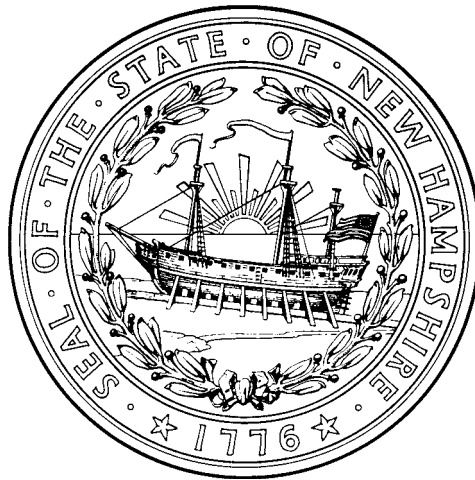


**June 10, 2009
Nos. 18-19**

STATE OF NEW HAMPSHIRE

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161st Session of the New Hampshire General Court

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – JUNE 3, 2009 SESSION
COMMENCEMENT – JUNE 10, 2009 SESSION**

SENATE JOURNAL 18 *(continued)*

June 3, 2009

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 89-FN, relative to unemployment overpayments.

SB 190, relative to race track cocktail lounge licenses.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 39-FN, relative to the authority of the state board for the licensing and regulation of plumbers.

HB 76, establishing a permanent commission to study recommendations of the National Transportation Safety Board and relative to the New Hampshire rail transit authority.

HB 86, allowing towns to issue citations and accept pleas by mail for local ordinance violations.

HB 90-FN, relative to the employment of veterans on Veterans' Day.

HB 112, relative to addresses on motor vehicle registrations.

HB 172, allowing naturopathic doctors to dispense prescription drugs which are within their scope of practice.

HB 187-FN, relative to the state building code and establishing a committee to study the sale and installation of manufactured and modular homes and related consumer protections.

HB 189, enabling municipalities to establish energy commissions.

HB 214, establishing a committee to study health care services in correctional facilities and the issue of access to inmates by medical care, mental health care, and substance abuse treatment providers.

HB 245, extending study committees and commissions.

HB 253, relative to the Gunstock area commission.

HB 256, relative to the New Hampshire accountancy act.

HB 279-FN, relative to certain missing persons.

HB 290, authorizing fluvial erosion hazard ordinances.

HB 293, amending the Hampton Beach area commission.

HB 376, relative to condominium association meetings.

HB 384, relative to forest management permitting in and near prime wetlands, waivers for work near prime wetlands, and utility maintenance work in any wetland.

HB 392-FN, establishing an on-premises cigar, beverage, and liquor license.

HB 471-FN, relative to willful concealment and fraudulent retail transactions.

HB 474-FN, prohibiting the trafficking in persons for the purposes of sexual or labor exploitation.

HB 508, relative to the county-state finance commission.

HB 515, establishing a commission to study alternate fuel vehicles.

HB 518, relative to driver's license application forms and relative to transporting manufactured housing and modular buildings.

HB 530-FN, relative to inspection of public buildings for compliance with accessibility standards.

HB 538-FN, relative to penalties for water pollution.

HB 592-FN, relative to “adverse events” in hospitals and ambulatory surgical centers.

HB 685-FN, relative to medical benefits payment by the retirement system for certain vested deferred group I members.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 64-FN, relative to increasing dental hygienist membership on the board of dental examiners, and establishing a study of the regulation of dental hygienists.

SB 170-FN, relative to benefits for unemployed persons who are attempting to establish a business.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2010 and June 30, 2011.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Marjorie Smith, Nordgren, Eaton, Almy & Kurk.
Alternates: Leishman, Baroody & W. Douglas Scamman.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2010 and June 30, 2011.

Sen. D’Allesandro recommends the Senate accede to House Request for Committee of Conference on HB 1-A.

Recommendation to accede adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: D’Allesandro, Hassan, Janeway, Sgambati, Gallus;
Alternates: Larsen, Fuller Clark, Reynolds, Odell.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from the Senate:

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Marjorie Smith, Nordgren, Eaton, Almy & Kurk.
Alternates: DeJoie, Hatch & Major.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.

