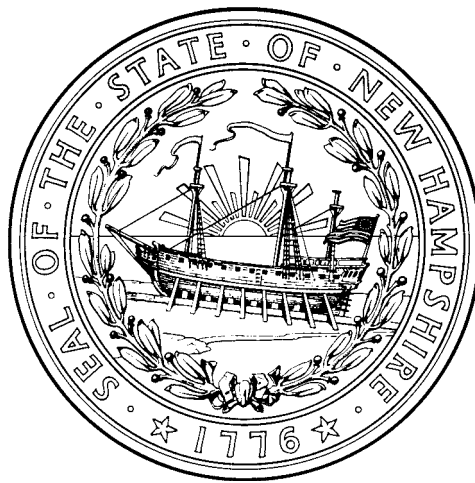


**March 31, 2010
Nos. 11-12**

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



**Second Year of the 161st Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MARCH 24, 2010 SESSION
COMMENCEMENT – MARCH 31, 2010 SESSION**

SENATE JOURNAL 11 *(continued)*

March 24, 2010

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 305, naming a bridge in Lisbon in honor of Specialist Alan J. Burgess.

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 271, relative to relevant information in a workers' compensation claim.

HB 431-FN, requiring certain engine coolants and antifreeze to include an aversive agent so that they are rendered unpalatable.

HB 507-FN, relative to taxes, fees, and credits under the insurance laws.

HB 558-FN, establishing a procedure for leasing state parks.

HB 626-FN, relative to voter identification.

HB 630-FN-A, relative to live racing in New Hampshire.

HB 1129, relative to saltwater fishing licenses for persons holding a lifetime license from the fish and game department.

HB 1170, relative to licensure of home health care providers.

HB 1224, relative to school employee and volunteer background investigations and relative to applicants for driver education certificates and school licenses.

HB 1226, relative to caregiver support services for the elderly.

HB 1239, relative to processing certain environmental permits and administrative fines for violations of dredge and fill requirements.

HB 1251, relative to the sale and transfer procedures for shutdown emissions credits.

HB 1286, requiring nonpublic schools and public academies to obtain a criminal history records check on employees and volunteers.

HB 1292, relative to underground storage tank facility permits, compliance, and cleanup fund eligibility.

HB 1293-FN, relative to the oil discharge cleanup fund.

HB 1404, relative to the regulation of real estate brokers and salespersons.

HB 1435-FN, relative to the practitioner-patient relationship in the dispensing of prescriptions.

HB 1441, relative to claimant eligibility for victim's compensation.

HB 1471, requiring the governor's office of energy and planning and the board of home inspectors to develop a document relative to home energy efficiency for home buyers.

HB 1481, relative to the use of turnpike tolls.

HB 1495, relative to approval of chartered public schools from July 1, 2009 through June 30, 2011.

HB 1513-FN, relative to fees collected by the secretary of state.

HB 1520, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development.

HB 1534, relative to the issuance of air permits and certain fees relative to air permits.

HB 1537, allowing primary care providers to provide preventive oral health services to children between 0 and 3 years of age under the state Medicaid program.

HB 1542-FN, repealing nitrogen oxide emitting generation source requirements.

HB 1544-FN, relative to penalties for forestry violations.

HB 1566-FN, requiring financial institutions to disclose certain information regarding recipients of medical assistance for the aged, blind, and disabled through an electronic asset verification system.

HB 1579-FN, relative to electioneering by public employees.

HB 1602-FN, relative to the secure psychiatric unit.

HB 1613-FN, relative to the general banking laws of the state.

HB 1668-FN, requiring state creditable service for group II retirees to receive state employee medical benefits.

HB 2010, relative to the state 10-year transportation improvement program.

INTRODUCTION OF HOUSE BILLS

Sen. Hassan offered the following Resolution:

RESOLVED, That in accordance with the list in the possession of the Senate Clerk, the following House legislation shall be by this Resolution read a first and second time by the therein listed title and referred to the therein designated committee.

Motion adopted.

First and Second Reading and Referral

HB 50, relative to proceedings of medical injury claims screening panels. (Judiciary)

HB 53, relative to the definition of “public body” under the right-to-know law. (Public and Municipal Affairs)

HB 138, revising certain provisions of the sexually violent predators statute. (Judiciary)

HB 191, relative to liability of a landowner giving permission to ride bicycles on his or her property. (Judiciary)

HB 219, relative to hearings for incapacitated persons admitted to state institutions by their guardians. (Judiciary)

HB 232, increasing manufacturers’ pesticide registration fees. (Energy, Environment and Economic Development)

HB 271, relative to relevant information in a workers’ compensation claim. (Commerce, Labor and Consumer Protection)

HB 299, prohibiting banks from requiring fingerprints in order to complete a banking transaction. (Commerce, Labor and Consumer Protection)

