

April 14, 2010
Nos. 13-14

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 – APRIL 7, 2010 SESSION
COMMENCEMENT – APRIL 14, 2010 SESSION**

SENATE JOURNAL 13 *(continued)*

April 7, 2010

Report of Committee on Enrolled Bills

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

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

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

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

HB 1199, 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, relative to laying pipes for pressurized hot water transmission and distribution.

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

HB 1278, relative to milk producer-distributors.

HB 1294, relative to underground storage facility operator training.

HB 1568, 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, relative to the exemption from the charge for a municipal permit to register a motor vehicle for amputee and other disabled veterans.

HB 1665, relative to the penalty for carrying or selling certain weapons.

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

Report of Committee on Enrolled Bills 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 14

April 14, 2010

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

Rev. Jason Wells, from Grace Episcopal Church in Concord, guest chaplain to the Senate, offered the following meditative thoughts and prayer:

Martin Luther King once said that an unjust law is one that you want applied to other people but never to yourself. Saint Francis was also in the position of writing laws and rules for his order of friars that he was organizing, and when he built into these rules he said that his friars must, on a routine basis, rotate jobs so they would move from one job to the next, from praying to cooking to working. And by doing this, the Franciscan Brothers would directly experience not only all of the jobs, but they knew exactly how their lives, their decisions, their lifestyles and their choices affected everyone else in the society. And it's this way that they were able to truly live out the Golden Rule, the Golden Rule which is a principle not just for good lawmaking, but is also the spiritual principle by which God measures your integrity and mine. Let us pray:

Heavenly Father, inspire us with a vision for Your justice that reflects You and Your love. Fill us with Your courageous spirit, to live Your holy will. Amen

Sen. Boutin led the Pledge of Allegiance.

INTRODUCTION OF GUESTS AND PRESENTATIONS

NEW STAFF MEMBERS INTRODUCED

Sen. Merrill introduced new staff member Audrey Shankle, assigned to Sen. Merrill as her assistant.

President Larsen welcomed Jessica Eskeland to her new position as Aide to the Senate Clerk's Office. Sen. Letourneau expressed words of praise for Jessica, having previously been assigned to Sen. Letourneau as his secretary.

Sen. Odell introduced Daniel Keady and Andrew Keady, brothers from Charlestown, New Hampshire, students at Central Vermont Academy, serving as Senate Pages for today's session.

President Larsen recognized and welcomed Peter Powers, the father of Sean Powers, Hopkinton Selectman Jim O'Brien, Hopkinton Police Chief Steve Pecora, Sergeant Bill Simpson, Officer Phil Hill, Officer Nick McNutt and Officer Justin Breton. President Larsen also welcomed Rep. Christine Hamm, sponsor of HB 1446, naming a bridge in honor of Officer Sean M. Powers.

President Larsen welcomed the Kimball School Choir from Concord, students visiting the Senate Gallery.

FINANCE REPORT

Sen. D'Allesandro reported that no bills from today's Calendar will be going to Finance, and that the following bills still in committee are waived from Finance: HB 1170, HB 1239, HB 1441 and HB 1535. HB 213 and HB 1334 were also later reported to be waived from Finance review.

COMMITTEE REPORTS

SPECIAL ORDER

HB 1446, naming a bridge in Hopkinton in honor of Officer Sean M. Powers. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 4-0. Senator Boutin for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1446.

A roll call was requested by Sen. Letourneau, 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 adopted, bill ordered to Third Reading.

Recess. Out of recess.

(Sen. Bradley welcomed visiting students from Crescent Lake School in Wolfeboro.)

HB 286-FN, relative to life insurance form disapproval. Commerce, Labor and Consumer Protection Committee. Ought to Pass, Vote 2-0. Senator Reynolds for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 286-FN.

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

HB 1165, relative to access to records for child support enforcement. Commerce, Labor and Consumer Protection Committee. Ought to Pass, Vote 3-0. Senator Bragdon for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1165.

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

HB 1281-FN, relative to certain securities laws. Commerce, Labor and Consumer Protection Committee. Ought to Pass, Vote 3-0. Senator DeVries for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1281-FN.

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

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

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

HB 1289, relative to air quality in public schools. Education Committee. Ought to Pass, Vote 3-0. Senator Fuller Clark for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1289.