Sen. D’Allesandro recommends the Senate accede to House Request for Committee of Conference on HB 2-FN-A-L.

Recommendation to accede adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: D’Allesandro, Hassan, Janeway, Sgambati, Gallus;
Alternates: Larsen, Fuller Clark, Reynolds, Odell.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 78, relative to the interbranch criminal and juvenile justice council and appointing an additional member to the interagency coordinating council for women offenders.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Welch, Rodd, Willette & Weare.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 78, relative to the interbranch criminal and juvenile justice council and appointing an additional member to the interagency coordinating council for women offenders.

Sen. Cilley recommends the Senate accede to House Request for Committee of Conference on HB 78.

Recommendation to accede adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: Cilley, DeVries, Carson.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 322, relative to the minimum age required to purchase fireworks.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Cushing, Rodd, Swinford & Fesh.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 322, relative to the minimum age required to purchase fireworks.

Sen. Reynolds recommends the Senate accede to House Request for Committee of Conference on HB 322.

Recommendation to accede adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: Reynolds, Letourneau, Houde.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 334-FN, relative to consumer credit.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Butler, DeStefano, Palfrey & McEachern.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 334-FN, relative to consumer credit.

Sen. Hassan recommends the Senate accede to House Request for Committee of Conference on HB 334-FN.

Recommendation to accede adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: DeVries, Cilley, Bragdon.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 408-FN, relative to the regulation of physicians and physician assistants by the board of medicine.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Houde-Quimby, Beck, McGuire & Don Petterson

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 408-FN, relative to the regulation of physicians and physician assistants by the board of Medicine.

Sen. Cilley recommends the Senate accede to House Request for Committee of Conference on HB 408-FN.

Recommendation to accede adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: Cilley, Fuller Clark, Carson.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 441-FN, relative to CART providers and sign language interpreters.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Clarke, Yeaton, Barbara Shaw & Stiles.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 441-FN, relative to CART providers and sign language interpreters.

Sen. Kelly recommends the Senate accede to House Request for Committee of Conference on HB 441-FN.

Recommendation to accede adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: Kelly, Merrill, Letourneau.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 473-FN, relative to water treatment plants and penalties for safe drinking water violations.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Charron, Chandley, Welch & Pantelakos.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 473-FN, relative to water treatment plants and penalties for safe drinking water violations.

Sen. Reynolds recommends the Senate accede to House Request for Committee of Conference on HB 473-FN.

Recommendation to accede adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: Lasky, Houde, Roberge.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 578-FN-L, relative to testimony by video teleconference.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: C. Pennington Brown, Stuart, Nedeau & Umberger.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 578-FN-L, relative to testimony by video teleconference.

Sen. Reynolds recommends the Senate accede to House Request for Committee of Conference on HB 578-FN-L.

Recommendation to accede adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: Houde, Lasky, Roberge.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 52, making technical corrections to laws relative to courts and court procedures.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Gary Richardson, Potter, Watrous & Rowe.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 142, relative to registration of criminal offenders and relative to involuntary commitment of sexually violent predators.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Shurtleff, Pantelakos, Welch & Charron.

HOUSE MESSAGE

The following entitled Bills sent down from the Senate have been Retained in Committee within the House of Representatives:

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

SB 44, establishing a commission to review all fees charged by the department of environmental services.

SB 59, relative to the renovation and replacement of school buildings.

SB 79, relative to the compensation of game operators.

SB 90, establishing a private right of action for pharmacies against health maintenance organizations.

SB 123, relative to agricultural restricted grants.

SB 157, relative to the procedure for listing candidates on election ballots and establishing a citizen-funded election task force.

SB 158, establishing a commission to study the creation of an uncompensated care fund to provide payments to certain health care providers.

SB 186, relative to the establishment of a statewide transportation policy and a transportation advisory commission.

