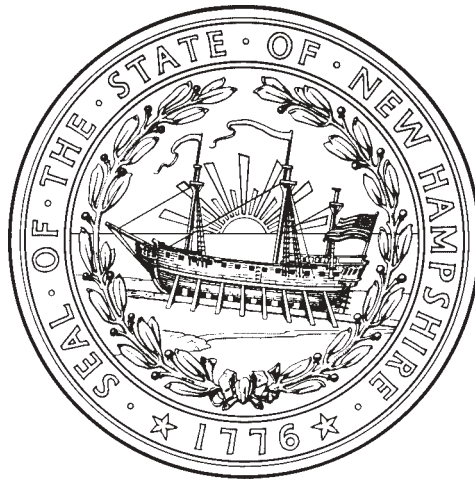


April 6, 2006  
Nos. 9 - 10

# STATE OF NEW HAMPSHIRE

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Legislative

## SENATE JOURNAL

**ADJOURNMENT – MARCH 22, 2006 SESSION**  
**COMMENCEMENT – APRIL 6, 2006 SESSION**

# SENATE JOURNAL 9 (Cont.)

*March 22, 2006*

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## JOURNAL #9 CORRECTION FROM MARCH 22 2006

**HB 349**, relative to placement and removal of political advertising. Internal Affairs Committee. Ought to pass with amendment, Vote 4-0. Senator Boyce for the committee.

**Internal Affairs**

**March 15, 2006**

**2006-1413s**

**03/05**

### Amendment to HB 349

Amend the bill by replacing section 1 with the following:

1 Placement and Removal of Political Advertising. Amend RSA 664:17 to read as follows:

664:17 Placement and Removal of Political Advertising. No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent. ~~[The earliest date on which political advertising may be placed or affixed shall be the last Friday in July prior to a state primary. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary.]~~ ***Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes.*** No ***unauthorized*** person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to ***public property*** or any private property except the owner of the property or a law enforcement officer removing improper advertising[; provided, however, that, before a law enforcement officer removes any advertisement, he shall notify the candidate that it is improper, and allow the candidate 24 hours to remove the advertisement himself]. ***Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept for one week at a place designated by the state, city, or town so that the candidate may retrieve the items.***

**Amendment adopted.**

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

**Adopted.**

**Referred to the Finance Committee (Rule #26).**

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## HOUSE MESSAGE

The House of Representatives has referred for Interim Study the following entitled Bills sent down from the Senate:

**SB 110-FN-A**, establishing the New Hampshire Rx plus program for prescription drugs.

## 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 1126**, relative to licenses for first mortgage bankers, brokers, pawnbrokers, and money lenders.

**HB 1289**, relative to Pennichuck Brook and its watershed.

**HB 1474-FN**, relative to unemployment compensation contribution rates and benefits.

**HB 1590-FN**, relative to the pari-mutuel commission.

**HB 1612-FN**, relative to the use of lottery revenue as purses for horse and dog racing.

**HB 1687**, extending certain studies and adding a certain duty relative to pharmacy reimbursement.

**HB 1749-FN**, relative to access to motor vehicle records by certain defense contractors.

**HB 1752**, requiring notice regarding the classifications of employee and independent contractor.

**HJR 20**, supporting stem cell research.

### INTRODUCTION OF HOUSE BILL(S)

Senator Clegg offered the following Resolution:

RESOLVED that, in accordance with the list in the possession of the Senate Clerk, House legislation numbered from **HB 1126 to HJR 20**, 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 1126**, relative to licenses for first mortgage bankers, brokers, pawnbrokers, and money lenders. (Banks and Insurance)

**HB 1289**, relative to Pennichuck Brook and its watershed. (Energy and Economic Development)

**HB 1474-FN**, relative to unemployment compensation contribution rates and benefits. (Finance)

**HB 1590-FN**, relative to the pari-mutuel commission. (Executive Departments and Administration)

**HB 1612-FN**, relative to the use of lottery revenue as purses for horse and dog racing. (Ways and Means)

**HB 1687**, extending certain studies and adding a certain duty relative to pharmacy reimbursement. (Health and Human Services)

**HB 1749-FN**, relative to access to motor vehicle records by certain defense contractors. (Judiciary)

**HB 1752**, requiring notice regarding the classifications of employee and independent contractor. (Banks and Insurance)

**HJR 20**, supporting stem cell research. (Health and Human Services)

### 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 317-FN**, relative to mooring fees.

**HB 627-FN**, relative to including persons 17 years old in the juvenile justice system.

**HB 678-FN**, relative to the insurance premium tax.

**HB 1167-FN-A**, making an appropriation to the land and community heritage investment program.

**HB 1177**, prohibiting smoking in restaurants, cocktail lounges, and certain enclosed public places.

**HB 1189**, relative to audits by the legislative budget assistant.

**HB 1227-FN**, relative to late fees and reinstatement fees paid by business entities.

**HB 1241-FN-L**, extending the kindergarten construction aid program.

**HB 1249-FN-A-L**, relative to state reimbursement for school breakfasts and making an appropriation therefor.

**HB 1311-FN-A**, relative to the electronic filing of reports and applications with the secretary of state.

**HB 1331**, relative to the New Hampshire Temporary Assistance to Needy Families (TANF) program.

**HB 1366**, relative to a planning board's authority to require public access to open space as a condition of subdivision approval.

**HB 1459-FN-A**, relative to the department of regional community-technical colleges and making an appropriation therefor.

**HB 1464-FN-A-L**, relative to mosquito control, establishing a mosquito control fund and making an appropriation therefor.

**HB 1470**, relative to overweight vehicle permit fees.

**HB 1495**, relative to setback requirements for landfills located near rivers.

**HB 1523**, relative to certain rulemaking authority of the commissioner of environmental services.

**HB 1567**, relative to removing names from the checklist.

**HB 1593-FN-L**, relative to the construction of high school athletic fields in the town of Bedford.

**HB 1608-FN-A**, making appropriations to reimburse certain health and human services providers for the increased cost of utilities, heating, and mileage.

**HB 1611-FN**, relative to reimbursement for personal care services.

**HB 1626-FN-A**, relative to appropriations for the expenses of certain departments of the state.

**HB 1673-FN**, relative to the reduction of mercury emissions.

**HB 1692-FN**, establishing the New Hampshire sexual predators act.

**HB 1697-FN**, relative to certain state salaries.

**HB 1710-FN-A**, relative to appropriations to the department of health and human services for home care providers and community mental centers and making an appropriation to increase the hourly rate of pay for direct care providers for persons with developmental and acquired disabilities and extending the provision of supplemental pharmacy assistance.

