

May 19, 2010
Nos. 19-20

STATE OF NEW HAMPSHIRE

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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MAY 13, 2010 SESSION
COMMENCEMENT – MAY 19, 2010 SESSION**

SENATE JOURNAL 19 *(continued)*

May 13, 2010

HOUSE MESSAGE

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

SB 311, relative to special education services for persons incarcerated and persons attending Granite State high school.

SB 339, excluding certain governmental and nonprofit entities from certain licensing requirements as mortgage bankers, brokers, or services.

SB 353-FN, relative to the procedure for administration of insolvent estates.

SB 354-FN, authorizing liens for unpaid building code violations and requiring landlord agents for restricted rental property.

SB 398-FN, relative to prohibited sales of alcoholic beverages.

SB 425-FN, relative to exemptions to the right-to-know law.

SB 481, relative to appropriations for certain turnpike system projects.

SB 512-FN, relative to the community college system of New Hampshire.

SCR 2, encouraging New Hampshire schools to adopt environmentally sound practices.

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 344-FN, relative to employment and retirement benefits of certain non-judicial court employees.

SB 375, relative to the state park system as a self-supporting entity.

SB 453, relative to air quality in ice rinks.

SB 493-FN, relative to the use of best value contracting by state agencies and establishing a best value procurement commission.

SB 513, relative to incarcerated persons receiving workers' compensation.

HOUSE MESSAGE

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

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

HOUSE MESSAGE

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

HB 626-FN, relative to voter identification.

HOUSE MESSAGE

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

CACR 32, relating to clarification of certain language. Providing that all references to people in the constitution shall refer to both male and female.

SB 316, establishing a statewide transportation policy.

SB 356-FN, relative to civil actions in the trial courts.

SB 373, relative to approval of alternative schools by the state board of education.

SB 414, relative to the Mount Washington commission.

HOUSE MESSAGE

The House of Representatives has voted to sustain the Governor's veto on the following entitled Bill:

HB 276-FN, relative to challenges of voters.

May 7, 2010

2010-1972-EBA

06/01

Enrolled Bill Amendment to SB 325

The Committee on Enrolled Bills to which was referred SB 325

AN ACT relative to loitering by intoxicated persons.

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 325

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 325

Amend RSA 179:50, I as inserted by section 1 of the bill by replacing line 1 with the following:

I. No licensee shall allow any person to loiter on his *or her* premises who is [~~intoxicated or~~]

Adopted.

May 11, 2010

2010-2015-EBA

04/10

Enrolled Bill Amendment to SB 352

The Committee on Enrolled Bills to which was referred SB 352

AN ACT relative to student insurance.

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 352

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to SB 352

Amend section 7 of the bill by replacing line 1 with the following:

7 Coverage for Nonprescription Enteral Formulas; "Blanket" Deleted. Amend RSA 420-A:17, I and II to

Amend section 13 of the bill by replacing line 1 with the following:

13 Delete Term. Delete the words "or blanket" in the following RSAs: 408:16, XI; 415:18, IV, V,

Adopted.

May 7, 2010
2010-1973-EBA
03/04

Enrolled Bill Amendment to SB 367

The Committee on Enrolled Bills to which was referred SB 367

AN ACT relative to games of chance.

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 367

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 367

Amend RSA 287-D:2-b, XV as inserted by section 7 of the bill by replacing line 3 with the following:
identified on an approved game schedule.

Adopted.

May 13, 2010
2010-2085-EBA
08/09

Enrolled Bill Amendment to HB 191

The Committee on Enrolled Bills to which was referred HB 191

AN ACT relative to liability of a landowner giving permission to ride bicycles on his or her property.

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 191

This enrolled bill amendment corrects the effective date.

Enrolled Bill Amendment to HB 191

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 2011.

Adopted.

May 12, 2010
2010-2070-EBA
01/09

Enrolled Bill Amendment to HB 630-FN-A

The Committee on Enrolled Bills to which was referred HB 630-FN-A

AN ACT relative to live racing in New Hampshire.

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 630-FN-A

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 630-FN-A

Amend section 12 of the bill by replacing line 1 with the following:

12 Payment. RSA 284:22-a, II(a) is repealed and reenacted to read as follows:

Adopted.