SB 193, relative to the interest rate on small loans and relative to the definition of lender for purposes of regulating such loans.

SB 205-FN, making various changes to the criminal statutes.

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:

SB 159, relative to broadband technology planning and development.

SB 201, relative to classification of misdemeanor offenses.

HB 36, relative to the purchase of information technology by state agencies.

HB 43, relative to subdivision and site plan regulation waivers.

HB 63, relative to the use of the term "farmers' markets" in corporation names.

HB 70, relative to taking stones from stone walls.

HB 73, affirming religious freedom protections with regard to marriage and prohibiting the establishment of civil unions on or after January 1, 2010.

HB 130, relative to enforceability of publicly-owned land restrictions.

HB 148, relative to the sale and vaccination of animals.

HB 149, relative to benefit eligibility of certain members of the city of Manchester employees' contributory retirement system.

HB 169, relative to the counting of charter school pupils in the definition of average daily membership in residence.

HB 186, relative to rulemaking concerning rafts on public waters and prohibiting the rental of a motorized watercraft to a person who does not have a certificate of boating safety education.

HB 206, relative to retention of governmental records under the right-to-know law.

HB 233, relative to the membership of the board of medicine.

HB 255, relative to the filing of statements of financial interest.

HB 270, relative to sale of human remains.

HB 315, clarifying a law relative to junkyards within industrial areas.

HB 345, allowing physical therapists to practice on animals.

HB 350, prohibiting the sale and distribution of household cleaning products containing phosphorus.

HB 464, relative to certain duties of the department of administrative services and relative to credit card contracts for state agencies.

HB 501, relative to recovery of assistance by the department of health and human services.

HB 570, requiring the department of transportation to convey ownership of Skyhaven airport to the Pease development authority.

HB 585, relative to outdoor lighting efficiency.

HB 600, relative to dedicated funds maintained by the state treasurer.

Sen. D'Allesandro moved adoption of Report of Committee on Enrolled Bills.

Report of Committee on Enrolled Bills adopted.

May 28, 2009

2009-1968-EBA

03/10

Enrolled Bill Amendment to SB 155

The Committee on Enrolled Bills to which was referred SB 155

AN ACT relative to financial disclosure by legislators.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 155

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to SB 155

Amend RSA 14-B:8, II as inserted by section 3 of the bill by replacing line 8 with the following:
or her initials following the statement: "My or my family member's income does not qualify ____."

Amend RSA 15-A:3, I(g) as inserted by section 4 of the bill by replacing line 2 with the following:
elective office to fill a vacancy[; and].

Adopted.

June 2, 2009

2009-2022-EBA

04/10

Enrolled Bill Amendment to HB 215

The Committee on Enrolled Bills to which was referred HB 215

AN ACT making technical corrections to certain OHRV and snowmobile laws.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 215

This enrolled bill amendment makes a technical correction in a statutory reference.

Enrolled Bill Amendment to HB 215

Amend section 4 of the bill by replacing line 4 with the following:

[RSA 215-C:11, RSA 215-A:11,] RSA 265:79, [RSA 265:82, RSA 265:82-a,] ***RSA 265-A:2, I, RSA 265-A:3,***

Adopted.

June 2, 2009

2009-2038-EBA

05/10

Enrolled Bill Amendment to HB 251

The Committee on Enrolled Bills to which was referred HB 251

AN ACT relative to the state registry of founded reports of abuse, neglect, or exploitation of adults.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 251

This enrolled bill amendment corrects an RSA reference.

Enrolled Bill Amendment to HB 251

Amend RSA 161-F:49, II(e) as inserted by section 1 of the bill by replacing line 2 with the following:
report from the registry pursuant to RSA 161-F:49, [EX] X.

Adopted.

Out of Recess.

MOTION TO ADJOURN FROM LATE SESSION

Sen. Hassan moved that the Senate adjourn from the Late Session.

Motion adopted.

Adjournment from the Late Session.

SENATE JOURNAL 19

June 10, 2009

The Senate reconvened at 10:00 a.m., a quorum being present.