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

HB 1245, (2nd New Title) relative to declarations of candidacy and intent by presidential candidates. Election Law and Veterans' Affairs Committee. Ought to Pass, Vote 4-0. Senator Lasky for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1245.

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

HB 1153, relative to membership of the commission to study water infrastructure sustainability funding. Energy, Environment and Economic Development Committee, Ought to Pass, Vote 6-0. Senator Fuller Clark for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1153.

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

HB 1292-FN, relative to underground storage tank facility permits, compliance, and cleanup fund eligibility. Energy, Environment and Economic Development Committee. Ought to Pass, Vote 6-0. Senator Cilley for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1292-FN.

Recess. Out of recess.

SPECIAL ORDER

Without objection, President Larsen moved that HB 1292-FN be Special-Ordered to the end of today's Calendar.

(Sen. Kelly introduced Julia Ferrari, a visiting constituent from Ashuelot, New Hampshire, and wife of Rep. Dan Carr.)

HB 1353, relative to group net energy metering. Energy, Environment and Economic Development Committee. Ought to Pass, Vote 4-0. Senator Fuller Clark for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1353.

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

The following Senators voted Yes: Gallus, Reynolds, Bradley, Sgambati, Houde, Cilley, Janeway, Odell, Roberge, Kelly, Bragdon, Gilmour, Lasky, Carson, Larsen, Boutin, Barnes, DeVries, Le-tourneau, 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.

HB 1149-FN, (New Title) relative to incorporation by reference and filing of electronic documents in state agency rulemaking. Executive Departments and Administration Committee. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

Senate Executive Departments and Administration
April 7, 2010
2010-1261s
10/03

Amendment to HB 1149

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

AN ACT relative to the filing of electronic documents in state agency rulemaking.

Amend the bill by deleting section 1 and renumbering the original sections 2-5 to read as 1-4, respectively.

Amend the bill by replacing section 4 with the following:

4 Effective Date.

I. Section 1 of this act shall take effect July 1, 2010 at 12:01 am.

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

2010-1261s

AMENDED ANALYSIS

The bill clarifies the procedure for an agency to file an electronic document in the rulemaking process.

The question is on the adoption of Committee Amendment 1261s.

Committee Amendment 1261s adopted.

The question is on the motion of Ought to Pass as Amended on HB 1149-FN.

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

HB 1569-FN, (New Title) relative to the salaries of certain unclassified positions. Executive Departments and Administration Committee. Ought to Pass with Amendment, Vote 5-0. Senator Downing for the committee.

Senate Executive Departments and Administration
April 7, 2010
2010-1258s
04/09

Amendment to HB 1569-FN

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 Chief Executive Officer; New Hampshire Hospital. Amend RSA 94:1-a, I(b) by:

I. Deleting:

HH	New Hampshire hospital	chief executive officer
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II. Inserting:

II	New Hampshire hospital	chief executive officer
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2010-1258s

AMENDED ANALYSIS

This bill establishes the salary for the positions of director of community corrections, director of security and training, and the professional standards director in the department of corrections. This bill also upgrades the positions of chief executive officer, chief pharmacist, and certain pharmacists of the New Hampshire hospital, department of health and human services.

This bill is a request of the joint committee on employee classification established under RSA 14:14-c.

The question is on the adoption of Committee Amendment 1258s.

Committee Amendment 1258s failed.

Sen. D'Allesandro offered a floor amendment.

Sen. D'Allesandro, Dist. 20
April 13, 2010
2010-1336s
10/01

Floor Amendment to HB 1569-FN

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

5 Chief Executive Officer; New Hampshire Hospital. Amend RSA 94:1-a, I (b) by:

I. Deleting:

HH New Hampshire Hospital chief executive officer

II. Inserting:

II New Hampshire Hospital chief executive officer

6 Executive Director; Lottery Commission. Amend RSA 94:1-a, I (b) by:

I. Deleting:

GG Lottery Commission executive director

II. Inserting:

HH Lottery Commission executive director

7 Director of Finance; Department of Transportation. Amend RSA 94:1-a, I (b) by:

I. Deleting:

GG Department of Transportation director of finance

II. Inserting:

HH Department of Transportation director of finance

8 Salary Established; Compensation of Certain State Officers; Director of Policy and Administration. Amend RSA 94:1-a, I(b) by inserting the following position:

GG Department of Transportation director of policy and administration

9 Director of Policy and Administration; Department of Transportation; Salary Determination. Amend
RSA 21-L:5-b, III to read as follows:

III. The position of the director of policy and administration shall be unclassified. The salary of the director shall be ~~[determined after assessment and review of the appropriate temporary letter grade allocation for the position for inclusion]~~ ***as specified*** in RSA 94:1-a, I(b)~~], which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c].~~

10 Funding. The sums necessary to fund the salaries, benefits, or any other costs related to the position changes contained in this act for the biennium ending June 30, 2011 shall be paid from existing FY 2010 and FY 2011 appropriations to the respective departments.