**HB 1735-FN**, relative to awarding the state employees' health insurance plan.

**HB 1738-FN**, prohibiting the use of surveillance devices to identify motor vehicles.

**HB 1741-FN**, relative to reporting requirements concerning infections in hospitals.

**HB 1744-FN-A**, authorizing the pari-mutuel commission to regulate games of chance conducted by charitable organizations and relative to tournaments conducted by charitable organizations where chips have no monetary face value.

**HB 1767-FN-A**, authorizing the state acquisition of real estate destroyed in the October 2005 floods, establishing a commission to determine the appropriate use of the property, and making an appropriation therefor.

**CACR 30**, relating to limits on the taking of private property. Providing that a person's property shall not be taken by eminent domain if the taking is for private use.

#### **INTRODUCTION OF HOUSE BILL(S)**

Senator Clegg offered the following Resolution:

RESOLVED that, in accordance with the list in the possession of the Senate Clerk, House legislation numbered from **HB 317-FN to CACR 30**, 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 317-FN**, relative to mooring fees. (Ways and Means)

**HB 627-FN**, relative to including persons 17 years old in the juvenile justice system. (Judiciary)

**HB 678-FN**, relative to the insurance premium tax. (Banks and Insurance)

**HB 1167-FN-A**, making an appropriation to the land and community heritage investment program. (Finance)

**HB 1177**, prohibiting smoking in restaurants, cocktail lounges, and certain enclosed public places. (Finance)

**HB 1189**, relative to audits by the legislative budget assistant. (Finance)

**HB 1227-FN**, relative to late fees and reinstatement fees paid by business entities. (Finance)

**HB 1241-FN-L**, extending the kindergarten construction aid program. (Education)

**HB 1249-FN-A-L**, relative to state reimbursement for school breakfasts and making an appropriation therefor. (Education)

**HB 1311-FN-A**, relative to the electronic filing of reports and applications with the secretary of state. (Internal Affairs)

**HB 1331**, relative to the New Hampshire Temporary Assistance to Needy Families (TANF) program. (Finance)

**HB 1366**, relative to a planning board's authority to require public access to open space as a condition of subdivision approval. (Public and Municipal Affairs)

**HB 1459-FN-A**, relative to the department of regional community-technical colleges and making an appropriation therefor. (Finance)

**HB 1464-FN-A-L**, relative to mosquito control, establishing a mosquito control fund and making an appropriation therefor. (Environment and Wildlife)

**HB 1470**, relative to overweight vehicle permit fees. (Transportation and Interstate Cooperation)

**HB 1495**, relative to setback requirements for landfills located near rivers. (Environment and Wildlife)

**HB 1523**, relative to certain rulemaking authority of the commissioner of environmental services. (Executive Departments and Administration)

**HB 1567**, relative to removing names from the checklist. (Internal Affairs)

**HB 1593-FN-L**, relative to the construction of high school athletic fields in the town of Bedford. (Education)

**HB 1608-FN-A**, making appropriations to reimburse certain health and human services providers for the increased cost of utilities, heating, and mileage. (Finance)

**HB 1611-FN**, relative to reimbursement for personal care services. (Health and Human Services)

**HB 1626-FN-A**, relative to appropriations for the expenses of certain departments of the state. (Energy and Economic Development)

**HB 1673-FN**, relative to the reduction of mercury emissions. (Energy and Economic Development)

**HB 1692-FN**, establishing the New Hampshire sexual predators act. (Judiciary)

**HB 1697-FN**, relative to certain state salaries. (Executive Departments and Administration)

**HB 1710-FN-A**, relative to appropriations to the department of health and human services for home care providers and community mental centers and making an appropriation to increase the hourly rate of pay for direct care providers for persons with developmental and acquired disabilities and extending the provision of supplemental pharmacy assistance. (Finance)

**HB 1735-FN**, relative to awarding the state employees' health insurance plan. (Executive Departments and Administration)

**HB 1738-FN**, prohibiting the use of surveillance devices to identify motor vehicles. (Transportation and Interstate Cooperation)

**HB 1741-FN**, relative to reporting requirements concerning infections in hospitals. (Health and Human Services)

**HB 1744-FN-A**, authorizing the pari-mutuel commission to regulate games of chance conducted by charitable organizations and relative to tournaments conducted by charitable organizations where chips have no monetary face value. (Ways and Means)

**HB 1767-FN-A**, authorizing the state acquisition of real estate destroyed in the October 2005 floods, establishing a commission to determine the appropriate use of the property, and making an appropriation therefor. (Finance)

**CACR 30**, relating to limits on the taking of private property. Providing that a person's property shall not be taken by eminent domain if the taking is for private use. (Finance)

**REPORT OF COMMITTEE ON ENROLLED BILLS**

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**HB 410**, relative to the confidentiality of documents submitted with an application for a property tax credit, exemption, or deferral.

**HB 1114**, relative to regulation by the board of licensure of interpreters for the deaf and hard of hearing.

**HB 1122**, relative to special elections.

**HB 1152**, naming a certain bridge over the Merrimack River.

**HB 1226-FN**, relative to the New Hampshire Humanities Council.

**HB 1370**, transferring certain surplus moneys to the revenue stabilization reserve account.

**HJR 23**, a resolution designating a Purple Heart Trail spur to the New Hampshire state veterans cemetery and providing additional signs for the Purple Heart Trail.

Senator D'Allesandro moved adoption.

**Adopted.**

**Out of Recess.**

**LATE SESSION**

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

**Adopted.**

**Adjournment.**

# SENATE JOURNAL 10

*April 6, 2006*

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 fire and brimstone, smoke and thunder; You care for each of us in ways of tender gentleness. Guide these good men and women as they discern the delicate balance between public and private, personal and corporate, prosperity and wellness, for You have given us one another to care for and You have gathered us into this community that we may learn how to live together in ways that please You. Amen*

Senator Bragdon led the Pledge of Allegiance.

Senator Green is excused for the day.

**INTRODUCTION OF GUESTS****SPECIAL ORDER**

**HB 713-FN**, relative to a process for the request and disclosure of social security numbers. Internal Affairs Committee. Interim Study, Vote 4-0. Senator Bragdon for the committee.

**Committee report of interim study is adopted.**

**COMMITTEE REPORTS**

**HB 1177**, prohibiting smoking in restaurants, cocktail lounges, and certain enclosed public places. Finance Committee. Inexpedient to Legislate, Vote 3-3. Senator Morse for the committee.

**The question is on adoption of the committee report of inexpedient to legislate.**



A roll call was requested by Senator Gottesman.

Seconded by Senator Barnes.

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

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

Yeas: 12 - Nays: 11

Committee report of inexpedient to legislate is adopted.