The Reverend Canon Charles LaFond, chaplain to the Senate, offered the following meditative thoughts and prayer:

One of the things we're not very good at in our society is Sabbath-making. We work well, but we don't rest well, and we certainly don't play very well. And so I'm hoping that on July 1st you'll come to my little farm and have some barbecue and the afternoon will be filled with "Sinatra" in the backyard and maybe laugh a little bit. Times of Sabbath are difficult to make happen. Our Jewish brethren have a wonderful perspective on God's creation of the world; they say, in the Jewish Midrash, that God worked for six days, and then Scripture says on the seventh day he rested. It does not say on the seventh day he was finished; it just says he rested. Imagine God resting with an unfinished task. Our lives and this world are constant co-creative activity. So when it comes time to rest, don't wait until your work is done; just rest. Let us pray:

God of Creation, your creation is in a constant state of co-creativity. Give us the courage to so live into the humility of our humanity that we can rest and play. When we begin to think the world could not spin without our help, welcome us into Sabbath so that we harm neither ourselves nor others in our pride. Amen

Sen. Downing led the Pledge of Allegiance.

INTRODUCTION OF GUESTS AND PRESENTATIONS

Sen. Kelly introduced Bella Kosmacher and William Appleton, Keene High School students, serving as Senate Pages for today's session.

Sen. Hassan welcomed her daughter Megan.

President Larsen noted the following correction to the record of last week's Senate Session: Sen. DeVries recommended concurrence with House Amendment on SB 187 rather than Sen. Odell as erroneously stated by the Chair on June 3, 2009.

Recess/Out of Recess.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 33, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 33, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch.

Sen. Lasky recommends nonconcurrence with House Amendment 1601h and request for Committee of Conference on SB 33.

The question is on nonconcurrence with House Amendment 1601h and request for Committee of Conference on SB 33.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, appoints as members of said Committee of Conference:

SENATORS: Lasky, Merrill, Barnes.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 40, relative to protecting workers and local governments with advance notice of impending plant closings and layoffs.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 40, relative to protecting workers and local governments with advance notice of impending plant closings and layoffs.

Sen. Hassan recommends nonconcurrence with House Amendment 1711h and request for Committee of Conference on SB 40.

The question is on nonconcurrence with House Amendment 1711h and request for Committee of Conference on SB 40.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: DeVries, Cilley, Bragdon.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 65-FN, relative to the acceptance of in lieu payments for the restoration or creation of wetlands.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 65-FN, relative to the acceptance of in lieu payments for the restoration or creation of wetlands.

Sen. Fuller Clark recommends nonconcurrence with House Amendments 1337h and 1920h and request for Committee of Conference on SB 65-FN.

The question is on nonconcurrence with House Amendments 1337h and 1920h and request for Committee of Conference on SB 65-FN.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Merrill, Cilley, Bradley.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 67-FN-A, relative to funding certain AIDS services organizations and relative to certain operating budget reductions for fiscal year 2009.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 67-FN-A, relative to funding certain AIDS services organizations and relative to certain operating budget reductions for fiscal year 2009.

Sen. Sgambati recommends nonconcurrence with House Amendments 1342h and 1960h and request for Committee of Conference on SB 67-FN-A.

The question is on nonconcurrence with House Amendments 1342h and 1960h and request for Committee of Conference on SB 67-FN-A.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Sgambati, Gilmour, Downing.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 98, establishing a commission to study state regulations governing installation of boilers, pressure vessels, and related high performance HVAC equipment.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 98, establishing a commission to study state regulations governing installation of boilers, pressure vessels, and related high performance HVAC equipment.

Sen. Cilley recommends nonconcurrence with House Amendment 1839h and request for Committee of Conference on SB 98.

The question is on nonconcurrence with House Amendment 1839h and request for Committee of Conference on SB 98.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Fuller Clark, Merrill, Carson.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 112, establishing a commission to study community- and residential-based treatment programs for certain adults with developmental disabilities.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 112, establishing a commission to study community- and residential-based treatment programs for certain adults with developmental disabilities.