HB 325, establishing standards for adequate service of process and establishing a commission to study service of process by laypersons. (Judiciary)

HB 341, relative to the date selected for the presidential primary election. (Election Law and Veterans’ Affairs)

HB 366, relative to retail vehicle dealers. (Commerce, Labor and Consumer Protection)

HB 379, exempting certain meetings concerning collective bargaining from the right-to-know law. (Public and Municipal Affairs)

HB 410, relative to the licensing of alcohol and drug counselors. (Executive Departments and Administration)

HB 431-FN, requiring certain engine coolants and antifreeze to include an aversive agent so that they are rendered unpalatable. (Energy, Environment and Economic Development)

HB 507-FN, relative to taxes, fees, and credits under the insurance laws. (Ways and Means)

HB 510, relative to the position of director of vital records administration. (Executive Departments and Administration)

HB 558-FN, establishing a procedure for leasing state parks. (Ways and Means)

HB 626-FN, relative to voter identification. (Election Law and Veterans' Affairs)

HB 630-FN-A, relative to live racing in New Hampshire. (Ways and Means)

HB 1127, relative to service of process on commercial tenants. (Judiciary)

HB 1129, relative to saltwater fishing licenses for persons holding a lifetime license from the fish and game department. (Wildlife, Fish and Game and Agriculture)

HB 1133, relative to the duration of involuntary emergency admissions. (Judiciary)

HB 1134, authorizing federal law enforcement officials to take emergency law enforcement action to temporarily detain persons when assisting local law enforcement officials or upon witnessing a crime. (Judiciary)

HB 1136, requiring a report to be sent to the treatment facility on behalf of a person receiving treatment in the state mental health or developmental services system. (Health and Human Services)

HB 1138, relative to the authority to expend municipal transportation improvement funds. (Public and Municipal Affairs)

HB 1143, relative to driver restrictions on persons 16 to 18 years of age. (Transportation and Interstate Cooperation)

HB 1149, relative to incorporation by reference and filing of electronic documents in state agency rulemaking. (Executive Departments and Administration)

HB 1153, relative to membership of the commission to study water infrastructure sustainability funding. (Energy, Environment and Economic Development)

HB 1156, relative to the determination of parental rights and responsibilities. (Judiciary)

HB 1158, changing the name of the institutional review board to the vital records privacy board for health-related research. (Executive Departments and Administration)

HB 1159, relative to the classification of snowmobile trails maintenance vehicles. (Transportation and Interstate Cooperation)

HB 1164, relative to newborn screening tests. (Health and Human Services)

HB 1167, establishing a committee to study parole boards and parole board procedures. (Judiciary)

HB 1169, relative to the New Hampshire health care quality assurance commission. (Health and Human Services)

HB 1170, relative to licensure of home health care providers. (Executive Departments and Administration)

HB 1174, relative to terms for appointed town officials and relative to pay for members of park or recreation commissions. (Public and Municipal Affairs)

HB 1181, naming a portion of route 43 after the Honorable Robert A. Johnson. (Transportation and Interstate Cooperation)

HB 1192, relative to obstructions on motor vehicle windows. (Transportation and Interstate Cooperation)

HB 1198-L, relative to public hearings on municipal budget preparation. (Public and Municipal Affairs)

HB 1206, adopting apple cider as the New Hampshire state beverage. (Executive Departments and Administration)

HB 1213, relative to notice to the department of health and human services of the allocation of spousal income and relative to estate planning by guardians. (Judiciary)

HB 1215, relative to gender neutral references in certain public assistance statutes. (Judiciary)

HB 1216, relative to the amount of the self-support reserve in child support cases. (Health and Human Services)

HB 1217, relative to liability issues associated with the juvenile diversion program. (Judiciary)

HB 1223, relative to notice in class action cases under the consumer protection act. (Judiciary)

HB 1224, relative to school employee and volunteer background investigations and relative to applicants for driver education certificates and school licenses. (Education)

HB 1226, relative to caregiver support services for the elderly. (Health and Human Services)

HB 1235, relative to regulation of dentistry by the board of dental examiners. (Executive Departments and Administration)

HB 1236, relative to underwriting on the basis of credit information. (Commerce, Labor and Consumer Protection)

HB 1237, relative to a certain insurance rulemaking exemption. (Commerce, Labor and Consumer Protection)

HB 1239, relative to processing certain environmental permits and administrative fines for violations of dredge and fill requirements. (Energy, Environment and Economic Development)

HB 1245, relative to declarations of candidacy and intent by presidential candidates. (Election Law and Veterans' Affairs)

HB 1249, relative to seasonal highway limits for certain vehicles. (Transportation and Interstate Cooperation)

HB 1251, relative to the sale and transfer procedures for shutdown emissions credits. (Energy, Environment and Economic Development)

