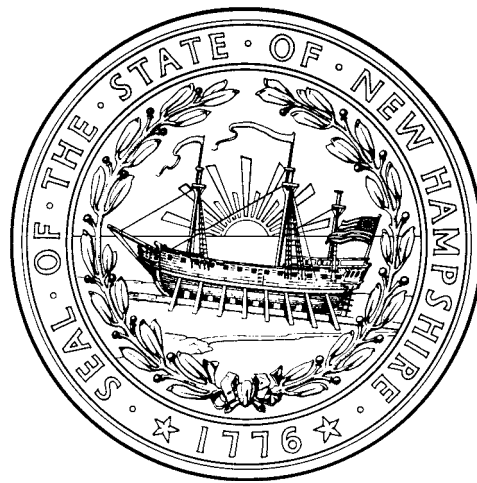


February 10, 2010  
Nos. 5-6

# **STATE OF NEW HAMPSHIRE**

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**Second Year of the 161<sup>st</sup> Session of the  
New Hampshire General Court**

**Legislative Proceedings**

## **SENATE JOURNAL**

**ADJOURNMENT – FEBRUARY 3, 2010 SESSION  
COMMENCEMENT – FEBRUARY 10, 2010 SESSION**

# SENATE JOURNAL 5 *(continued)*

*February 3, 2010*

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

**HB 1149**, relative to incorporation by reference and filing of electronic documents in state agency rulemaking.

**HB 1167**, establishing a committee to study parole boards and parole board procedures.

**HB 1171**, repealing the prohibitions on Sunday business activities.

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

**HB 1183**, relative to the effective date of certain provisions of the involuntary commitment of sexually violent predators statute.

**HB 1195**, relative to height, length, width, and weight limits for trucks.

**HB 1203**, relative to nonresident registration of motor vehicles.

**HB 1230**, relative to commercial motor vehicles and heating oil deliveries.

**HB 1237**, relative to a certain insurance rulemaking exemption.

**HB 1374**, relative to the prohibition against participation in a national identification card system.

**HB 1402**, repealing the crime of adultery.

**HB 1416**, making technical corrections to certain department of revenue administration laws.

**HB 1436**, requiring a report to the general court on New Hampshire's participation in the National Violent Death Reporting System.

**HB 1477**, relative to checklist information.

**HB 1525**, relative to physical therapists practicing on animals.

**HB 1615**, relative to the determination of value and a notice requirement for purposes of the utility property tax.

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

**HB 1671-FN**, relative to election day registrants.

**HCR 22**, urging Congress to develop and pass a comprehensive immigration reform program.

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

**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.

## INTRODUCTION OF HOUSE BILL

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 1687**, relative to the procedure for filling a vacancy among county officers. (Public and Municipal Affairs)

**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 6

*February 10, 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:

The hard thing about leadership is learning the difference between asking for what one wants and demanding what one requires. The first is an exercise in creativity; the second is an exercise in violence. There's this wonderful Jewish story about Yehezkel. He's sitting down by the water's edge and he's fishing for his dinner for he and his wife, and Elijah comes and sits down next to him and says, "You know, Yehezkel, God's offering you one wish." And Yehezkel's surprised and thinking: Well, I'm old, and I would like to be able to see again, and I'm childless and I would like to have children, and I'm poor and I'd like to have security. So how can I have one wish? And so he does what any wise man does, he goes home and asks his wife. And his wife whispers in his ear and he smiles, and he goes back and he sits down by the edge of the water. And Elijah comes back and sits down next to him, and says: "So, you've only got the one wish, what is it?" And Yehezkel says, "Yeah, it's hard. I'm blind and I want to see; I'm childless and I want children; and I'm poor and I want security. But my wish to God, my one wish: that I might see my children eat off gold plates. (Laughter) So there's a possibility that creativity is better than manipulation in leadership. Let us pray:

*God of all creation, You offer us the abundance of life. May we only have the eyes to ask for it.*

*Amen*

Sen. Janeway led the Pledge of Allegiance.

**INTRODUCTION OF GUESTS AND PRESENTATIONS**

Sen. Reynolds introduced Marissah Gallien (Sen. Letourneau's granddaughter), student from Plymouth Regional High School, serving as Senate Page for today's session. Sen. Letourneau welcomed his granddaughter to the Senate.

Sen. Barnes introduced a constituent from Fremont, Mrs. Katie Scholes, a member of Leadership New Hampshire.

*Resolution* was presented by Sen. Downing to the Salem High School Boys Volleyball Team, their athletic director and coaches in recognition of winning the 2009 Class L State Championship and holding national record for most consecutive wins, noting that Coach E.J. Perry has been named "Coach of the Decade" by the *Lawrence Eagle Tribune*.

Sen. Downing recognized Sean Cox, athletic trainer, for the huge part he plays in the Salem High School athletic success, noting his current work with Dartmouth Medical on compiling information that will help develop a program that will be useful throughout the country on brain injuries.

*Resolution* was presented by Sen. Downing to the Salem High School Golf Team, coaches and athletic director, in recognition of winning the 2009 Class L State Championship.

*Resolution* was presented by Sen. Downing to the Salem High School Varsity Spirit Team, coaches and athletic director, in recognition of winning the 2009 Class L State Championship.

Sen. D'Allesandro recognized Athletic Director David Rozumek, noting his background as a UNH football player as well as playing professional football, and congratulating him for his sports leadership with the Salem teams.

### FINANCE REPORT

Sen. D'Allesandro reported the following bills to be waived from Finance: SB 356-FN, SB 398-FN, SB 399-FN and SB 463-FN.

### MOTION TO VACATE

Sen. Hassan moved to vacate SB 341 from Commerce, Labor and Consumer Protection Committee to Judiciary Committee.