May 13, 2010
2010-2079-EBA
08/10

Enrolled Bill Amendment to HB 1224

The Committee on Enrolled Bills to which was referred HB 1224

AN ACT relative to school employee and volunteer background investigations and relative to applicants for driver education certificates and school licenses.

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 1224

This enrolled bill amendment inserts a contingency to nullify a section of the bill which has the same effect as a section of SB 477 of the 2010 legislative session.

Enrolled Bill Amendment to HB 1224

Amend the bill by replacing all after section 2 with the following:

3 Contingency. If SB 477 of the 2010 regular session of the general court becomes law, then section 2 of this act shall not take effect. If SB 477 of the 2010 regular session of the general court does not become law, then section 2 of this act shall take effect 60 days after its passage.

4 Effective Date.

I. Section 2 of this act shall take effect as provided in section 3 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

Adopted.

May 17, 2010
2010-2095-EBA
03/09

Enrolled Bill Amendment to HB 1399

The Committee on Enrolled Bills to which was referred HB 1399

AN ACT relative to state water pollution control and drinking water revolving loan funds, and state contributions to sewage disposal facilities.

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 1399

This enrolled bill amendment corrects the numbering of a section.

Enrolled Bill Amendment to HB 1399

Amend the bill by replacing line 27 on page 2 of the bill with the following:

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

Adopted.

May 14, 2010
2010-2094-EBA
08/01

Enrolled Bill Amendment to HB 1520

The Committee on Enrolled Bills to which was referred HB 1520

AN ACT relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development.

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 1520

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1520

Amend the bill by replacing section 6 with the following:

6 Off Highway Recreational Vehicles and Trails; Rulemaking. Amend RSA 215-A:3-a, II-III to read as follows:

II. The use and control of OHRV trails, facilities, and lands under bureau control or lease; [and]

III. Complete and specific procedures relative to the distribution of and requirements for obtaining funds from the grant-in-aid program established under RSA 215-A:23, VI[-]; *and*

IV. Imposition of administrative fines under RSA 215-A:3-b.

Amend the bill by replacing section 8 with the following:

8 Snowmobiles; Rulemaking. Amend RSA 215-C:3, I-II to read as follows:

I. The use and control of snowmobile trails, facilities, and lands under bureau control or lease; [and]

II. Complete and specific procedures relative to the distribution of and requirements for obtaining funds from the grant-in-aid program established under RSA 215-C:39, VII[-]; *and*

III. Imposition of administrative fines under RSA 215-C:3-a.

Adopted.

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:

SB 443, relative to rulemaking authority of the electricians' board.

SB 509, establishing the New Hampshire medal of honor fund and repealing the New Hampshire service award.

SB 511, relative to an exemption from the tax on gambling winnings.

HB 1143, relative to driver restrictions on persons 16 to 18 years of age.

HB 1184, relative to the administration of the unused prescription drug program.

HB 1198, relative to public hearings on municipal budget preparation, and ratifying a warrant article of the Ossipee Corner Light and Power Precinct Annual Meeting of 2010.

HB 1208, relative to rebate exemptions.

HB 1219, repealing the wartime registration of aliens laws.

HB 1387, establishing a committee to study the need for supportive housing for homeless veterans.

HB 1430, relative to the uniform anatomical gift act.

HB 1495, relative to approval of chartered public schools from July 1, 2009 through June 30, 2011 and relative to the renewal term for a chartered public school.

HB 1574, relative to retention of election records.

HB 1625, relative to eligibility for the New Hampshire veterans' home and relative to the calculation of partial pay for state employees who are members of a reserve unit or the national guard and are called to full-time active duty.

HB 1667, relative to possession of controlled substances obtained by valid prescription.

HB 1680, establishing the crime of aggravated harassment by an inmate.

HB 1686, relative to juvenile diversion programs.

HB 1692, establishing a commission on primary care workforce issues.

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.