HB 37-FN, relative to health insurance coverage for full-time students on medical leaves of absence. Banks and Insurance Committee. Ought to pass with amendment, Vote 5-0. Senator Gottesman for the committee.

**Banks and Insurance**

**March 21, 2006**

**2006-1481s**

**01/09**

#### **Amendment to HB 37-FN**

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

1 Name of Act. This act shall be known as "Michelle's Law" in honor of Michelle Morse, the young Manchester woman who died recently and who battled both cancer and insurance company rules that threatened her health care coverage.

2 Individual Insurance Policies; Dependent Children. Amend RSA 415:5, I(3-a) to read as follows:

(3-a)(a) The coverage of any family member insured by such policy, pursuant to subparagraph (3), who is mentally or physically incapable of earning his *or her* own living on the date as of which such dependent's status as a covered family member would otherwise expire because of age, shall continue under such policy while such policy remains in force or is replaced by another policy as long as such incapacity continues and as long as said dependent remains chiefly financially dependent on the policyholder or the employee or his *or her* estate is chargeable for the care of said dependent, provided that due proof of such incapacity is received by the insurer within 31 days of such expiration date. If such coverage is continued in accordance with this subparagraph, such dependent shall be entitled upon the termination of such incapacity to a converted policy in accordance with and subject to the terms and conditions of the conversion privilege clause if such privilege is afforded by the policy, provided that such dependent has not attained the limiting age, if any, for coverage of adults specified in the policy;

*(b) If the coverage for dependent children under subparagraph (3) includes coverage for dependent children who are full-time students, as defined by the appropriate educational institution, beyond the age of 18, such dependent coverage shall include coverage for a dependent's medically necessary leave of absence from school for a period not to exceed 12 months or the date on which coverage would otherwise end pursuant to the terms and conditions of the policy, whichever comes last. Any breaks in the school semester shall not disqualify the dependent child from coverage under this subparagraph. Documentation and certification of the medical necessity of a leave of absence shall be submitted to the insurer by the student's attending physician and shall be considered prima facie evidence of entitlement to coverage under this subparagraph. For the purposes of this subparagraph, "medically necessary" shall mean an acute illness. The date of the documentation and certification of the medical necessity of a leave of absence shall be the date the insurance coverage under this subparagraph commences; and*

3 Group Insurance Policies; Dependent Children. Amend RSA 415:18, V to read as follows:

V.(a) The coverage of any dependent of any employee or member of the group insured by such policy, pursuant to paragraph IV, who is mentally or physically incapable of earning his *or her* own living on the date as of which such dependent's status as a covered family member would otherwise expire because of age, shall continue under such policy while such policy remains in force or is replaced by another group or blanket policy as long as such incapacity continues and as long as said dependent remains chiefly financially dependent on the employee or member of the group or the employee or his *or her* estate is chargeable for the care of said dependent, provided that due proof of such incapacity is received by the insurer within 31 days of such expiration date. If such coverage is continued in accordance with this paragraph, such dependent

shall be entitled upon the termination of such incapacity to a converted policy in accordance with and subject to the terms and conditions of the conversion privilege clause if such privilege is afforded by the policy, provided that such dependent has not attained the limiting age if any for coverage of adults specified in the policy.

***(b) If the coverage for dependent children under subparagraph (3) includes coverage for dependent children who are full-time students, as defined by the appropriate educational institution, beyond the age of 18, such dependent coverage shall include coverage for a dependent's medically necessary leave of absence from school for a period not to exceed 12 months or the date on which coverage would otherwise end pursuant to the terms and conditions of the policy, whichever comes last. Any breaks in the school semester shall not disqualify the dependent child from coverage under this subparagraph. Documentation and certification of the medical necessity of a leave of absence shall be submitted to the insurer by the student's attending physician and shall be considered prima facie evidence of entitlement to coverage under this subparagraph. For the purposes of this subparagraph, "medically necessary" shall mean an acute illness. The date of the documentation and certification of the medical necessity of a leave of absence shall be the date the insurance coverage under this subparagraph commences; and***

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

**2006-1481s**

#### AMENDED ANALYSIS

This bill extends health insurance coverage to full-time students on medical leaves of absence. This bill shall be known as "Michelle's Law."

**Amendment adopted.**

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

**A roll call was requested by Senator Foster.**

**Seconded by Senator Barnes.**

**The following Senators voted Yes: Gallus, Johnson, Kenney, Boyce, Burling, 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: 23 - Nays: 0**

**Adopted.**

**Ordered to third reading.**

**HB 1125**, relative to the filing period for candidates in the presidential primary. Internal Affairs Committee. Ought to Pass, Vote 4-0. Senator Bragdon for the committee.

**The question is on adoption of the committee report of ought to pass.**

**A roll call was requested by Senator Kenney.**

**Seconded by Senator Barnes.**

**The following Senators voted Yes: Gallus, Johnson, Kenney, Boyce, Burling, 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: 23 - Nays: 0**

**Adopted.**

**Ordered to third reading.**

**HB 1217**, requiring the secretary of state to publish certain information on campaign contributions. Internal Affairs Committee. Ought to Pass, Vote 3-0. Senator Flanders for the committee.

**Adopted.**

**Ordered to third reading.**



**HB 1222-FN**, relative to unlawful voting. Internal Affairs Committee. Ought to Pass, Vote 4-0. Senator Boyce for the committee.

**The question is on the committee report of ought to pass.**

**MOTION TO TABLE**

**Senator Burling moved to have HB 1222-FN laid on the table.**

**The question is on the motion to lay on the table.**

**A roll call was requested by Senator Larsen.**

**Seconded by Senator Barnes.**

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

**The following Senators voted No: Gallus, Johnson, Kenney, Boyce, Flanders, Odell, Roberge, Eaton, Bragdon, Clegg, Gatsas, Barnes, Martel, Letourneau, Morse.**

**Yeas: 8 - Nays: 15**

**Motion failed.**

**The question is on the committee report of ought to pass.**

**A roll call was requested by Senator Clegg.**

**Seconded by Senator Barnes.**

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

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

**Yeas: 15 - Nays: 8**

**Adopted.**

**Ordered to third reading.**

**HB 1128-FN**, relative to definition of teacher in the New Hampshire retirement system, and relative to approval of supplemental allowances. Banks and Insurance Committee. Ought to Pass, Vote 5-0. Senator Flanders for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1334**, establishing a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts. Banks and Insurance Committee. Ought to pass with amendment, Vote 4-0. Senator Barnes for the committee.

**Banks and Insurance**

**March 21, 2006**

**2006-1480s**

**09/03**

**Amendment to HB 1334**

Amend subparagraph I(b) of section 2 of the bill by replacing it with the following:

(b) Two members of the senate, appointed by the president of the senate.