Sen. Sgambati recommends nonconcurrence with House Amendment 1359h and request for Committee of Conference on SB 112.

The question is on nonconcurrence with House Amendment 1359h and request for Committee of Conference on SB 112.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Kelly, Gilmour, Downing.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 114, relative to the threshold for notification for lead levels and a window replacement program.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 114, relative to the threshold for notification for lead levels and a window replacement program.

Sen. Sgambati recommends nonconcurrence with House Amendments 1331h and 1796h and request for Committee of Conference on SB 114.

The question is on nonconcurrence with House Amendments 1331h and 1796h and request for Committee of Conference on SB 114.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: DeVries, Gilmour, Gallus.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 115, relative to eligibility for the healthy kids program.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 115, relative to eligibility for the healthy kids program.

Sen. Sgambati recommends nonconcurrence with House Amendment 1590h and request for Committee of Conference on SB 115.

The question is on nonconcurrence with House Amendment 1590h and request for Committee of Conference on SB 115.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Gilmour, Kelly, Downing.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 147-FN, relative to the data collection practices of health care providers and relative to the development of an uninsured health care database.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 147-FN, relative to the data collection practices of health care providers and relative to the development of an uninsured health care database.

Sen. Hassan recommends nonconcurrence with House Amendments 1743h and 2043h and request for Committee of Conference on SB 147-FN.

The question is on nonconcurrence with House Amendments 1743h and 2043h and request for Committee of Conference on SB 147-FN.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: DeVries, Cilley, Roberge.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 167-FN, relative to employee leasing companies.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 167-FN, relative to employee leasing companies.

Sen. Hassan recommends nonconcurrence with House Amendments 1449h and 1716h and request for Committee of Conference on SB 167-FN.

The question is on nonconcurrence with House Amendments 1449h and 1716h and request for Committee of Conference on SB 167-FN.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Cilley, DeVries, Bragdon.

Sen. Gatsas asserts Rule 42 on SB 167-FN.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 176-FN, establishing an application fee for probationers and parolees who apply to be supervised in another state.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 176-FN, establishing an application fee for probationers and parolees who apply to be supervised in another state.

Sen. Reynolds recommends nonconcurrence with House Amendments 1279h and 1688h and request for Committee of Conference on SB 176-FN.

The question is on nonconcurrence with House Amendments 1279h and 1688h and request for Committee of Conference on SB 176-FN.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Lasky, Houde, Letourneau.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

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

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

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

Sen. Cilley recommends nonconcurrence with House Amendment 1871h and request for Committee of Conference on SB 178.

The question is on nonconcurrence with House Amendment 1871h and request for Committee of Conference on SB 178.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: D'Allesandro, DeVries, Downing.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 203, relative to liability protection for railroad operators operating alongside recreational trails.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

SB 203, relative to liability protection for railroad operators operating alongside recreational trails.

Sen. Reynolds recommends nonconcurrence with House Amendment 1935h and request for Committee of Conference on SB 203.

The question is on nonconcurrence with House Amendment 1935h and request for Committee of Conference on SB 203.

Motion of nonconcurrence adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Reynolds, Letourneau, Houde.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 55, establishing a commission to study the collision repair industry in New Hampshire.

SENATE NONCONCURS WITH HOUSE AMENDMENT

SB 55, establishing a commission to study the collision repair industry in New Hampshire.

Sen. Hassan recommends nonconcurrence with House Amendment 1887h on SB 55.

The question is on nonconcurrence with House Amendment 1887h on SB 55.

Motion of nonconcurrence adopted.**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 185-FN, relative to rates and charges for medical services to state prisoners.

SENATE NONCONCURS WITH HOUSE AMENDMENTS

SB 185-FN, relative to rates and charges for medical services to state prisoners.

Sen. Sgambati recommends nonconcurrence with House Amendments 1376h and 1607h on SB 185-FN.

The question is on nonconcurrence with House Amendments 1376h and 1607h on SB 185-FN.