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 20

May 19, 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:

I've been reading, as you know, this book by Desmond Tutu, and in an opening chapter of his book it says this: "Goodness changes everything. If we are at core selfish, cruel, heartless creatures, we need to fight these inclinations at every turn and often need strong systems of control to prevent us from revealing our true and sometimes quite ugly selves. But if we are fundamentally good," which I believe we are, "we simply need to rediscover this true nature and act accordingly. This insight into our essential goodness has shifted how I interact with people ..." and how I even read scripture. But mostly it changes how I relate to people and myself. Let us pray:

God of all goodness, each kindness enhances the quality of life; each cruelty diminishes it. You made us for goodness, and our work has every potential to inspire goodness. Guide our hearts and hands to choose goodness.

Amen

Sen. D'Allesandro led the Pledge of Allegiance.

Sen. Roberge is excused from today's session.

INTRODUCTION OF GUESTS AND PRESENTATIONS

Sen. Boutin introduced visiting constituents from Bow: Ed and Michelle Perry; Bruce and Nancy Berke.

RESOLUTION presented by Sen. Boutin to the Bow High School Boys Hockey Team members and coaches in recognition of winning the 2010 Division 2 State Championship.

RESOLUTION presented by Sen. Boutin to the Bow High School Boys Alpine Ski Team members and coaches in recognition of winning the 2010 Division 2 State Championship.

RESOLUTIONS presented by Sen. Boutin to the members and coaches of the Bow High School Girls Cross-Country Nordic Ski Team and Bow High School Boys Cross-Country Ski Team in recognition of winning 2010 Division 2 State Championships.

Boys and Girls Clubs' Youths of the Year Award Winners

Senators Larsen, Letourneau, Sgambati, D'Allesandro, Lasky, Downing and Bragdon presented **RESOLUTIONS** to the respective award winners in their districts: Concord Club, John Sinclair; Greater Derry Club, Jonathan Slowe; Lakes Region Club, Matthew Carignan; Greater Manchester Club, Ashly Rodriguez; Greater Nashua Club, Randy Alejo; Greater Salem Club, Michele Nunnolley; Souhegan Valley Club, Jessica Hatch.

Richard Lowney, former recipient of the President's Volunteer Service Award, on behalf of the President of the United States, was recognized as being in attendance by Sen. D'Allesandro, noting his longstanding active participation with the Boys & Girls Clubs in New Hampshire.

President Larsen introduced Michaela O'Connor and Meghan Golde, students from Concord High School serving as Senate Pages for today's session.

HOUSE MESSAGES

Without objection the Clerk was instructed to read the first complete House Message and thereafter only the title of each bill shall be read.

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 123, relative to agricultural restricted grants.

SENATE CONCURS WITH HOUSE AMENDMENT

SB 123, relative to agricultural restricted grants.

Sen. DeVries moved concurrence. Motion to concur adopted.

HOUSE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

SENATE CONCURS WITH HOUSE AMENDMENTS

SB 128, relative to the community revitalization tax relief incentive, and clarifying the authority of towns to respond appropriately to the American Recovery and Reinvestment Act of 2009 and similar acts.

Sen. DeVries moved concurrence. Motion to concur adopted.

SB 166-FN, relative to mineral extraction, mining, and reclamation in New Hampshire.

Sen. Fuller Clark moved concurrence. Motion to concur adopted.

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

Sen. DeVries moved concurrence. Motion to concur adopted.

SB 322, allowing the director of the division of state police to place an employee on administrative leave in extraordinary circumstances.

Sen. Cilley moved concurrence. Motion to concur adopted.

SB 323, requiring the public utilities commission to study certain energy policy issues.

Sen. Fuller Clark moved concurrence. Motion to concur adopted.

SB 327, relative to disclosure of electric service energy sources and environmental characteristics and relative to disciplinary actions against competitive electric suppliers.

Sen. Fuller Clark moved concurrence. Motion to concur adopted.

SB 329, relative to the bonds of county officers and relative to the form of constitutional questions on the ballot.

Sen. Reynolds moved concurrence. Motion to concur adopted.

SB 346-FN-L, relative to sheriffs' fees for service of civil process.

Sen. Reynolds moved concurrence. Motion to concur adopted,

SB 368, relative to notice required under the retail selling statute.

Sen. Hassan moved concurrence. Motion to concur adopted.