**MOTION TO TABLE**

**Senator Barnes moved to have HB 1334 laid on the table.**

**Adopted.**

**LAIID ON THE TABLE**

**HB 1334**, establishing a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

**HB 278**, relative to the alternative budget procedure in school administrative units. Education Committee. Inexpedient to Legislate, Vote 4-0. Senator Bragdon for the committee.

**Committee report of inexpedient to legislate is adopted.**

**HB 1362**, relative to permitting audio and video recording on school buses. Education Committee. Ought to Pass, Vote 4-0. Senator Bragdon for the committee.

**Adopted.**

**Ordered to third reading.**

**Senator Boyce is in favor of the ought to pass motion on HB 1362.**

**HB 1489**, relative to school emergency response plans. Education Committee. Ought to pass with amendment, Vote 3-1. Senator Eaton for the committee.

**Senate Education**  
**March 28, 2006**  
**2006-1540s**  
**04/10**

**Amendment to HB 1489**

Amend the bill by replacing section 2 with the following:

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

**Amendment adopted.**

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

**Adopted.**

**Referred to the Finance Committee (Rule #26).**

**HB 1497-L**, relative to certification by a superintendent regarding statistical reports. Education Committee. Ought to Pass, Vote 4-0. Senator Eaton for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1146**, establishing a committee to study renewable portfolio standards. Energy and Economic Development Committee. Ought to Pass, Vote 3-1. Senator Burling for the committee.

**MOTION TO TABLE**

**Senator Burling moved to have HB 1146 laid on the table.**

**Adopted.**

**LAIID ON THE TABLE**

**HB 1146**, establishing a committee to study renewable portfolio standards.

**HB 1376**, relative to the duties of the legislative oversight committee on electric utility restructuring. Energy and Economic Development Committee. Ought to pass with amendment, Vote 3-1. Senator Odell for the committee.

**Energy and Economic Development**  
**March 29, 2006**  
**2006-1554s**  
**06/09**

**Amendment to HB 1376**

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

AN ACT changing the legislative oversight committee on electric utility restructuring to the state energy policy oversight committee.

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

1 State Energy Policy Oversight Committee. Amend the introductory paragraph of RSA 374-F:5, I by replacing it with the following:

I. There is established a ~~[legislative oversight committee on electric utility restructuring]~~ **state energy policy oversight committee** consisting of 14 members as follows:

2 Annual Report. Amend RSA 374-F:5, III as follows:

III. The committee shall provide an annual report on or before November 1 to the governor, the speaker of the house, the senate president, the state library, and the public utilities commission ~~[on the status of electric utility restructuring]~~.

3 Duties. RSA 374-F:6 is repealed and reenacted to read as follows:

374-F:6 Duties. The committee shall have oversight on all matters related to energy policy and planning for the state of New Hampshire. It shall review the state's energy policies and make recommendations that address the changing energy environment in New Hampshire in a coordinated fashion. The committee shall:

I. Review the adequacy of electricity supplies to meet demand including, but not limited to, consideration of the following issues:

- (a) Diversity of fuel supplies and availability.
- (b) Reliability of service.
- (c) Price to end-use customers.
- (d) Divestiture of PSNH generation assets.
- (e) Structure, effectiveness, and competitiveness of wholesale and retail markets.
- (f) Protection of public health and the environment.

(g) Initiatives before the Federal Energy Regulatory Commission (FERC), such as the forward capacity market initiative.

II. Review energy efficiency opportunities and programs, in all forms of energy usage, including those funded by the system benefits charge.

III. Review issues related to low-income energy assistance programs.

IV. Monitor the regional greenhouse gas initiative.

V. Work on the promotion of renewable energy, both for electrical production and as a heat and transportation fuel source, and monitor the implementation of renewable portfolio standards in New England.

VI. Review the adequacy of natural gas supplies and fuel diversity within the state and region.

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

**2006-1554s**

#### AMENDED ANALYSIS

This bill changes the committee on electric utility restructuring to the state energy policy oversight committee.

This bill requires the state energy policy oversight committee to review electricity supplies, energy efficiency opportunities, energy assistance programs, and the adequacy of natural gas supplies. This bill also requires the committee to monitor the greenhouse gas initiative and work to promote renewable energy.

#### MOTION TO TABLE

**Senator Odell moved to have HB 1376 laid on the table.**

**Adopted.**

#### LAIID ON THE TABLE

**HB 1376**, relative to the duties of the legislative oversight committee on electric utility restructuring.

**HB 1609-FN**, requiring a pilot project to estimate future water needs and availability. Energy and Economic Development Committee. Ought to Pass, Vote 3-1. Senator Bragdon for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1663-FN**, relative to the licensing fee for motor vehicle recycling yards. Energy and Economic Development Committee. Ought to Pass, Vote 3-1. Senator Odell for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 254-FN**, establishing lifetime licenses for bow and arrow, muzzle loading firearm, and crossbow and bolt licenses. Environment and Wildlife Committee. Ought to Pass, Vote 5-0. Senator Eaton for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1140**, establishing a committee to study the establishment and enforcement of protection zones for nesting loons. Environment and Wildlife Committee. Ought to pass with amendment, Vote 5-0. Senator Johnson for the committee.

**Environment and Wildlife**

**March 22, 2006**

**2006-1515s**

**10/04**

**Amendment to HB 1140**

Amend subparagraph I(b) of section 2 of the bill by replacing it with the following:

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

**MOTION TO TABLE**

**Senator Johnson moved to have HB 1140 laid on the table.**

**Adopted.**

**LAIID ON THE TABLE**

**HB 1140**, establishing a committee to study the establishment and enforcement of protection zones for nesting loons.

**HB 1182**, relative to the limited commercial lobster license fees. Environment and Wildlife Committee. Ought to pass with amendment, Vote 5-0. Senator Hassan for the committee.

**Environment and Wildlife**

**March 22, 2006**

**2006-1510s**

**10/05**

**Amendment to HB 1182-FN**

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 2007.

**Amendment adopted.**

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

**Adopted.**

**Referred to the Finance Committee (Rule #26).**

**HB 1294**, relative to antique snowmobiles. Environment and Wildlife Committee. Ought to pass with amendment, Vote 5-0. Senator Eaton for the committee.

**Environment and Wildlife**

**March 22, 2006**

**2006-1516s**

**10/03**

**Amendment to HB 1294**

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

(c) An antique motor vehicle converted to travel over snow, manufactured prior to 1940.

**Amendment adopted.**

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

**Adopted.**

**Ordered to third reading.**

**HB 1420-FN-A**, prohibiting remote control and Internet hunting and relative to exceptions to the prohibitions on the sale of firearms to minors and the furnishing of arms to persons under 16. Environment and Wildlife Committee. Ought to pass with amendment, Vote 4-0. Senator Eaton for the committee.