HB 1252, relative to the duration of medical payments coverage under motor vehicle liability policies. (Commerce, Labor and Consumer Protection)

HB 1257, changing requirements for extensions of time for hearings by pretrial screening panels for medical injury claims. (Judiciary)

HB 1259, relative to subrogation claims and liens in civil actions. (Judiciary)

HB 1262, relative to disabled parking signs. (Transportation and Interstate Cooperation)

HB 1265, requiring school boards to develop a policy to address air quality issues in schools. (Education)

HB 1266, relative to notification requirements for lowering the water level of a lake or pond. (Energy, Environment and Economic Development)

HB 1267-L, relative to applications for hawkers and peddlers licenses. (Executive Departments and Administration)

HB 1269, relative to the operation of OHRVs and snowmobiles adjacent to public highways. (Transportation and Interstate Cooperation)

HB 1270, relative to balancing amounts expended from the renewable energy fund. (Energy, Environment and Economic Development)

HB 1271, establishing a task force on work and family. (Executive Departments and Administration)

HB 1286, requiring nonpublic schools and public academies to obtain a criminal history records check on employees and volunteers. (Education)

HB 1289, relative to air quality in public schools. (Education)

HB 1292, relative to underground storage tank facility permits, compliance, and cleanup fund eligibility. (Energy, Environment and Economic Development)

HB 1293-FN, relative to the oil discharge cleanup fund. (Ways and Means)

HB 1301, relative to the regulation of fuel gas fitters. (Executive Departments and Administration)

HB 1304, extending the task force on homeless teenagers, the commission to study alternate fuel vehicles, the task force to study access to dental care, and the committee to study the certificate of need process. (Executive Departments and Administration)

HB 1306, relative to approval of recommendations of marital masters and judicial referees. (Judiciary)

HB 1310, allowing towns to hire health care workers. (Public and Municipal Affairs)

HB 1314, relative to approval of changes to a capital budget project. (Capital Budget)

- HB 1318**, relative to victim services while the court is considering post-conviction DNA testing. (Judiciary)
- HB 1322**, establishing the legislative committee on the maintenance of state-owned dams. (Energy, Environment and Economic Development)
- HB 1324**, relative to staffing exceptions for geographically isolated small schools. (Education)
- HB 1326**, relative to the use of long-term antibiotics for the treatment of Lyme disease. (Executive Departments and Administration)
- HB 1332**, relative to planning board members. (Public and Municipal Affairs)
- HB 1334**, relative to penalties for unpaid fines concerning hazardous materials accidents. (Judiciary)
- HB 1335**, establishing a local option to authorize the governing body to set the interest rate on late and delinquent property tax payments, subsequent payments, and other unpaid taxes. (Public and Municipal Affairs)
- HB 1337**, relative to requirement for public forums for the assessing standards board and the equalization standards board. (Public and Municipal Affairs)
- HB 1340**, relative to condominium liens for assessments. (Commerce, Labor and Consumer Protection)
- HB 1352**, relative to direct shippers. (Commerce, Labor and Consumer Protection)
- HB 1353**, relative to group net energy metering. (Energy, Environment and Economic Development)
- HB 1358**, relative to the amendment of property tax inventories and tax lists by selectmen or assessors. (Public and Municipal Affairs)
- HB 1359**, relative to the enforcement of humane slaughter laws. (Executive Departments and Administration)
- HB 1361**, relative to procedures for notification of parole hearings. (Judiciary)
- HB 1363**, relative to continuing care communities. (Health and Human Services)
- HB 1364**, relative to Medicare unfair trade practices. (Commerce, Labor and Consumer Protection)
- HB 1366**, making certain technical corrections in the insurance laws. (Commerce, Labor and Consumer Protection)
- HB 1370**, requiring independent medical examination practitioners to file a report with the insurance department. (Commerce, Labor and Consumer Protection)
- HB 1371**, allowing recording of an examination by health care providers performing independent medical examinations. (Commerce, Labor and Consumer Protection)
- HB 1376**, relative to the regulation of pharmacies and pharmacists. (Executive Departments and Administration)
- HB 1384**, establishing a suicide fatality review committee. (Health and Human Services)
- HB 1387**, establishing a committee to study the need for supportive housing for homeless veterans. (Election Law and Veterans' Affairs)
- HB 1395**, relative to workforce housing. (Public and Municipal Affairs)
- HB 1398**, allowing a surviving spouse to have access to the deceased spouse's medical records when there is no estate administration. (Judiciary)
- HB 1400**, requiring all colleges and universities to report crimes to the local law enforcement agency. (Education)
- HB 1404**, relative to the regulation of real estate brokers and salespersons. (Executive Departments and Administration)
- HB 1411**, requiring notice to educational support personnel and non-certified school district employees. (Education)
- HB 1415**, relative to the donation of official records of state governors and members of Congress to the state of New Hampshire. (Executive Departments and Administration)