SB 370, relative to sewage disposal systems.

Sen. Fuller Clark moved concurrence. Motion to concur adopted.

SB 382, relative to the New Hampshire natural plant protection act.

Sen. Fuller Clark moved concurrence. Motion to concur adopted.

SB 392-FN, requiring public hearings concerning health insurance cost increases in health care services and relative to hospital billing for services to uninsured patients.

Sen. Hassan moved concurrence. Motion to concur adopted.

SB 394-FN, relative to dealing in counterfeit goods.

Sen. Reynolds moved concurrence. Motion to concur adopted.

SB 396-FN, limiting the use of child restraint practices in schools and treatment facilities.

Sen. Sgambati moved concurrence. Motion to concur adopted.

SB 404, relative to towing and disposal of abandoned vehicles.

Sen. Letourneau moved concurrence. Motion to concur adopted.

SB 406, relative to merger of lots or parcels.

Sen. DeVries moved concurrence.

(During debate on SB 406 Sen. DeVries welcomed visiting students from Manchester's Green Acres Elementary School.)

Sen. Houde called the question.

Without objection President closed debate.

The question is on concurrence. Motion to concur adopted.

SB 409, requiring buildings or structures constructed or renovated using state funding to adhere to certain energy efficiency and building standards.

Sen. Fuller Clark moved concurrence. Motion to concur adopted.

SB 416, relative to the state minimum hourly wage applicable to tipped restaurant employees.

Sen. Hassan moved concurrence. Motion to concur adopted.

SB 421, relative to the laws regulating trusts and trust companies in New Hampshire.

Sen. Hassan moved concurrence. Motion to concur adopted.

SB 424, relative to the consumer advocate's access to confidential information provided to the public utilities commission.

Sen. Reynolds moved concurrence. Motion to concur adopted.

SB 427, adding duties to the oversight committee on health and human services.

Sen. Sgambati moved concurrence. Motion to concur adopted.

SB 431, relative to housing and tenancy protections for victims of domestic violence, sexual assault, or stalking.

Sen. Reynolds moved concurrence. Motion to concur adopted.

SB 435, relative to the provision of caller locations in emergency situations.

Sen. Hassan moved concurrence. Motion to concur adopted.

SB 436, relative to health insurance open enrollment periods and establishing a commission relative to children's health insurance.

Sen. Hassan moved concurrence. Motion to concur adopted.

SB 438, relative to procedures in small claims actions.

Sen. Reynolds moved concurrence. Motion to concur adopted.

SB 441, relative to the lakes management and protection program.

Sen. Fuller Clark moved concurrence. Motion to concur adopted.

SB 448, relative to alternate members of land use boards.

Sen. DeVries moved concurrence. Motion to concur adopted.

SB 455-FN, relative to New Hampshire HealthFirst.

Sen. Hassan moved concurrence. Motion to concur adopted.

Sen. Bradley is in opposition to the motion to concur on SB 455-FN.

SB 457-FN, authorizing identifying decals for custom vehicles.

Sen. Letourneau moved concurrence. Motion to concur adopted.

SB 463-FN, relative to regulation of mental health practitioners by the board of mental health practice.

Sen. Sgambati moved concurrence. Motion to concur adopted.

SB 483-FN-A, relative to the interpretation of Internal Revenue Code section 1031 as it relates to taxation under the business profits tax.

Sen. Odell moved concurrence. Motion to concur adopted.

SB 495-FN, establishing a task force on state procurement policies and procedures.

Sen. Cilley moved concurrence. Motion to concur adopted,

SB 504-FN, relative to the effective date for the implementation of the retirement system employer assessments for excess benefits.

Sen. Cilley moved concurrence. Motion to concur adopted.

SB 514, relative to commercial weighing or measuring devices.

Sen. Cilley moved concurrence. Motion to concur adopted.

SB 518, relative to membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment.

Sen. Sgambati moved concurrence. Motion to concur adopted.

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

Without objection the Clerk was instructed to read the first complete House Message on non-concurrences and requests of Committee of Conference and only the title of each bill thereafter.