**Environment and Wildlife**

**March 29, 2006**

**2006-1551s**

**10/01**

**Amendment to HB 1420-FN**

Amend the bill by replacing section 4 with the following:

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

**MOTION TO TABLE**

**Senator Eaton moved to have HB 1420-FN-A laid on the table.**

**Adopted.**

**LAIID ON THE TABLE**

**HB 1420-FN-A**, prohibiting remote control and Internet hunting and relative to exceptions to the prohibitions on the sale of firearms to minors and the furnishing of arms to persons under 16.

**HB 1455-FN-A**, relative to the disposal of video display devices. Environment and Wildlife Committee. Ought to Pass, Vote 4-0. Senator Hassan for the committee.

**Adopted.**

**Ordered to third reading.**

**Senator Barnes is in favor of HB 1455-FN-A.**

**Senator Letourneau (Rule #42) on HB 1455-FN-A.**

**HB 1646-FN**, relative to the use of a leashed tracking dog in the recovery of a wounded deer, moose, or bear. Environment and Wildlife Committee. Ought to Pass, Vote 5-0. Senator Barnes for the committee.

**Adopted.**

**Ordered to third reading.**

**MOTION TO REMOVE FROM THE TABLE**

**Senator Boyce moved to have HB 1420-FN removed from the table.**

**Adopted.**

**HB 1420-FN**, prohibiting remote control and Internet hunting and relative to exceptions to the prohibitions on the sale of firearms to minors and the furnishing of arms to persons under 16.

**The question is on the committee amendment (1551).**

**Amendment adopted.**

**Senator Boyce offered a floor amendment.**

**Sen. Boyce, Dist. 4**

**April 6, 2006**

**2006-1674s**

**10/04**

**Floor Amendment to HB 1420-FN**

Amend RSA 159:12, II(a) as inserted by section 2 of the bill by replacing it with the following:

(a) Fathers, mothers, ***grandparents***, guardians, administrators or executors who give a revolver to their children or wards or to heirs to an estate.

Amend RSA 644:15, II(a) as inserted by section 3 of the bill by replacing it with the following:

(a) Fathers, mothers, ***grandparents***, or guardians of such children.

**Floor amendment adopted.**

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

**Adopted.**

**Ordered to third reading.**

**HB 1747-FN**, establishing a New Hampshire healthy tidal waters and shellfish protection program and making an appropriation therefor. Environment and Wildlife Committee. Ought to Pass, Vote 5-0. Senator Hassan for the committee.

**Adopted.**

**Referred to the Finance Committee (Rule #26).**

**HB 489-FN**, relative to disclosing an ownership interest in certain health care facilities and businesses. Executive Departments and Administration Committee. Inexpedient to Legislate, Vote 4-0. Senator Kenney for the committee.

**Committee report of inexpedient to legislate is adopted.**

**HB 1185**, relative to Volunteer NH. Executive Departments and Administration Committee. Ought to Pass, Vote 4-0. Senator Kenney for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1264**, establishing an advisory committee to study the information practices act and establishing a temporary moratorium on reports filed under the information practices act. Executive Departments and Administration Committee. Ought to Pass, Vote 4-0. Senator Flanders for the committee.

#### **MOTION TO TABLE**

**Senator Flanders moved to have HB 1264 laid on the table.**

**Adopted.**

#### **LAIID ON THE TABLE**

**HB 1264**, establishing an advisory committee to study the information practices act and establishing a temporary moratorium on reports filed under the information practices act.

**HB 1298**, establishing a study committee to evaluate disciplinary procedures of the board of medicine. Executive Departments and Administration Committee. Ought to pass with amendment, Vote 4-0. Senator Barnes for the committee.

**Senate Executive Departments and Administration**

**March 30, 2006**

**2006-1592s**

**10/05**

#### **Amendment to HB 1298**

Amend paragraph I(b) of section 2 of the bill by replacing it with the following:

(b) Two members of the senate, appointed by the president of the senate.

Amend the bill by replacing section 4 with the following:

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 house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.



**MOTION TO TABLE**

**Senator Barnes moved to have HB 1298 laid on the table.**

**Adopted.**

**LAIID ON THE TABLE**

**HB 1298**, establishing a study committee to evaluate disciplinary procedures of the board of medicine.

**HB 1498**, establishing a risk management unit within the department of administrative services and relative to the rulemaking authority of the department of administrative services. Executive Departments and Administration Committee. Ought to Pass, Vote 4-0. Senator Boyce for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1517-FN**, relative to membership on the board of medicine and the medical review subcommittee. Executive Departments and Administration Committee. Ought to Pass, Vote 4-0. Senator Kenney for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1579**, relative to membership of the air resources council. Executive Departments and Administration Committee. Ought to Pass, Vote 4-0. Senator Barnes for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1633-FN**, relative to membership, eligibility, and financing of the New Hampshire retirement system. Executive Departments and Administration Committee. Ought to Pass, Vote 3-0. Senator Flanders for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1715-FN**, relative to funding of the professional assistance program for dentists. Executive Departments and Administration Committee. Ought to Pass, Vote 3-0. Senator Barnes for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1768-FN**, establishing a committee to study the effects of rescinding the charter of the New Hampshire Bar Association, and relative to the regulation of attorneys by the supreme court. Executive Departments and Administration Committee. Ought to pass with amendment, Vote 4-0. Senator Flanders for the committee.

**Senate Executive Departments and Administration**

**March 30, 2006**

**2006-1581s**

**10/05**

**Amendment to HB 1768-FN**

Amend subparagraph II(b) of section 1 by replacing it with the following:

(b) Two members of the senate, appointed by the president of the senate.

**MOTION TO TABLE**

**Senator Flanders moved to have HB 1768-FN laid on the table.**

**Adopted.**

**LAIID ON THE TABLE**

**HB 1768-FN**, establishing a committee to study the effects of rescinding the charter of the New Hampshire Bar Association, and relative to the regulation of attorneys by the supreme court.

**HB 349**, relative to placement and removal of political advertising. Finance Committee. Ought to pass with amendment, Vote 5-0. Senator Morse for the committee.