11 Effective Date. This act shall take effect July 1, 2010.

2010-1336s

AMENDED ANALYSIS

This bill establishes the salary for the positions of:

I. Director of community corrections, director of security and training, and the professional standards director in the department of corrections.

II. Chief executive officer, chief pharmacist, and certain pharmacists of the New Hampshire hospital in the department of health and human services.

III. Executive director of the lottery commission.

IV. Director of finance and director of policy and administration in the department of transportation.

This bill is a request of the joint committee on employee classification established under RSA 14:14-c.

The question is on the adoption of Floor Amendment 1336s.

Floor Amendment 1336s adopted.

The question is on the motion of Ought to Pass as Amended on HB 1569-FN.

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

HB 1579-FN, relative to electioneering by public employees. Executive Departments and Administration Committee. Inexpedient to Legislate, Vote 4-1. Senator DeVries for the committee.

MOTION TO TABLE

Sen. DeVries moved to table HB 1579-FN.

The question is on the motion to table HB 1579-FN.

Motion adopted.

LAI D ON THE TABLE

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

HB 1602-FN, relative to the secure psychiatric unit. Executive Departments and Administration Committee. Ought to Pass, Vote 5-0. Senator Fuller Clark for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1602-FN.

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

HB 1668-FN, requiring state creditable service for group II retirees to receive state employee medical benefits. Executive Departments and Administration Committee. Ought to Pass, Vote 4-0. Senator Downing for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1668-FN.

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

HB 1226, relative to caregiver support services for the elderly. Health and Human Services Committee. Ought to Pass, Vote 3-1. Senator Gilmour for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1226.

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

HB 564-FN, (New Title) relative to ramp/lift equipped van parking spaces. Public and Municipal Affairs Committee. Interim Study, Vote 4-0. Senator Houde for the committee.

The question is on the adoption of committee recommendation of Refer to Interim Study on HB 564-FN.

Motion of Refer to Interim Study adopted.

HB 1427, relative to the conversion period for quarterly billing for property taxes. Public and Municipal Affairs Committee. Ought to Pass with Amendment, Vote 4-0. Senator Houde for the committee.

Public and Municipal Affairs

April 8, 2010

2010-1279s

05/03

Amendment to HB 1427

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 1279s.

Committee Amendment 1279s adopted.

The question is on the motion of Ought to Pass as Amended on HB 1427.

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

HB 1204, relative to equipment and inspection exemptions for older vehicles. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 5-0. Senator Letourneau for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1204.

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

HB 1247, (New Title) establishing a speed limit for vehicles traveling through toll collection areas. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 5-0. Senator Boutin for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1247.

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

HB 1517-FN, establishing a DWI victim fatality sign program. Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 4-0. Senator Gilmour for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1517-FN.

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

HB 507-FN, relative to taxes, fees, and credits under the insurance laws. Ways and Means Committee. Ought to Pass, Vote 6-0. Senator Reynolds for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 507-FN.

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

HB 558-FN, (2nd New Title) establishing a procedure for leasing state parks. Ways and Means Committee. Inexpedient to Legislate, Vote 6-0. Senator Odell for the committee.

The question is on the adoption of committee recommendation of Inexpedient to Legislate on HB 558-FN.

Motion of Inexpedient to Legislate adopted.

HB 630-FN-A, relative to live racing in New Hampshire. Ways and Means Committee. Ought to Pass with Amendment, Vote 6-1. Senator Janeway for the committee.