HOUSE MESSAGE

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

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

SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

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

Sen. Kelly moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Fuller Clark, Merrill and Letourneau.

HOUSE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

SENATE NONCURS WITH HOUSE AMENDMENTS, REQUESTS COMMITTEES OF CONFERENCE

SB 73-FN, requiring the state government to reduce energy consumption in state buildings, to develop an energy conservation plan, and to make an annual report on the state's energy consumption.

Sen. Fuller Clark moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Merrill, Fuller Clark and Odell.

SB 150, relative to low-speed utility vehicles and relative to registration fees for certain special number plates for veterans.

Sen. Letourneau moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Letourneau, Gilmour and Boutin.

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

Sen. Lasky moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Houde, Lasky and Barnes.

SB 181-FN-A, repealing the transfer of liquor enforcement to the department of safety and establishing a committee to study the administrative structure and adjudicative process at the liquor commission.

Sen. Odell moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators D'Allesandro, Gilmour and Downing.

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

Sen. Reynolds moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Hassan, Reynolds and Downing.

SB 302, relative to notice of driver's license expiration.

Sen. Letourneau moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Letourneau, Fuller Clark and Kelly.

SB 313, extending the repeal date of the state park system advisory council and relative to field purchases and transfers of funds for the state park system and the bureau of trails.

Sen. Cilley moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators DeVries, Fuller Clark and Carson.

SB 319, relative to purchases by on-premises alcoholic beverages licensees and relative to liquor licenses.

Sen. Cilley moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Odell, Fuller Clark and DeVries.

SB 320, relative to occupational exposure to the human immunodeficiency virus.

Sen. Sgambati moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Gilmour, Downing and Kelly.

SB 357-FN, authorizing the judicial retirement plan to deduct a health insurance premium contribution from allowances.

Sen. Cilley moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Cilley, Fuller Clark and Carson.

SB 358-FN, relative to whistleblower protection and waste prevention in state government.

Sen. Hassan moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Cilley, DeVries and Carson.

SB 383-FN, relative to net operating loss carryovers under the business profits tax and relative to economic revitalization zone tax credits.

Sen. Odell moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Lasky, Reynolds and Odell.

SB 402-FN, relative to state-owned vehicles.

Sen. D'Allesandro moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators D'Allesandro, Sgambati and Gallus.

SB 408, relative to purchasing alliances.

Sen. Hassan moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Cilley, DeVries and Carson.

SB 411, relative to permitting of large groundwater withdrawals.

Sen. Fuller Clark moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Cilley, Lasky and Bradley.

SB 420, relative to the use of mail-order pharmacies for prescription drug benefits under accident and health insurance policies and plans, and establishing a committee to study pharmacy benefits management for injured workers covered by the workers' compensation law.

Sen. Hassan moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Cilley, DeVries and Bragdon.

SB 428, establishing a committee to study dispatch times within the enhanced 911 system.

Sen. Cilley moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators DeVries, Carson and Cilley.

SB 440, relative to executive branch ethics and establishing a committee to study the impact of implementing a 10-hour per day, 4-day week for state employees.

Sen. Cilley moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Merrill, Cilley and Carson.

SB 442, relative to the grant program to administer exotic aquatic plant prevention.

Sen. Fuller Clark moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Merrill, Odell and Lasky.

SB 478, relative to the appointments to the board of home inspectors, the administrative attachment of the plumbers' board, and retired status for licensed architects.

Sen. Cilley moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Cilley, Carson and Downing.

SB 480, relative to appeals of decisions by the department of environmental services.

Sen. Fuller Clark moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Fuller Clark, Merrill and Bradley.

SB 485-FN-A, relative to ratification of cost items contained in a collective bargaining agreement for court security officers of the judicial branch.

Sen. Cilley moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Cilley, Reynolds and Downing.

Sen. DeVries asserts Rule 42 on SB 485-FN-A.

SB 486-FN, relative to the school building aid program.

Sen. Kelly moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Kelly, Lasky and Bragdon.

SB 491, relative to in-state preferences on state vendor contracts and criteria for debarment of vendors.