**Senate Finance**  
**March 30, 2006**  
**2006-1584s**  
**03/05**

**Amendment to HB 349**

Amend the bill by replacing section 1 with the following:

1 Placement and Removal of Political Advertising. Amend RSA 664:17 to read as follows:

664:17 Placement and Removal of Political Advertising. No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent. ~~[The earliest date on which political advertising may be placed or affixed shall be the last Friday in July prior to a state primary.]~~ All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary. ***Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes.*** No ***unauthorized*** person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to ***public property*** or any private property except the owner of the property or a law enforcement officer removing improper advertising[; provided, however, that, before a law enforcement officer removes any advertisement, he shall notify the candidate that it is improper, and allow the candidate 24 hours to remove the advertisement himself]. ***Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept for one week at a place designated by the state, city, or town so that the candidate may retrieve the items.***

**Amendment adopted.**

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

**Adopted.**

**Ordered to third reading.**

**HB 718-FN-A**, relative to a state active duty death benefit for activated members of the New Hampshire national guard and making an appropriation therefor. Finance Committee. Ought to pass with amendment, Vote 6-0. Senator Clegg for the committee.

**Senate Finance**  
**March 30, 2006**  
**2006-1582s**  
**08/03**

**Amendment to HB 718-FN-A**

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

1 Findings. The general court finds that:

I. Members of the New Hampshire army national guard and the New Hampshire air national guard should have the same life insurance protection when called to state active duty as they are provided when called to federal active duty.

II. Reimbursement for voluntary Serviceman's Group Life Insurance (SGLI) has proven difficult to administrate, and costs could reach millions of dollars per month.

III. Only members of the New Hampshire army national guard and New Hampshire air national guard take an oath to the governor of New Hampshire, and are on call for state protection and disaster assistance to the people of our state.

IV. The state shall establish a \$100,000 death benefit, payable upon approval of the joint legislative fiscal committee, for members of the New Hampshire army national guard and New Hampshire air national guard when called to state active duty, which is equal to the death benefit when called to federal active duty.

2 Subdivision Heading. Amend the subdivision heading preceding RSA 110-B:37 to read as follows:

Pay and Allowances; ***State Active Duty Death Benefit***

3 New Section; State Active Duty Death Benefit. Amend RSA 110-B by inserting after section 37 the following new section:

110-B:37-a State Active Duty Death Benefit. There is established a death benefit in the amount of \$100,000 for each activated New Hampshire army national guard or New Hampshire air national guard member who dies while on state active duty or as the result of injuries incurred on state active duty. This death benefit shall be paid by the adjutant general, with the approval of the fiscal committee of the general court, on the warrant of the governor, out of any money in the treasury not otherwise appropriated.

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

**2006-1582s**

#### AMENDED ANALYSIS

This bill requires the state to fund a \$100,000 active duty death benefit, payable upon approval of the joint legislative fiscal committee, for each New Hampshire citizen serving in the New Hampshire national guard and activated.

**Amendment adopted.**

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

**Adopted.**

**Ordered to third reading.**

**HB 1108**, relative to the transfer of funds among PAU's within a department. Finance Committee. Ought to Pass, Vote 6-0. Senator Morse for the committee.

**Senator Clegg offered a floor amendment.**

**Sen. Clegg, Dist. 14**

**Sen. Larsen, Dist. 15**

**April 6, 2006**

**2006-1668s**

**05/10**

#### Floor Amendment to HB 1108

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

AN ACT relative to the transfer of funds among PAUs within a department and relative to the temporary provision of assistance to persons eligible for both Medicaid and Medicare services and extending the appropriation therefor.

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

2 Supplemental Pharmacy Assistance; Appropriation Extended. Amend 2006, 2:2 to read as follows:

2:2 Appropriation; Supplemental Pharmacy Assistance. Up to the sum of \$500,000 for the [fiscal year] ***bien-nium*** ending June 30, [2006] **2007** is hereby appropriated to the department of health and human services, for the purpose of providing supplemental pharmacy assistance. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. If the commissioner determines additional funds are needed to provide the supplemental pharmacy assistance the commissioner, with the approval of the legislative fiscal committee, may expend other funds appropriated to the department for this purpose.

3 Supplemental Pharmacy Program Extended; Prospective Repeal Extended. Amend 2006, 2:4, I to read as follows:

I. Section 3 of this act shall take effect [~~March 1, 2006~~] ***July 1, 2007***.

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

**2006-1668s**

#### AMENDED ANALYSIS

This bill permits departments to transfer up to \$2,500 among the department's PAUs without prior approval of the fiscal committee and the governor and council.

The bill also extends the authority and appropriation for the supplemental pharmacy assistance program providing temporary assistance in the purchase of pharmaceuticals by persons eligible for services under both Medicaid and Medicare.

**Floor amendment adopted.**

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

**Adopted.**

**Ordered to third reading.**

**HB 1154-FN**, relative to eligibility for special number plates for veterans. Finance Committee. Ought to Pass, Vote 6-0. Senator Morse for the committee.

#### **MOTION TO TABLE**

**Senator Boyce moved to have HB 1154-FN laid on the table.**

**Adopted.**

#### **LAID ON THE TABLE**

**HB 1154-FN**, relative to eligibility for special number plates for veterans.

**HB 1179**, repealing a requirement that the department of transportation spend a certain amount for litter removal that is determined based on fees paid to the liquor commission. Finance Committee. Ought to Pass, Vote 6-0. Senator Morse for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1228-FN**, relative to the sale or lease of state-owned real estate. Finance Committee. Ought to Pass, Vote 6-0. Senator Clegg for the committee.

**Senator Gallus offered a floor amendment.**

**Sen. Gallus, Dist. 1**

**April 3, 2006**

**2006-1601s**

**05/10**

#### **Floor Amendment to HB 1228-FN**

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

AN ACT relative to the sale or lease of state-owned real estate and relative to penalties under the real estate practice act.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Real Estate Practice Act; Penalty for Practicing Without a License. Amend RSA 331-A:34 to read as follows:

331-A:34 Penalty. Any person acting as a real estate broker or real estate salesperson, without a license [~~or violating any of the provisions of this chapter~~], shall be guilty of a class A misdemeanor if a natural person, or guilty of a felony if any other person.

**2006-1601s**

#### **AMENDED ANALYSIS**

This bill requires state agencies to charge an administrative fee for costs incurred by the agency in preparing to sell or lease real property.

The bill also limits the misdemeanor penalty under the real estate practice act to cases in which a person is acting as a real estate broker or salesperson without a license.

**Floor amendment adopted.**

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

**Adopted.**

**Ordered to third reading.**

**MOTION TO REMOVE FROM THE TABLE**

**Senator Barnes moved to have HB 1154 removed from the table.**

**Adopted.**

**HB 1154-FN**, relative to eligibility for special number plates for veterans.

**The question is on the committee report of ought to pass.**

**Adopted.**

**Ordered to third reading.**

**HB 1418-FN**, relative to road toll refunds. Finance Committee. Ought to Pass, Vote 5-1. Senator D'Allesandro for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1724-FN**, relative to compensation and benefits for reserve and national guard members who are state employees. Finance Committee. Ought to pass with amendment, Vote 6-0. Senator D'Allesandro for the committee.

