inserted by section 34 of the bill by replacing it with the following:

III. The OHRV training and driver's license requirements of RSA 215-A:29, I(b) and III **or RSA 215-C:49, I(b) and III** shall not apply to any person participating in an organized event or contest permitted under this section or in an event not requiring a permit as provided for in paragraph II.

Amend the bill by replacing section 66 with the following:

66 Effective Date. This act shall take effect July 1, 2006.

Amend the bill by deleting section 17 and renumbering the original sections 18-66 to read as 17-65, respectively.

Amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

SB 227, naming a certain bridge in the town of Enfield the Henry P. Brown, M.D. Bridge. Transportation and Interstate Cooperation Committee. Ought to pass with amendment, Vote 5-0. Senator Burling for the committee.

Transportation and Interstate Cooperation
March 23, 2005
2005-0890s
04/05

Amendment to SB 227

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

AN ACT naming a certain bridge in the town of Enfield the Henry P. Brown, M.D. Bridge, renaming the White Mountain Attraction Building as the Dick Hamilton Building, and renaming the Twin Mountain Bridge as the Kenneth B. Jordan Memorial Bridge.

Amend the bill by inserting after section 1 the following and renumbering the original sections 2-3 to read as 4-5, respectively:

2 Renaming the White Mountain Attraction Building as the Dick Hamilton Building. The White Mountains Attraction Building in the town of Lincoln is hereby renamed the Dick Hamilton Building. A suitable marker may be placed at the site of the building.

3 Renaming the Twin Mountain Bridge as the Kenneth B. Jordan Memorial Bridge. The Twin Mountain Bridge located at the approximate crossroads of New Hampshire routes 3 and 302 in the town of Twin Mountain is hereby renamed the Kenneth B. Jordan Memorial Bridge. A suitable marker may be placed at the site of the bridge.

2005-0890s

AMENDED ANALYSIS

This bill:

I. Names the Henry P. Brown, M.D. Bridge in the town of Enfield.

II. Renames the White Mountain Attraction Building in the town of Lincoln as the Dick Hamilton Building.

III. Renames the Twin Mountain Bridge as the Kenneth B. Jordan Memorial Bridge.

Amendment adopted.

The question is on the adoption of the bill as amended.

Adopted.

Ordered to third reading.

RESOLUTION

Senator Clegg moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that all bills and resolutions ordered to third reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

Adopted.

LATE SESSION

Third Reading and Final Passage

SB 30, establishing the Collaborative Practice for Emergency Contraception Act.

SB 56, relative to penalties for eluding pursuit by a law enforcement officer.

SB 61, relative to judges giving notice of intent to retire, and relative to retired status for judges and assignment of judicial referees.

SB 86, permitting on-site samples and retail sales by liquor manufacturer licensees.

SB 89-FN, relative to financing federally aided highway projects.

SB 119, establishing a committee to study exempting acute care rehabilitation from the nursing home moratorium.

SB 121, relative to all terrain vehicle trails and relative to the regulation of off highway recreational vehicles by a political subdivision.

SB 143, relative to the adoption and use of impact fees for public open space.

SB 163-FN, establishing the New Hampshire pharmaceutical assistance program.

SB 167, relative to extension of guardianship.

SB 168, relative to administration of estates.

SB 179, requiring hunters to report the death or injury of domestic animals.

SB 183, authorizing licensed medical adult day program facilities to assist clients with medication.

SB 187, relative to allowing alternative certified hazardous waste coordinator programs.

SB 199, establishing exemptions from certain administrative requirements for the department of regional community-technical colleges.

SB 210-FN, relative to a declaratory judgment to adjudicate constitutional nexus.

SB 216, establishing a commission to study area agencies.

SB 226, relative to the regulation of snowmobiles and off highway recreational vehicles.

SB 227, naming a certain bridge in the town of Enfield the Henry P. Brown, M.D. Bridge, renaming the White Mountain Attraction Building as the Dick Hamilton Building, and renaming the Twin Mountain Bridge as the Kenneth B. Jordan Memorial Bridge.

ANNOUNCEMENTS

RESOLUTION

Senator Clegg moved that the Senate recess to the Call of the Chair for the sole purpose of introducing legislation, sending and receiving messages, and processing enrolled bill reports.

Adopted.

In recess to the Call of the Chair.