Senate Ways and Means

April 7, 2010

2010-1272s

08/04

Amendment to HB 630-FN-A

Amend the introductory paragraph of RSA 284:15-a, I as inserted by section 5 of the bill by replacing it with the following:

I. Subject to the provisions of RSA 284:15-a, V and VI, any person, association, or corporation desiring to simulcast a dog race at or for which pari-mutuel pools are sold, shall apply to the commission for a license to do so. The application shall be signed and sworn to by the person or executive officer of the association or corporation and shall contain the following information:

Amend RSA 284:15-a as inserted by section 5 of the bill by inserting after paragraph V the following new paragraph:

VI. In the event that a simulcast signal of dog racing is unavailable for an applicant under this section for any reason or cause, such applicant may apply for a license to simulcast horse racing only under this section and the commission may issue such a license under RSA 284:16-a allowing the applicant to simulcast horse racing only.

Amend the bill by inserting after section 22 the following and renumbering the original section 23 to read as 24:

23 Applicability. Nothing in this act shall be construed to either allow live dog racing in New Hampshire as of January 1, 2011 or disallow a facility which was licensed to conduct dog racing as of January 1, 2009

to conduct simulcast wagering on horse racing and dog racing. If an applicant at such a facility submits an application for a license under RSA 284:15-a prior to January 1, 2011 and the racing and charitable gaming commission grants such a license for the calendar year of 2011, such applicant may utilize such license for simulcast wagering on horse racing and dog racing without the need for any further application for operation of the facility in 2011.

The question is on the adoption of Committee Amendment 1272s.

Committee Amendment 1272s adopted.

Sen. Sgambati offered a floor amendment.

Sen. Sgambati, Dist. 4

Sen. Reynolds, Dist. 2

April 14, 2010

2010-1375s

08/10

Floor Amendment to HB 630-FN-A

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

AN ACT relative to live racing in New Hampshire and allowing historical racing.

Amend RSA 284:22-a, I(c) as inserted by section 11 of the bill by replacing it with the following:

(c) "Licensee" means

(1) Any individual, association, partnership, joint venture, corporation, or other organization or other entity which holds a license under RSA 284 to conduct a live running or harness horse race meet, or if the election is made pursuant to RSA 284:22-a, II(c), licensee means the individual, association, partnership, joint venture, corporation, or other organization or entity which applies for a license under RSA 284 to conduct simulcasting at a facility at which live running or harness horse racing was conducted in 2008, or

(2) The individual, association, partnership, joint venture, corporation, or other organization or other entity which applies for a license pursuant to RSA 284:15-a to conduct simulcasting at a facility at which live dog racing was conducted in 2008 and at which facility a license was issued to an applicant for 2010 to simulcast running and harness horse racing and dog racing.

(d) "Historical races" means those races displayed by electronic means on which the licensee sells pari-mutuel pools and which are approved by the commission.

Amend RSA 284:22-a, II-III as inserted by section 12 of the bill by replacing it with the following:

II.(a) During the calendar years 1941-2029, a licensee may sell pari-mutuel pools on races held at race-tracks other than at the facility of the licensee, if any, provided:

(1) Such sales are within the enclosure of the facility at which the licensee holds a license;

(2) Wagers are made on races which are exhibited by television or other electronic reproduction at licensee's facility *either (i) as historical races or (ii)* simultaneously with the conduct of each such race at its point of origin with the agreement or approval of the racetrack which provides the transmission of the races to be simulcast and the racetrack which conducts the races to be simulcast;

(3) Unless the licensee makes the election pursuant to RSA 284:22-a, II(c), the licensee which holds a license to conduct live harness or running horse racing has scheduled at least 50 calendar days of live harness and/or running horse racing in the calendar year such licensee simulcasts; and

(4) The licensee obtains the consents and approvals set forth in RSA 284:22-a, III.

III. A licensee may sell pari-mutuel pools on *historical races or on* races held at other appropriately licensed racetracks, whether such racetracks are in the state of New Hampshire or outside the state of New Hampshire with the agreement or approval of the racetrack which provides the transmission of the races to be simulcast and the racetrack which conducts the races to be simulcast. A licensee may sell pari-mutuel pools under RSA 284:22-a on the same types of races that it conducts live at its racetrack with the approval of the commission. A licensee may sell pari-mutuel pools under RSA 284:22-a on types of races different from the type of races conducted live at the licensee's racetrack provided:

(a) The licensee obtains the approval of the commission; and

(b) The licensee shall have received city or town approval under RSA 284:17 to conduct the type of racing which is to be simulcast **or displayed** prior to or subsequent to the effective date of RSA 284:22-a; the type of racing which is to be simulcast **or displayed** shall have been approved by the city or town in which the licensee's racetrack is located in accordance with RSA 284:17 prior to or subsequent to the effective date of RSA 284:22-a; or the acceptance of wagers or simulcast races **or historical races** of a type other than the type of racing which the licensee conducts live at its racetrack shall have been approved by a majority vote at an annual town meeting or special town meeting called for such purpose in the town in which the licensee's racetrack is located.