**Senate Finance**

**March 30, 2006**

**2006-1585s**

**09/01**

**Amendment to HB 1724-FN**

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

AN ACT relative to compensation and benefits for reserve and national guard members who are state employees and amending certain capital appropriations to the adjutant general.

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

2 Capital Appropriations; Adjutant General. Amend 2003, 240:1, I, A and B, as extended by 2005, 259:25 to read as follows:

A. Armory Renovations, <i>Disposals, or Land Acquisition</i>	\$ [300,000]	<b>1,800,000</b>
B. STARC Armory - Concord	9,033,100	
Less Federal	<u>-[6,774,825]</u>	<b><u>8,274,825</u></b>
Net state appropriation subparagraph B	[2,258,275]	<b>758,275</b>

3 Capital Appropriations; Land Acquisition. Amend 2003, 240:5 to read as follows:

240:5 Land Acquisition. Any land acquired under the appropriations made in sections 1, 2 and 3 of this act, if any, as may be acquired under the appropriation except such land if any as may be acquired for the water resources board **or the adjutant general**, shall be purchased by the commissioner of the department of transportation with the approval of governor and council.

4 Effective Date.

I. Sections 2-3 of this act shall take effect July 1, 2006.

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

**2006-1585s**

**AMENDED ANALYSIS**

This bill requires the state to pay the difference between the military pay and state salary for a New Hampshire state employee who is a member of a reserve or the national guard and is called to active duty. The bill also continues the state benefit package and retirement system contributions for such state employees during the period of their military leave.

The bill also changes certain capital appropriations to the adjutant general.

**Amendment adopted.**

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

**Adopted.**

**Ordered to third reading.**

**HB 1765-FN-A-L**, relative to funding for disaster relief efforts in response to the October 2005 floods and making an appropriation therefor. Finance Committee. Ought to Pass, Vote 6-0. Senator Odell for the committee.

**Senator Burling offered a floor amendment.**

**Sen. Burling, Dist. 5**

**April 6, 2006**

**2006-1684s**

**09/03**

**Floor Amendment to HB 1765-FN-A-LOCAL**

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

AN ACT relative to funding for disaster relief efforts in response to the October 2005 floods and for storm-related damages incurred on June 10, 2005 and making appropriations therefor.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Appropriation for Storm Losses Sustained on June 10, 2005. The state shall pay 25 percent of unreimbursed storm losses incurred as a result of storm damage on June 10, 2005 in the towns of Canaan, Grafton, Dorchester, Lyme, Alexandria, Hanover, Groton, and Enfield. The sum of \$750,000 is hereby appropriated to the department of safety, bureau of emergency management, for the fiscal year ending June 30, 2006, for distribution to the affected municipalities. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. In this section, "unreimbursed storm loss" means losses that are unpaid by the Federal Emergency Management Agency or any other state or federal program.

**2006-1684s**

**AMENDED ANALYSIS**

This bill appropriates state matching funds to the department of safety, bureau of emergency management, for disaster assistance to the communities that sustained flood damage in October 2005.

The bill also makes an appropriation to certain towns for unreimbursed, storm-related damages that occurred on June 10, 2005.

**The question is on adoption of the floor amendment.**

**A roll call was requested by Senator Clegg.**

**Seconded by Senator Barnes.**

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

**The following Senators voted No: Gallus, Kenney, Boyce, Flanders, Roberge, Bragdon, Clegg, Gatsas, Barnes, Martel, Letourneau, Morse.**

**Yeas: 10 - Nays: 12**

**Floor amendment failed.**

**Senator Larsen was excused for this vote.**

**The question is on the adoption of the committee report of ought to pass.**

**A roll call was requested by Senator Burling.**

**Seconded by Senator Barnes.**

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

**The following Senators voted No: None.**

**Yeas: 22 - Nays: 0**

**Adopted.**

**Ordered to third reading.**

**Senator Larsen was excused for this vote.**



**HB 1121-L**, establishing a committee to study rulemaking and licensure issues relative to assisted living and residential care. Health and Human Services Committee. Ought to pass with amendment, Vote 3-0. Senator Bragdon for the committee.

**Health and Human Services**

**March 29, 2006**

**2006-1565s**

**01/04**

**Amendment to HB 1121-LOCAL**

Amend the bill by inserting before section 1 the following and renumbering the original sections 1-6 to read as 2-7, respectively:

1 Statement of Purpose. The general court recognizes that New Hampshire's population is aging resulting in an increased need for quality residential care and that in order to better provide such care under a statutory and regulatory framework that makes sense, the general court hereby determines that a thorough study of RSA 151 and other statutes that pertain to residential care and assisted living and the rulemaking associated with such statutes is necessary. It is not the intent of the general court that any current rulemaking efforts relative to residential care or assisted living be suspended or delayed by this act.

**MOTION TO TABLE**

**Senator Bragdon moved to have HB 1121-L laid on the table.**

**Adopted.**

**LAID ON THE TABLE**

**HB 1121-L**, establishing a committee to study rulemaking and licensure issues relative to assisted living and residential care.

**HB 1409-FN**, relative to organ and tissue donation. Health and Human Services Committee. Ought to Pass, Vote 3-0. Senator Martel for the committee.

**MOTION TO TABLE**

**Senator Martel moved to have HB 1409-FN laid on the table.**

**Adopted.**

**LAID ON THE TABLE**

**HB 1409-FN**, relative to organ and tissue donation.

**HB 1636-FN**, relative to appeals from class A misdemeanor sentences imposed by the district courts. Judiciary Committee. Ought to Pass, Vote 6-0. Senator Gottesman for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 121**, relative to local land use approval for facilities requiring certain pollution control permits. Public and Municipal Affairs Committee. Inexpedient to Legislate, Vote 6-0. Senator Martel for the committee.

**Committee report of inexpedient to legislate is adopted.**

**HB 621-FN**, requiring disclosure of gifts and campaign contributions by lobbyists. Public and Municipal Affairs Committee. Inexpedient to Legislate, Vote 4-1. Senator Martel for the committee.

**MOTION TO TABLE**

**Senator Martel moved to have HB 621-FN laid on the table.**

**Adopted.**

**LAID ON THE TABLE**

**HB 621-FN**, requiring disclosure of gifts and campaign contributions by lobbyists.

**HB 657-FN-L**, relative to promoting community revitalization. Public and Municipal Affairs Committee. Ought to Pass, Vote 6-0. Senator Kenney for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1132**, relative to qualifications for the Global War on Terrorism operations service bonus payment. Public and Municipal Affairs Committee. Ought to Pass, Vote 5-0. Senator Kenney for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1188**, relative to notice before entry into a condominium unit. Public and Municipal Affairs Committee. Ought to Pass, Vote 4-0. Senator Roberge for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1349**, relative to costs of personnel and rates for equipment use in hazardous waste incidents. Public and Municipal Affairs Committee. Ought to pass with amendment, Vote 5-0. Senator Burling for the committee.