HB 1419, naming a bridge across the Connecticut River from Hinsdale, New Hampshire to Brattleboro, Vermont, informally known as the Hinsdale Bridge, the Anna Hunt Marsh Bridge. (Transportation and Interstate Cooperation)

HB 1420, relative to the calculation of child support. (Judiciary)

HB 1422, establishing a committee to study the establishment of a department of natural resources. (Executive Departments and Administration)

HB 1427, relative to the conversion period for quarterly billing for property taxes. (Public and Municipal Affairs)

HB 1429, establishing a committee to study the inclusion of universal design requirements in the state building code. (Executive Departments and Administration)

HB 1430, relative to the uniform anatomical gift act. (Health and Human Services)

HB 1435-FN, relative to the practitioner-patient relationship in the dispensing of prescriptions. (Energy, Environment and Economic Development)

HB 1439-L, relative to tax exemptions for water and air pollution control installations. (Public and Municipal Affairs)

HB 1441, relative to claimant eligibility for victim's compensation. (Judiciary)

HB 1450, relative to the designation of a portion of the Cocheco River as a protected river. (Energy, Environment and Economic Development)

HB 1459, relative to the board of trust company incorporation. (Commerce, Labor and Consumer Protection)

HB 1461, relative to the municipal regulation of the sale of martial arts weapons. (Public and Municipal Affairs)

HB 1462, establishing a shoreland advisory committee. (Energy, Environment and Economic Development)

HB 1469, relative to the required number of instructional days and instructional hours in a school district's calendar. (Education)

HB 1470, establishing a committee to study laws relating to condominium and homeowners' associations. (Commerce, Labor and Consumer Protection)

HB 1471, requiring the governor's office of energy and planning and the board of home inspectors to develop a document relative to home energy efficiency for home buyers. (Energy, Environment and Economic Development)

HB 1474, establishing a legislative committee to review the New Hampshire child support guidelines. (Judiciary)

HB 1476, relative to periodic verification of the checklist. (Election Law and Veterans' Affairs)

HB 1480, relative to the New Hampshire rail transit authority. (Transportation and Interstate Cooperation)

HB 1481, relative to the use of turnpike tolls. (Transportation and Interstate Cooperation)

HB 1484, relative to residency restrictions for sex offenders. (Judiciary)

HB 1486, prohibiting the mandating of fire sprinkler systems in certain dwellings and establishing a committee to study municipal residential fire sprinkler requirements. (Public and Municipal Affairs)

HB 1487, relative to the definition of certified wetland scientists. (Executive Departments and Administration)

HB 1490, establishing a citizens task force to study state revenues and expenditures. (Ways and Means)

HB 1491, relative to the child support calculation in cases of shared parenting. (Judiciary)

HB 1493, establishing a committee to study comprehensive mental health and substance use disorders parity. (Health and Human Services)

HB 1495, relative to approval of chartered public schools from July 1, 2009 through June 30, 2011. (Education)

HB 1497, relative to the governance of the Concord school district. (Public and Municipal Affairs)

HB 1512, establishing a deferred retirement option in the judicial retirement plan. (Executive Departments and Administration)

HB 1513-FN, relative to fees collected by the secretary of state. (Finance)

HB 1519, repealing the surety bond requirement for meals and rentals operators. (Ways and Means)

HB 1520, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development. (Energy, Environment and Economic Development)

HB 1523, revising the pupil safety and violence prevention act. (Education)

HB 1524, relative to the liability of town and city health officers and overseers of public welfare. (Public and Municipal Affairs)

HB 1525, relative to physical therapists practicing on animals. (Executive Departments and Administration)

HB 1526, requiring the department of health and human services to establish a methodology for determining certain high cost long-term care cases. (Health and Human Services)

HB 1527, relative to exceptions from the definition of private postsecondary career schools. (Education)

HB 1528, relative to observing voter check-in. (Election Law and Veterans' Affairs)

HB 1529, relative to absentee voting. (Election Law and Veterans' Affairs)

HB 1533, establishing a committee to study the statute governing annulment of criminal records. (Judiciary)

HB 1534, relative to the issuance of air permits and certain fees relative to air permits. (Energy, Environment and Economic Development)

HB 1537, allowing primary care providers to provide preventive oral health services to children between 0 and 3 years of age under the state Medicaid program. (Health and Human Services)

HB 1542-FN, repealing nitrogen oxide emitting generation source requirements. (Energy, Environment and Economic Development)

HB 1543, relative to the annual rate of interest on judgments. (Judiciary)

HB 1544-FN, relative to penalties for forestry violations. (Judiciary)