Amend the bill by inserting after section 14 the following and renumbering the original sections 15-23 to read as 17-25, respectively:

15 Historical Races. Amend RSA 284:22-a, V-VIII to read as follows:

V.(a) A licensee may sell pari-mutuel pools for simulcast races for **historical races or** races held at racetracks within or outside the state of New Hampshire in accordance with RSA 284:22-a, II, within the enclosure of said licensee's racetrack or a licensee, with the written agreement with the licensee which conducts or transmits the race which is to be simulcast **or displayed**, may sell a common pari-mutuel pool in conjunction with the licensee which conducts or transmits the race which is to be simulcast **or displayed**. In the event of common pools, the licensee which conducts or transmits the race **or displays historical races** shall pay the tax required under RSA 284:23 for the portion of the common pool actually contributed at said licensee's racetrack and the licensee which simulcasts shall pay the tax due under RSA 284:23 for the portion of the common pool actually contributed at said licensee's racetrack.

(b) A licensee may sell pari-mutuel pools for **historical races or** simulcast races for races held at racetracks outside the state of New Hampshire in accordance with RSA 284:22-a, II, within the enclosure of said licensee's racetrack or said licensee, with the written agreement with the entity which conducts the race which is to be simulcast **or displayed**, may sell a common pari-mutuel pool in conjunction with the entity which conducts the race which is to be simulcast. In the event of such common pools, the commission shall be in the amount established by the law of the state in which the race to be simulcast **or displayed** is actually conducted, provided, however, the licensee shall pay the tax as provided under RSA 284:23.

VI. Racing officials, as defined in the rules adopted by the commission, any employee or owner of the entity which provides the totalizator system to the licensee, and any person responsible for the operation of the electronic reproduction equipment which receives the simulcast **or display of a historical race** shall be prohibited from participating in wagering, directly or indirectly, on simulcast races **or historical races** shown at the licensee's racetrack.

VII. The provisions of RSA 284:15-c, RSA 284:16-a, RSA 284:16-c, RSA 284:17, RSA 284:17-a, and RSA 284:17-c shall not apply to simulcast **and historical races** and pari-mutuel pools under RSA 284:22-a, except as specifically provided in RSA 284:22-a.

VIII. RSA 284:22, I, II, III, and IV shall apply according to the type of race on which the simulcast **and historical race** wagers are made, excepting, however, interstate common pools as provided in RSA 284:22-a, V(b) and that the provisions made for purses made in RSA 284:22, I shall not apply to simulcast races **and historical races**. The commission on simulcast race pools shall be available to the simulcasting licensee to satisfy obligations to the racing association originating or transmitting such simulcast races or to the horsemen's group of such association.

16 Unclaimed Ticket Money. Amend RSA 284:31 to read as follows:

284:31 Unclaimed Ticket Money. On or before January 31 of each year every person, association or corporation conducting a race or race meet, whether live racing [or], simulcast racing, **or display of historical races** hereunder shall pay to the state treasurer all moneys collected during the previous year of pari-mutuel pool tickets which have not been redeemed. The books or records of said person, association or corporation, which clearly show the tickets entitled to reimbursement in any given race, live [or], simulcast, **or historical**, shall be forwarded to the commission. Such moneys shall become a part of the general funds of the state. The state treasurer shall pay the amount due on any ticket to the holder thereof from funds not otherwise appropriated upon an order from the commission. Pari-mutuel tickets which remain unclaimed after 11 months shall not be paid.

Amend the bill by replacing section 25 with the following:

25 Effective Date.

I. Section 22 of this act shall take effect January 1, 2015.

II. The remainder of this act shall take effect January 1, 2011.

2010-1375s

AMENDED ANALYSIS

This bill prohibits dog racing in New Hampshire.

This bill also allows existing racing licensees to broadcast simulcast running and harness horse races and dog races.