Sen. Cilley moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Cilley, DeVries and Carson.

SB 497-FN-A, changing the business profits tax deduction for reasonable compensation for partnerships, limited liability companies, and sole proprietorships and modifying the interest and dividends tax statute to follow the definitions of interest and dividends used in the United States Internal Revenue Code.

Sen. Odell moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators D'Allesandro, Janeway and Odell.

SB 503, relative to unique pupil identification.

Sen. Kelly moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Kelly, Merrill and Bragdon.

SB 520-FN-L, relative to school district liability for special education costs.

Sen. D'Allesandro moved nonconcurrence and requests Committee of Conference.

Motion to nonconcur and request Committee of Conference adopted.

The President appointed Senators Kelly, Merrill and 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 470-FN, relative to retirement system service credit for employment as a full-time police officer with the university system of New Hampshire.

SENATE NONCONCURS WITH HOUSE AMENDMENT

Sen. Cilley moves nonconcurrence. Motion to nonconcur adopted.

Recess. Out of recess.

Recess. Out of recess.

AFTERNOON SESSION

(Sen. Fuller Clark presiding.)

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in its amendments to the following entitled House Bill sent down from the Senate, unless, prior to 3:00 p.m. today, the House is notified that the Senate agrees to go to Committee of Conference on SB 450. If that message is received, the House will non-concur and request a committee of conference:

HB 1128-FN-L, relative to the distribution of meals and rooms tax revenues to cities and towns

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Sen. Larsen moved reconsideration on nonconcurrence on SB 450-FN.

SB 450-FN, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, and relative to the due date for the Medicaid enhancement tax.

Recess requested, withdrawn.

Sen. Hassan moved the question on reconsideration.

Recess. Out of recess.

(Sen. Fuller Clark presiding.)

Without objection the Chair closed debate with one remaining speaker.

Recess. Out of recess.

The question is on the motion of reconsideration of motion of nonconcurrence on SB 450-FN.

Motion of reconsideration adopted.

Sen. Larsen moved nonconcurrence and requests Committee of Conference.

Sen. Hassan moved the question.

Without objection the Chair closed debate with two remaining speakers.

The question is on the motion to nonconcur and request Committee of Conference.

Motion to nonconcur and request for Committee of Conference adopted.

The President appointed Senators D'Allesandro, Sgambati, Janeway and Gallus as Committee of Conference members, and Senators Hassan, Reynolds, Larsen and Odell as alternate Committee of Conference members.

Recess. Out of recess.

(President Larsen presiding.)

HOUSE MESSAGES REQUESTING COMMITTEES OF CONFERENCE

Without objection the Clerk was instructed to read the initial House Message but thereafter to read titles and names of House conferees only.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled bill sent down from the Senate:

HB 230, relative to the burden of proof for a finding of abuse in domestic violence cases.

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: Reps. Chandley, Stevens, Welch and Shurtleff.

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 230, relative to the burden of proof for a finding of abuse in domestic violence cases.

Sen. Reynolds accedes to House Request. Motion to accede adopted.

The President appointed Senators Lasky, Reynolds and Roberge.

HOUSE MESSAGES REQUESTING COMMITTEES OF CONFERENCE**SENATE ACCEDES TO REQUEST OF COMMITTEES OF CONFERENCE**

HB 478-FN, relative to remotely readable devices and relative to the illegal use of a payment card scanning device or reencoder.

House Conferees: Reps. Nord, Winters, Schlachman and Dowling.

Sen. Hassan accedes to House Request. Motion to accede adopted.

The President appointed Senators Cilley, DeVries and Bragdon.

HB 621, relative to establishing procedures for identifying criminal defendants who may have a mental illness.

House Conferees: Reps. Cushing, Rodd, Swinford and Gagne.

Sen. Reynolds accedes to House Request. Motion to accede adopted.

The President appointed Senators Lasky, Houde and Roberge.

HB 651-FN, relative to regulation of private investigative agencies and security services.

House Conferees: Reps. Houde-Quimby, Hawkins, Donald Ryder and Stevens.

Sen. Cilley accedes to House Request. Motion to accede adopted.

The President appointed Senators DeVries, Cilley and Downing.