HB 1553, establishing a maternal mortality review panel to conduct comprehensive, multidisciplinary reviews of maternal deaths in New Hampshire. (Health and Human Services)

HB 1554, allowing municipalities to establish energy efficiency and clean energy districts. (Public and Municipal Affairs)

HB 1566-FN, requiring financial institutions to disclose certain information regarding recipients of medical assistance for the aged, blind, and disabled through an electronic asset verification system. (Health and Human Services)

HB 1571, relative to the penalty for failure to file an annual inventory of taxable property. (Public and Municipal Affairs)

HB 1579-FN, relative to electioneering by public employees. (Executive Departments and Administration)

HB 1581, relative to the taxation of railroads. (Ways and Means)

HB 1602-FN, relative to the secure psychiatric unit. (Executive Departments and Administration)

HB 1613-FN, relative to the general banking laws of the state. (Commerce, Labor and Consumer Protection)

HB 1615, relative to the determination of value and a notice requirement for purposes of the utility property tax. (Ways and Means)

HB 1623, requiring certain patient identification for a pharmacist to dispense a schedule II or III controlled drug. (Health and Human Services)

HB 1625, relative to eligibility for the New Hampshire veterans' home. (Election Law and Veterans' Affairs)

HB 1628, establishing guidelines for neighborhood notification upon release of a sexual offender. (Judiciary)

HB 1668-FN, requiring state creditable service for group II retirees to receive state employee medical benefits. (Executive Departments and Administration)

HB 1686, relative to juvenile diversion programs. (Judiciary)

HB 1688, relative to the regulation of the installation and operation of boiler and pressure vessels. (Executive Departments and Administration)

HB 1689, exempting certain non-regulatory boards, commissions, councils, advisory committees, and task forces from repeal on June 30, 2011. (Executive Departments and Administration)

HB 1690, making statutory changes required by the repeal of certain non-regulatory boards, commissions, councils, advisory committees, and task forces. (Executive Departments and Administration)

HB 1692, establishing a commission on primary care workforce issues. (Health and Human Services)

HB 2010, relative to the state 10-year transportation improvement program. (Transportation and Interstate Cooperation)

HCR 24, supporting the Youth PROMISE Act. (Judiciary)

HCR 28, rescinding all requests by the New Hampshire legislature for a federal constitutional convention. (Election Law and Veterans' Affairs)

HCR 29, requiring the Congress of the United States of America to reaffirm its adherence to the Constitution of the United States regarding international agreements and treaties. (Election Law and Veterans' Affairs)

HCR 30, urging the attorney general to fully investigate the proposed transaction between Catholic Medical Center Healthcare System and Dartmouth-Hitchcock Health. (Commerce, Labor and Consumer Protection)

HJR 20, urging Congress to maintain the crime victims fund established in the Victims of Crimes Act and to continue to fully fund federal contributions to state and local victim services organizations. (Judiciary)

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 460, relative to the lapse of certain legislative and judicial branch appropriations, budget reductions for the department of health and human services, voluntary furloughs for judges, and transfers of federal funds.

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

Report of Committee on Enrolled Bills adopted.

March 25, 2010

2010-1183-EBA

06/10

Enrolled Bill Amendment to SB 460-FN-A

The Committee on Enrolled Bills to which was referred SB 460-FN-A

AN ACT relative to the lapse of certain legislative and judicial branch appropriations, budget reductions for the department of health and human services, voluntary furloughs for judges, and transfers of federal funds.

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 460-FN-A

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 460-FN-A

Amend section 5 of the bill by replacing line 3 with the following:

systems, changes in federal grant guidelines, or overestimation or underestimation of funds required in

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 12

March 31, 2010

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

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

My family, for four generations, have been United Nations and British diplomats; it was a formative upbringing and a formal one. My father was a diplomat so he did not show his emotions; and my mother was British so she didn't have any. (Laughter) What I learned, what I learned, which has served me so well in ecclesial diplomacy, is that the key to leadership is the separation of positions and interests. Positions are what we default to, and they're usually dangerous, incomplete posturing, with hidden agendas. But interests, on the other hand, are quiet, gentle, solid and broad. The goal of conversation, whether it's in the Senate Chamber or in the copy room, is to set aside positions and focus on interests. For those celebrating Passover or Holy Week, this age-old strategy was the way Moses and Jesus led their people, and it's a model which we can all follow, regardless of our religious tradition. Let us pray:

God of all Creation, quiet our hearts and make us instruments of peace.

Amen

Sen. Gilmour led the Pledge of Allegiance.

INTRODUCTION OF GUESTS AND PRESENTATIONS

President Larsen recognized members of the American Red Cross in attendance and invited

Lisa Michaud, New Hampshire Executive Director, to introduce staff members and address the Senate in observance of March being designated as Red Cross Month.