This bill also allows historical races approved by the racing and charitable gaming commission on which the licensee sells pari-mutuel pools.

The question is on the adoption of Floor Amendment 1375s.

A division vote was requested.

Recess. Out of recess.

(Sen. Bradley welcomed a second group of visiting students from Crescent Lake School in Wolfeboro.)

The question is on the adoption of Floor Amendment 1375s.

A division vote had been requested.

Yeas: 10 - Nays: 14

Floor Amendment 1375s failed.

The question is on the motion of Ought to Pass as Amended on HB 630-FN-A.

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

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 Committee. Ought to Pass, Vote 3-0. Senator Gilmour for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1129.

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

HB 1144, relative to the definition of a set line used for taking fish. Wildlife, Fish and Game and Agriculture Committee. Ought to Pass, Vote 4-0. Senator Boutin for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1144.

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

HB 1175-FN, relative to duplicate registrations for snowmobiles. Wildlife, Fish and Game and Agriculture Committee. Ought to Pass, Vote 4-0. Senator Merrill for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1175-FN.

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

HB 1425, relative to the regulation of the processing of lobster tails. Wildlife, Fish and Game and Agriculture. Ought to Pass, Vote 3-0. Senator Boutin for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1425.

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

HB 1660-FN, repealing the authority for the assessment of an administrative penalty for various OHRV and snowmobile violations. Wildlife, Fish and Game and Agriculture. Ought to Pass, Vote 4-0. Senator Merrill for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1660-FN.

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

SPECIAL ORDER

HB 1292-FN, relative to underground storage tank facility permits, compliance, and cleanup fund eligibility. Energy, Environment and Economic Development Committee. Ought to Pass, Vote 6-0. Senator Cilley for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on HB 1292-FN.

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

MOTION TO REMOVE FROM THE TABLE

Sen. Bragdon moved to remove HB 1355-FN from the table.

HB 1355-FN, relative to certain Medicaid appropriations.

The question is to remove HB 1355-FN from the table.

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

The following Senators voted Yes: Gallus, Bradley, Odell, Roberge, Bragdon, Gilmour, Lasky, Carson, Boutin, Barnes, Letourneau, Downing.

The following Senators voted No: Reynolds, Sgambati, Houde, Cilley, Janeway, Kelly, Larsen, DeVries, D'Allesandro, Merrill, Hassan, Fuller Clark.

Yeas: 12 - Nays: 12

Motion failed.

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 286-FN, relative to life insurance form disapproval.

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

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 1144, relative to the definition of a set line used for taking fish.

HB 1149-FN, (New Title) relative to incorporation by reference and filing of electronic documents in state agency rulemaking.

HB 1153, relative to membership of the commission to study water infrastructure sustainability funding.

HB 1165, relative to access to records for child support enforcement.

HB 1175-FN, relative to duplicate registrations for snowmobiles.

HB 1204, relative to equipment and inspection exemptions for older vehicles.

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

HB 1245, (2nd New Title) relative to declarations of candidacy and intent by presidential candidates.

HB 1247, (New Title) establishing a speed limit for vehicles traveling through toll collection areas.

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

HB 1281-FN, relative to certain securities laws.

HB 1289, relative to air quality in public schools.

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

HB 1353, relative to group net energy metering.

HB 1425, relative to the regulation of the processing of lobster tails.

HB 1427, relative to the conversion period for quarterly billing for property taxes.

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

HB 1517-FN, establishing a DWI victim fatality sign program.

HB 1569-FN, (New Title) relative to the salaries of certain unclassified positions.

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

HB 1660-FN, repealing the authority for the assessment of an administrative penalty for various OHRV and snowmobile violations.

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

ANNOUNCEMENTS

Rule 44 Tribute

Honoring the Life of Sue Ann Martin, Beloved Concord Teacher

PRESIDENT LARSEN (Rule 44): I might take one quick moment to, in a Rule 44, honor the life of Sue Ann Martin, who was the wife of Tom Martin who had been in our Budget Offices and the Department of Administrative Services, he's currently at DRED. Sue Ann was a teacher at Broken Ground School, and a beloved teacher, and one which all of the community turned out to recognize her life of service to the children of this community. She was a terrific athlete and wonderful mother. So, in her passing we mourn that, and I wanted to just make that time to honor her life.

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.