Motion of nonconcurrence adopted.**HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 16, extending the date for completion of the state park system development plan.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 16, extending the date for completion of the state park system development plan.

Sen. Fuller Clark recommends concurrence with House Amendment 1709h on SB 16.

The question is on concurrence with House Amendment 1709h on SB 16.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

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

SENATE CONCURS WITH HOUSE AMENDMENT

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

Sen. Fuller Clark recommends concurrence with House Amendment 1733h on SB 50.

The question is on concurrence with House Amendment 1733h on SB 50.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 75, changing the formula for distribution of highway funds in the Woodsville fire district.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 75, changing the formula for distribution of highway funds in the Woodsville fire district.

Sen. DeVries recommends concurrence with House Amendment 1659h on SB 75.

The question is on concurrence with House Amendment 1659h on SB 75.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 78, relative to contractor accountability and disclosure in the public works construction procurement process.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 78, relative to contractor accountability and disclosure in the public works construction procurement process.

Sen. Hassan recommends concurrence with House Amendment 1700h on SB 78.

The question is on concurrence with House Amendment 1700h on SB 78.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 85, relative to the commission to develop a plan for the expansion of transmission capacity in the north country.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 85, relative to the commission to develop a plan for the expansion of transmission capacity in the north country.

Sen. Fuller Clark recommends concurrence with House Amendment 1842h on SB 85.

The question is on concurrence with House Amendment 1842h on SB 85.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 102-FN, relative to managed care and patient choice.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 102-FN, relative to managed care and patient choice.

Sen. Hassan recommends concurrence with House Amendment 1560h on SB 102-FN.

The question is on concurrence with House Amendment 1560h on SB 102-FN.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 106-FN, establishing a program for mediation of civil writs in the district court and funding the program with a surcharge on the filing fee for civil writs.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 106-FN, establishing a program for mediation of civil writs in the district court and funding the program with a surcharge on the filing fee for civil writs.

Sen. Reynolds recommends concurrence with House Amendments 1419h and 1597h on SB 106-FN.

The question is on concurrence with House Amendments 1419h and 1597h on SB 106-FN.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 107-FN, relative to the leasing of state-owned real estate on public waters.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 107-FN, relative to the leasing of state-owned real estate on public waters.

Sen. Fuller Clark recommends concurrence with House Amendment 1368h on SB 107-FN.

The question is on concurrence with House Amendment 1368h on SB 107-FN.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 124, relative to beaver dams.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 124, relative to beaver dams.

Sen. Fuller Clark recommends concurrence with House Amendment 1900h on SB 124.

The question is on concurrence with House Amendment 1900h on SB 124.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 129, establishing a committee to study negative balance employers.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 129, establishing a committee to study negative balance employers.

Sen. Hassan recommends concurrence with House Amendment 1741h on SB 129.

The question is on concurrence with House Amendment 1741h on SB 129.

A roll call was requested by Sen. Gatsas, seconded by Sen. Barnes.

The following Senators voted Yes: Reynolds, Sgambati, Houde, Cilley, Janeway, Kelly, Gilmour, Lasky, Larsen, DeVries, D'Allesandro, Merrill, Hassan, Fuller Clark.

The following Senators voted No: Gallus, Bradley, Odell, Roberge, Bragdon, Carson, Gatsas, Barnes, Letourneau, Downing.

Yeas: 14 - Nays: 10

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 138-FN, relative to insurance coverage for telemedicine services.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 138-FN, relative to insurance coverage for telemedicine services.

Sen. Hassan recommends concurrence with House Amendment 1770h on SB 138-FN.

The question is on concurrence with House Amendment 1770h on SB 138-FN.

Motion of concurrence adopted.

Senators Gatsas and Barnes are in opposition to the motion of concurrence on SB 138-FN.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

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

SENATE CONCURS WITH HOUSE AMENDMENT

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

Sen. Hassan recommends concurrence with House Amendments 1429h and 1730h on SB 144-FN.