Sen. Boutin recognized and welcomed visiting international students and their professor from Southern New Hampshire University, Manchester-Hooksett.

Sen. Sgambati introduced Liana Tetreau, a student from Prospect Mountain High School in Alton, serving as Senate Page for today's session.

Sen. Letourneau introduced visitors Susan and Bill Peterson. Susan is a leader in activities of the Gold Star Mothers and Blue Star Mothers in New Hampshire. Sen. Bradley also welcomed the Petersons, citing them for their support of veterans and our troops.

Sen. Downing introduced family members of Staff Sergeant Edmond L. Lo, in attendance relative to HB 1563, legislation naming a bridge in Salem in memory of Sergeant Lo and two other deceased veterans.

Sen. Bradley introduced family members of Corporal Matthew J. Stanley, in attendance relative to HB 1152, legislation naming a bridge in Wolfeboro in his honor. Sen. Bradley also recognized Rep. David Knox from Wolfeboro, a visitor to the Senate.

COMMITTEE REPORTS**SPECIAL ORDER**

Without objection President Larsen moved to Special-Order Transportation HB 1152 and HB 1563 on today's Calendar to the front of the Calendar.

Without objection President Larsen moved to Special-Order Transportation HB 1446 to Senate Session of April 14.

Transportation Committee

HB 1446, naming a bridge in Hopkinton in honor of Officer Sean M. Powers.

SPECIAL ORDER

HB 1152, (New Title) naming a bridge in Wolfeboro in honor of Corporal Matthew J. Stanley. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 2-0. Senator Gilmour for the committee.

Sen. Letourneau offered a floor amendment.

Sen. Letourneau, Dist. 19

Sen. Bradley, Dist. 3

March 31, 2010

2010-1199s

04/10

Floor Amendment to HB 1152

Amend the bill by replacing section 3 with the following:

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

The question is on the adoption of Floor Amendment 1199s.

Floor Amendment 1199s adopted.

The question is on the motion of Ought to Pass as Amended on HB 1152.

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

The following Senators voted Yes: Gallus, Reynolds, Bradley, Sgambati, Houde, Cilley, Janeway, Odell, Roberge, Kelly, Bragdon, Gilmour, Lasky, Carson, Larsen, Boutin, Barnes, DeVries, Letourneau, D'Allesandro, Merrill, Downing, Hassan, Fuller Clark.

The following Senators voted No: (None)

Yeas: 24 - Nays: 0

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

SPECIAL ORDER

HB 1563, (New Title) naming a bridge in Salem in honor of Corporal Nicholas Arvanitis, Staff Sergeant Edmond L. Lo, and Marine Lance Corporal Robert L. Mosciello. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 4-0. Senator Letourneau for the committee.

Sen. Letourneau offered a floor amendment.

Sen. Letourneau, Dist. 19

Sen. Downing, Dist. 22

March 31, 2010

2010-1198s

04/10

Floor Amendment to HB 1563

Amend the bill by replacing section 3 with the following:

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

The question is on the adoption of Floor Amendment 1198s.

Floor Amendment 1198s adopted.

The question is on the motion of Ought to Pass as Amended on HB 1563.

A roll call was requested by Sen. Hassan, seconded by Sen. Reynolds.

The following Senators voted Yes: Gallus, Reynolds, Bradley, Sgambati, Houde, Cilley, Janeway, Odell, Roberge, Kelly, Bragdon, Gilmour, Lasky, Carson, Larsen, Boutin, Barnes, DeVries, Letourneau, D'Allesandro, Merrill, Downing, Hassan, Fuller Clark.

The following Senators voted No: (None)

Yeas: 24 - Nays: 0

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

HB 1280-FN, relative to life and health guaranty limits. Commerce, Labor and Consumer Protection Committee. Ought to Pass with Amendment, Vote 5-0. Senator DeVries for the committee.

Commerce, Labor and Consumer Protection

March 23, 2010

2010-1156s

01/04

Amendment to HB 1280-FN

Amend the bill by replacing section 2 with the following:

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

The question is on the adoption of Committee Amendment 1156s.

Committee Amendment 1156s adopted.

The question is on the motion of Ought to Pass as Amended on HB 1280-FN.

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

HB 1157, relative to appointment of a deputy treasurer in a school district. Education Committee. Ought to Pass, Vote 4-0. Senator Bragdon for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1157.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1150, removing certain references to nomination for the office of vice-president. Election Law and Veterans' Affairs Committee. Ought to Pass, Vote 4-0. Senator Barnes for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1150.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1568-FN-L, relative to the definition of wars and conflicts for the purpose of determining eligibility for public assistance payments for burial expenses of veterans. Election Law and Veterans' Affairs Committee. Ought to Pass, Vote 5-0. Senator Barnes for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1568-FN-L.