HB 1168, clarifying the definition of gross misconduct for purposes of unemployment compensation.

House Conferees: Reps. Goley, Sally Kelly, John Knowles and Infantine.

Sen. Hassan accedes to House Request. Motion to accede adopted.

The President appointed DeVries, Reynolds and Roberge.

HB 1171, repealing the prohibitions on Sunday business activities.

House Conferees: Reps. Nord, DeStefano, Meader and Rip Holden.

Sen. Hassan accedes to House Request. Motion to accede adopted.

The President appointed Senators DeVries, Hassan and Downing.

HB 1262, relative to disabled parking signs.

House Conferees: Reps. Michael O'Brien, Robert Williams, L'Heureux and Carol Williams.

Sen. Letourneau accedes to House Request. Motion to accede adopted.

The President appointed Senators Gilmour, Fuller Clark and Boutin.

Recess. Out of recess.

HB 1337, relative to requirement for public forums for the assessing standards board and the equalization standards board.

House Conferees: Reps. Schmidt, Patten, Russell Day and Hawkins.

Sen. DeVries accedes to House Request. Motion to accede adopted.

The President appointed Senators DeVries, Houde and Barnes.

HB 1361, relative to procedures for notification of parole hearings.

House Conferees: Reps. Welch, Cushing, Stevens and Burrridge.

Sen. Reynolds accedes to House Request. Motion to accede adopted.

The President appointed Senators Reynolds, Houde and Letourneau.

HB 1380-FN, relative to assessing fees by zoning boards of adjustment.

House Conferees: Reps. Kidder, Walz, Stetson and Katsakiores.

Sen. DeVries accedes to House Request. Motion to accede adopted.

The President appointed Senators Houde, DeVries and Roberge.

HB 1448, relative to town audits.

House Conferees: Reps. Cooney, Gagnon, Schuett and Patten.

Sen. DeVries accedes to House Request. Motion to accede adopted.

The President appointed Senators DeVries, Houde and Barnes.

HB 1461, relative to the municipal regulation of the sale of martial arts weapons.

House Conferees: Reps. Sterling, Gagnon, Wheeler and Lauterborn.

Sen. DeVries accedes to House Request. Motion to accede adopted.

The President appointed Senators DeVries, Houde and Letourneau.

HB 1516-FN-A, relative to funding the Claremont, Colebrook, Milford, and Keene District Courts in fiscal year 2011.

House Conferees: Reps. Leishman, Anderson, Lucy Weber and Keans.

Sen. D'Allesandro accedes to House Request. Motion to accede adopted.

The President appointed Senators Kelly, Janeway and Odell.

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.

House Conferees: Reps. Bridgham, Cebrowski, McEachern and Mitchell.

Sen. Sgambati accedes to House Request. Motion to accede adopted.

The President appointed Senators Gilmour, Kelly and Downing.

HB 1607-FN-A, relative to the reasonable compensation deduction under the business profits tax.

House Conferees: Reps. Hatch, Vachon, Walsh and Lockwood.

Sen. Odell accedes to House Request. Motion to accede adopted.

The President appointed Senators Janeway, D'Allesandro and Odell.

HB 1610-FN, establishing a New Hampshire commission on Native American affairs and recognizing Native American residents of the state as a minority population in New Hampshire.

House Conferees: Reps. Cushing, Patrick Garrity, Kris Roberts and Fields.

Sen. Cilley accedes to House Request. Motion to accede adopted.

The President appointed Senators Fuller Clark, DeVries and Carson.

HB 1620-FN-A, establishing state park number plates.

House Conferees: Reps. Michael O'Brien, C. Pennington Brown, Umberger and Hinch.

Sen. Letourneau accedes to House Request. Motion to accede adopted.

The President appointed Senators Fuller Clark, Kelly and Odell.

HB 1623, requiring certain patient identification for a pharmacist to dispense a schedule II or III controlled drug.

House Conferees: Reps. Schulze, DiPentima, Tilton and Case.

Sen. Sgambati accedes to House Request. Motion to accede adopted.

The President appointed Senators Gilmour, Kelly and Downing.

Recess. Out of recess.

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.