The question is on concurrence with House Amendments 1429h and 1730h on SB 144-FN.

Motion of concurrence adopted.

Senators Gatsas and Barnes are in opposition to the motion of concurrence on SB 144-FN.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 149, relative to the transition of functions and amending the reporting requirements of the community college system of New Hampshire and making an appropriation therefore.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 149, relative to the transition of functions and amending the reporting requirements of the community college system of New Hampshire and making an appropriation therefore.

Sen. Kelly recommends concurrence with House Amendments 1340h and 1912h on SB 149.

The question is on concurrence with House Amendments 1340h and 1912h on SB 149.

Motion of concurrence adopted.

Sen. Carson asserts Rule 42 on SB 149.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 168-FN, establishing the Southeast Watershed Alliance.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 168-FN, establishing the Southeast Watershed Alliance.

Sen. Fuller Clark recommends concurrence with House Amendment 1460h on SB 168-FN.

The question is on concurrence with House Amendment 1460h on SB 168-FN.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 171-FN, relative to competency evaluations.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 171-FN, relative to competency evaluations.

Sen. Sgambati recommends concurrence with House Amendment 1493h on SB 171-FN.

The question is on concurrence with House Amendment 1493h on SB 171-FN.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 172, relative to eligibility for state-federal extended unemployment benefits.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 172, relative to eligibility for state-federal extended unemployment benefits.

Sen. Hassan recommends concurrence with House Amendment 1430h on SB 172.

The question is on concurrence with House Amendment 1430h on SB 172.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 180-FN, establishing an accountability system to ensure the opportunity for an adequate education and repealing the legislative committee on costing an adequate education.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 180-FN, establishing an accountability system to ensure the opportunity for an adequate education and repealing the legislative committee on costing an adequate education.

Sen. Kelly recommends concurrence with House Amendment 1403h on SB 180-FN.

The question is on concurrence with House Amendment 1403h on SB 180-FN.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 196, relative to non-judicial punishment for offenses by military officers and personnel.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 196, relative to non-judicial punishment for offenses by military officers and personnel.

Sen. Lasky recommends concurrence with House Amendment 1599h on SB 196.

The question is on concurrence with House Amendment 1599h on SB 196.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 200-FN, relative to retirement system death benefits for members who die while performing military service.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 200-FN, relative to retirement system death benefits for members who die while performing military service.

Sen. Cilley recommends concurrence with House Amendment 1448h on SB 200-FN.

The question is on concurrence with House Amendment 1448h on SB 200-FN.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 134-FN, relative to the comprehensive shoreland protection act.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 134-FN, relative to the comprehensive shoreland protection act.

Sen. Fuller Clark recommends concurrence with House Amendment 1462h on SB 134-FN.

Recess/Out of Recess.

The question is on concurrence with House Amendment 1462h on SB 134-FN.

Motion of concurrence adopted.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill send down from the Senate:

HB 25-FN-A, making appropriations for capital improvements.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Bouchard, Campbell, Cloutier & Chandler.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 25-FN-A, making appropriations for capital improvements.

Sen. Janeway recommends the Senate accede to the House Request for Committee of Conference on HB 25-FN-A.

**The question is to accede to the House Request for Committee of Conference on HB 25-FN-A.
Recess/Out of Recess.**

Motion to accede adopted.

**The President, on the part of the Senate, appoints as members of said Committee of Conference:
SENATORS: Janeway, Kelly, Gilmour, Downing.**

MOTION TO ADJOURN FROM EARLY SESSION

Sen. Hassan moved that the Senate adjourn from the Early Session, that the business of the Late Session be in order at the present time.

Motion adopted.

Adjournment from the Early Session.

LATE SESSION

ANNOUNCEMENTS

MOTION TO RECESS TO CALL OF THE CHAIR

Sen. Hassan moved that the business of the day being completed, that the Senate recess to the Call of the Chair for the purposes of sending and receiving messages, processing enrolled bill reports and amendments, and forming Committees of Conference.

Motion adopted.

The Senate is in recess to the Call of the Chair.