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

SPECIAL ORDER

Without objection President Larsen moved to Special-Order HB 1568-FN-L to end of today's Calendar.

HB 1155, relative to water district contracts. Energy, Environment and Economic Development Committee. Ought to Pass with Amendment, Vote 5-0. Senator Lasky for the committee.

Energy, Environment and Economic Development

March 25, 2010

2010-1185s

06/05

Amendment to HB 1155

Amend RSA 52:26 as inserted by section 1 of the bill by replacing it with the following:

52:26 Contracts with the Department of Environmental Services. Any contract between a district formed for the purpose of impoundment of water, organized pursuant to this chapter, and the department of environmental services for the construction, operation, and maintenance of any dam located within the district's boundaries that is in effect on the effective date of this act shall continue in effect for the remaining term of the contract or until terminated in accordance with the terms of the contract. If the district terminates the contract, any obligations and liabilities outstanding at the time of such termination shall be outstanding obligations and liabilities of the district and, if the district is terminated, such obligations shall be treated in the same manner as under RSA 52:21.

2010-1185s**AMENDED ANALYSIS**

I. Repeals the authority of water districts to enter into contracts with the department of environmental services for the construction, operation, or maintenance of dams.

II. Permits existing contracts between a water district and the department of environmental services for the construction, operation, and maintenance of dams to continue in effect for the term of the contract or until terminated in accordance with the terms of the contract.

The question is on the adoption of Committee Amendment 1185s.

Committee Amendment 1185s adopted.

The question is on the motion of Ought to Pass as Amended on HB 1155.

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

HB 1294, relative to underground storage facility operator training. Energy, Environment and Economic Development Committee. Ought to Pass, Vote 3-0. Senator Lasky for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1294.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1240-FN, relative to the use of state-owned vehicles. Executive Departments and Administration Committee. Ought to Pass, Vote 3-0. Senator Carson for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1240-FN.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1278-FN, relative to milk producer-distributors. Executive Departments and Administration Committee. Ought to Pass, Vote 3-0. Senator Carson for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1278-FN.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 577-FN, relative to recovery of public assistance and third party liability. Health and Human Services Committee. Ought to Pass, Vote 3-0. Senator Gallus for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 577-FN.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1193, relative to the definition of allowable child care expenses for purposes of determining child support and establishing a legislative oversight committee relative to implementation of the 2009 New Hampshire Support Guidelines Review and Recommendations. Health and Human Services Committee. Ought to Pass, Vote 3-0. Senator Sgambati for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1193.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1214, relative to the grounds for suspending or revoking a foster home license. Health and Human Services Committee. Ought to Pass, Vote 3-0. Senator Kelly for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1214.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1548-FN, relative to ambulatory surgical facilities under the law requiring reporting of hospital infections. Health and Human Services Committee. Ought to Pass, Vote 5-0. Senator Sgambati for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1548-FN.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

(Sen. Fuller Clark welcomed students, teachers and parents from the Marston Elementary School in Hampton.)

HB 1649-FN, (New Title) relative to health information and patient rights. Health and Human Services Committee. Ought to Pass, Vote 5-0. Senator Gilmour for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1649-FN.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1665-FN, (New Title) relative to the penalty for carrying or selling certain weapons. Judiciary Committee. Ought to Pass, Vote 5-0. Senator Letourneau for the committee.

(Sen. Letourneau introduced and welcomed Rep. Jennifer Coffey, prime sponsor of HB 1665-FN.)

The question is on the adoption of committee recommendation of Ought to Pass on HB 1665-FN.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1199, (New Title) relative to the boundaries of the North Conway water precinct. Public and Municipal Affairs Committee. Ought to Pass, Vote 5-0. Senator Barnes for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1199.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1227-L, relative to laying pipes for pressurized hot water transmission and distribution. Public and Municipal Affairs Committee. Ought to Pass, Vote 5-0. Senator Roberge for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1227-L.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

HB 1592-FN, relative to the exemption from the charge for a municipal permit to register a motor vehicle for amputee and other disabled veterans. Public and Municipal Affairs Committee. Ought to Pass, Vote 5-0. Senator Barnes for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1592-FN.

A roll call was requested by Sen. DeVries, seconded by Sen. Letourneau.

The following Senators voted Yes: Gallus, Reynolds, Bradley, Sgambati, Houde, Cilley, Janeway, Odell, Roberge, Kelly, Bragdon, Gilmour, Lasky, Carson, Larsen, Boutin, Barnes, DeVries, Letourneau, D'Allesandro, Merrill, Downing, Hassan, Fuller Clark.

The following Senators voted No: (None)

Yeas: 24 - Nays: 0

Motion of Ought to Pass adopted, bill ordered to Third Reading.

Recess. Out of recess.