**Public and Municipal Affairs**

**March 30, 2006**

**2006-1568s**

**06/03**

**Amendment to HB 1349**

Amend the bill by replacing section 1 with the following:

1 Liability Concerning Hazardous Materials Incidents; Rates for Equipment and Costs of Personnel. RSA 154:8-a, II-a(g) is repealed and reenacted to read as follows:

(g) The commissioner of safety shall establish rates for equipment use, supplies, and costs of personnel that shall be the maximum amount that may be charged by any municipality, organization, or mutual aid district in accordance with this section. The rates and costs, and guidelines for establishing them, shall be adopted pursuant to RSA 541-A. To the extent possible, the rates and costs shall reflect the actual expenses, including overhead costs, for emergency response to hazardous materials incidents for municipalities throughout the state.

**Amendment adopted.**

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

**Adopted.**

**Ordered to third reading.**

**HB 1429**, relative to municipal exemptions for hazardous waste cleanup liability. Public and Municipal Affairs Committee. Ought to Pass, Vote 5-0. Senator Barnes for the committee.

**Adopted.**

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

**Adopted.**

**Referred to the Finance Committee (Rule #26).**

**HB 1487**, relative to marriage licenses. Public and Municipal Affairs Committee. Ought to Pass, Vote 6-0. Senator Roberge for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1613-FN-L**, relative to polling place arrangement and accessibility. Public and Municipal Affairs Committee. Ought to Pass, Vote 6-0. Senator Hassan for the committee.

**Adopted.**

**Referred to the Finance Committee (Rule #26).**

**HB 1631-FN-L**, relative to property taxation of certain property of the Appalachian Mountain Club. Public and Municipal Affairs Committee. Inexpedient to Legislate, Vote 6-0. Senator Kenney for the committee.

**Committee report of inexpedient to legislate is adopted.**

**HB 1754**, relative to canteen privileges at veterans' clubs licensed by the liquor commission. Public and Municipal Affairs Committee. Ought to pass with amendment, Vote 4-1. Senator Barnes for the committee.

**Public and Municipal Affairs**

**March 30, 2006**

**2006-1580s**

**03/05**

#### **Amendment to HB 1754**

Amend the bill by replacing section 2 with the following:

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

**Amendment adopted.**

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

**Adopted.**

**Ordered to third reading.**

**HB 1201**, relative to child passenger restraints. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 2-0. Senator Letourneau for the committee.

**Senator Letourneau moved to recommit.**

**Adopted.**

**HB 1201 is recommitted to the Transportation and Interstate Cooperation Committee.**

**HB 1484**, relative to including motorcycle and tractor-trailer safety in driver education courses. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 6-0. Senator Letourneau for the committee.

**Adopted.**

**Ordered to third reading.**

**HB 1512**, establishing a committee to study volunteer activity related to transportation. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 6-0. Senator Flanders for the committee.

#### **MOTION TO TABLE**

**Senator Flanders moved to have HB 1512 laid on the table.**

**Adopted.**

#### **LAIID ON THE TABLE**

**HB 1512**, establishing a committee to study volunteer activity related to transportation.

#### **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**

**HB 37-FN**, relative to health insurance coverage for full-time students on medical leaves of absence.

**HB 254-FN**, establishing lifetime licenses for bow and arrow, muzzle loading firearm, and crossbow and bolt licenses.

**HB 349**, relative to placement and removal of political advertising.

**HB 657-FN-L**, relative to promoting community revitalization.

**HB 718-FN-A**, relative to a state active duty death benefit for activated members of the New Hampshire national guard and making an appropriation therefor.

**HB 1108**, relative to the transfer of funds among PAU's within a department.

**HB 1125**, relative to the filing period for candidates in the presidential primary.

**HB 1128-FN**, relative to definition of teacher in the New Hampshire retirement system, and relative to approval of supplemental allowances.

**HB 1132**, relative to qualifications for the Global War on Terrorism operations service bonus payment.

**HB 1154-FN**, relative to eligibility for special number plates for veterans.

**HB 1179**, repealing a requirement that the department of transportation spend a certain amount for litter removal that is determined based on fees paid to the liquor commission.

**HB 1185**, relative to Volunteer NH.\

**HB 1188**, relative to notice before entry into a condominium unit.

**HB 1217**, requiring the secretary of state to publish certain information on campaign contributions.

**HB 1222-FN**, relative to unlawful voting.

**HB 1228-FN**, relative to the sale or lease of state-owned real estate.

**HB 1294**, relative to antique snowmobiles.

**HB 1349**, relative to costs of personnel and rates for equipment use in hazardous waste incidents.

**HB 1362**, relative to permitting audio and video recording on school buses.

**HB 1418-FN**, relative to road toll refunds.

**HB 1420-FN**, prohibiting remote control and Internet hunting and relative to exceptions to the prohibitions on the sale of firearms to minors and the furnishing of arms to persons under 16

**HB 1455-FN-A**, relative to the disposal of video display devices.

**HB 1484**, relative to including motorcycle and tractor-trailer safety in driver education courses.

**HB 1487**, relative to marriage licenses.

**HB 1497-L**, relative to certification by a superintendent regarding statistical reports.

**HB 1498**, establishing a risk management unit within the department of administrative services and relative to the rulemaking authority of the department of administrative services.

**HB 1517-FN**, relative to membership on the board of medicine and the medical review subcommittee.

**HB 1579**, relative to membership of the air resources council.

**HB 1609-FN**, requiring a pilot project to estimate future water needs and availability.

**HB 1633-FN**, relative to membership, eligibility, and financing of the New Hampshire retirement system.

**HB 1636-FN**, relative to appeals from class A misdemeanor sentences imposed by the district courts.

**HB 1646-FN**, relative to the use of a leashed tracking dog in the recovery of a wounded deer, moose, or bear.

**HB 1663-FN**, relative to the licensing fee for motor vehicle recycling yards.

**HB 1715-FN**, relative to funding of the professional assistance program for dentists.

**HB 1724-FN**, relative to compensation and benefits for reserve and national guard members who are state employees.

**HB 1754**, relative to canteen privileges at veterans' clubs licensed by the liquor commission.

**HB 1765-FN-A-L**, relative to funding for disaster relief efforts in response to the October 2005 floods and making an appropriation therefor.

## **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, processing enrolled bill reports and amendments.

**Adopted.**

**In recess to the Call of the Chair.**