SPECIAL ORDER

HB 1568-FN-L, relative to the definition of wars and conflicts for the purpose of determining eligibility for public assistance payments for burial expenses of veterans. Election Law and Veterans' Affairs Committee. Ought to Pass, Vote 5-0. Senator Barnes for the committee.

The question is on the Motion of Ought to Pass on HB 1568-FN-L.

A roll call had been requested by Sen. Hassan, seconded by Sen. Barnes.

The following Senators voted Yes: Gallus, Reynolds, Bradley, Sgambati, Houde, Cilley, Janeway, Odell, Roberge, Kelly, Bragdon, Gilmour, Lasky, Carson, Larsen, Boutin, Barnes, DeVries, Letourneau, D'Allesandro, Merrill, Downing, Hassan, Fuller Clark.

The following Senators voted No: (None)

Yeas: 24 - Nays: 0

Motion of Ought to Pass adopted, bill ordered to Third Reading.

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, 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.

Motion adopted.

Adjournment from the Early Session.

LATE SESSION**Third Reading and Final Passage**

HB 577-FN, relative to recovery of public assistance and third party liability.

HB 1150, removing certain references to nomination for the office of vice-president.

HB 1152, (New Title) naming a bridge in Wolfeboro in honor of Corporal Matthew J. Stanley.

HB 1155, relative to water district contracts.

HB 1157, relative to appointment of a deputy treasurer in a school district.

HB 1193, relative to the definition of allowable child care expenses for purposes of determining child support and establishing a legislative oversight committee relative to implementation of the 2009 New Hampshire Support Guidelines Review and Recommendations.

HB 1199, (New Title) relative to the boundaries of the North Conway water precinct.

HB 1214, relative to the grounds for suspending or revoking a foster home license.

HB 1227-L, relative to laying pipes for pressurized hot water transmission and distribution.

HB 1240-FN, relative to the use of state-owned vehicles.

HB 1278-FN, relative to milk producer-distributors.

HB 1280-FN, relative to life and health guaranty limits.

HB 1294, relative to underground storage facility operator training.

HB 1548-FN, relative to ambulatory surgical facilities under the law requiring reporting of hospital infections.

HB 1563, (New Title) naming a bridge in Salem in honor of Corporal Nicholas Arvanitis, Staff Sergeant Edmond L. Lo, and Marine Lance Corporal Robert L. Moscillo.

HB 1568-FN-L, relative to the definition of wars and conflicts for the purpose of determining eligibility for public assistance payments for burial expenses of veterans.

HB 1592-FN, relative to the exemption from the charge for a municipal permit to register a motor vehicle for amputee and other disabled veterans.

HB 1649-FN, (New Title) relative to health information and patient rights.

HB 1665-FN, (New Title) relative to the penalty for carrying or selling certain weapons.

Oldest Living Former Senate President Celebrates 89th Birthday

SENATOR D'ALLESANDRO (Rule 44): Madam President, we usually celebrate birthdays of our Senate colleagues. On April 9th one of our former colleagues, the former President of the Senate, **Stuart Lamprey**, will become the oldest living former Senate president; he'll be 89 years of age. Those of us who have worked with Stuart over the years know what an accomplished politician he is, but also what an accomplished public servant Stuart Lamprey was. Stuart served in the House of Representatives and served as Speaker of the House from 1959 to 1964. He then gravitated to the Senate, became President of the Senate in 1965, and in 1969 retired from the New Hampshire State Senate to become Undersecretary of Commerce in the Nixon Administration. Stuart's been around these halls for the last 50 years. When Walter Peterson was governor of the state he served as chief of staff for Walter Peterson. Most recently, Stuart gave invaluable service to the Senate Finance Committee by volunteering to help us with our budget in the last biennium. Stuart has had a great interest in milfoil, and all of you recognize the fact that Stuart lives in Moultonborough, lives on a lake, great friend of Sen. Bradley's as well as other members of this body, but he's had a very, very concentrated interest in preserving the lakes and getting rid of milfoil, and at 88 years of age, travels down here on a monthly basis to work on the "Weeds" Committee which was established by the House.

So I realize we're preempting his birthday which will be on April 9th, but Stuart has such a wonderful record of public service, a person that we all should try to emulate in terms of the work he's done, and I thought that we should recognize that. Stuart's health hasn't been the best in the last year and he's having some

difficulties, but truly a dedicated public servant. As I said, the oldest living former president of the New Hampshire State Senate, Stuart Lamprey. So I appreciate this opportunity to talk about Stuart and to wish him the very best on his upcoming birthday and hope he has a much longer life. Thank you, Madam President.

ANNOUNCEMENTS

Without objection President Larsen moved that all Rule 44's shall be entered into the permanent *Journal of the Senate*.

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 introducing legislation, referring bills to committee, scheduling hearings, sending and receiving messages, and processing enrolled bill reports and amendments.

Motion adopted.

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