**SB 341**, relative to remedies available in landlord-tenant actions.

**Motion adopted.**

**SB 341 vacated to Judiciary Committee.**

Sen. D'Allesandro introduced and welcomed St. Benedict Academy students from Manchester, visitors in the gallery.

### COMMITTEE REPORTS

**SB 339**, excluding certain governmental and nonprofit entities from certain licensing requirements as mortgage loan originators. Commerce, Labor and Consumer Protection Committee. Ought to Pass with Amendment, Vote 6-0. Senator DeVries for the committee.

**Commerce, Labor and Consumer Protection**  
**February 2, 2010**  
**2010-0446s**  
**08/04**

#### Amendment to SB 339

Amend the bill by replacing the title with the following:

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

Amend the bill by replacing sections 1-2 with the following:

1 New Paragraph; License Required; Governmental and Certain Nonprofit Entities Licensing. Amend RSA 397-A:3 by inserting after paragraph IV the following new paragraph:

V.(a) In this paragraph, "governmental entities" means federal, New Hampshire state, and New Hampshire municipal governments, and the agencies, instrumentalities and corporations thereof.

(b)(1) In this paragraph, "exempt nonprofit entities" means nonprofit agencies or persons which have a tax exempt status granted under the provisions of section 501(c)(3) or 501(c)(4) of the Internal Revenue Code; and

(A) exclusively make or issue commitments for mortgage loans on residential property to be financed by a governmental entity with public funds, or negotiate, place, assist in placement of, find, or offer to negotiate, place, assist in placement of, or find mortgage loans on residential property to be financed with public funds exclusively under a contract with a governmental entity; or

(B) make or issue commitments for mortgage loans on residential property and are determined by the commission to be organized exclusively for benevolent or charitable purposes for the benefit of New Hampshire consumers.

(2) For purposes of this definition, the making of a mortgage loan includes being named as the lender or mortgagee on the note, mortgage, or other loan documents.

(c) Governmental entities and exempt nonprofit entities may not be required to obtain a mortgage banker or mortgage broker license when such entity:

(1) Is authorized to conduct mortgage banker or mortgage broker business in this state by an order of the commissioner or is authorized by New Hampshire statute to do mortgage lending;

(2) Files as an exempt entity on the Nationwide Mortgage Licensing System and Registry;

(3) Conforms to the requirements of the Nationwide Mortgage Licensing System and Registry including but not limited to the reporting requirements;

(4) Files and maintains a bond in accordance with RSA 397-A:5, III(c) to cover the business conducted by its originators; and

(5) Licenses its originators in this state through the Nationwide Mortgage Licensing System and Registry.

2 New Paragraph; Mortgage Servicing Companies; Governmental and Certain Nonprofit Entities Licensing. Amend RSA 397-B:4 by inserting after paragraph V the following new paragraph:

VI.(a) In this paragraph, "governmental entities" means federal, New Hampshire state, and New Hampshire municipal governments, and the agencies, instrumentalities, and corporations thereof.

(b) In this paragraph, "exempt nonprofit entities" means nonprofit agencies or persons which have a tax exempt status granted under the provisions of section 501(c)(3) or 501(c)(4) of the Internal Revenue Code; and

(1) exclusively service government program mortgage loans on residential property by a governmental entity, financed by a governmental entity with public funds; or

(2) exclusively service mortgage loans on residential property which were issued or made by an organization determined by the commissioner to be organized exclusively for benevolent or charitable purposes for the benefit of New Hampshire consumers.

(c) Governmental entities and exempt nonprofit entities may not be required to register as a mortgage servicing company when such organization:

(1) Is authorized to conduct the business of a mortgage servicing company by an order of the commissioner or is authorized by New Hampshire statute to do mortgage servicing;

(2) Files as an exempt entity on the Nationwide Mortgage Licensing System and Registry;

(3) Conforms to the requirements of the Nationwide Mortgage Licensing System and Registry including but not limited to the reporting requirements;

(4) Files and maintains a bond in accordance with RSA 397-A:5, III(c) to cover the business conducted by its originators; and

(5) Licenses its originators in this state through the Nationwide Mortgage Licensing System and Registry.

**The question is on the adoption of Committee Amendment 0446s.**

**Committee Amendment 0446s adopted.**

**The question is on the motion of Ought to Pass as Amended on SB 339.**

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

**SB 368**, relative to notice required under the retail selling statute. Commerce, Labor and Consumer Protection 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 SB 368.**

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

**SB 335**, relative to wetland impact assessments in construction permit applications. Energy, Environment and Economic Development Committee. Interim Study, Vote 4-0. Senator Bradley for the committee.

**The question is on the adoption of committee recommendation of Refer to Interim Study on SB 335.**

**Motion of Refer to Interim Study adopted.**

(Sen. Letourneau introduced family members, visitors in the gallery: wife Anne-Marie, daughter Diane, and great granddaughter Juliana.)

**SB 382**, relative to the New Hampshire natural plant protection act. Energy, Environment and Economic Development Committee. Ought to Pass, Vote 5-0. Senator Lasky for the committee.

**Sen. Janeway offered a floor amendment.**

**Sen. Janeway, Dist. 7**  
**February 9, 2010**  
**2010-0592s**  
**08/09**

**Floor Amendment to SB 382**

Amend RSA 217-A:3, XVII(g) as inserted by section 2 of the bill by replacing it with the following:

(g) The Audubon Society of New Hampshire.

Amend the bill by replacing section 4 with the following:

4 Conservation Programs. Amend RSA 217-A:6, III to read as follows:

III. The department is authorized~~[, with the approval of governor and council,]~~ to receive and expend funds, donations, grants, or other moneys, gifts, or bequests ***not exceeding \$2,500, or exceeding \$2,500 with the approval of the governor and council,*** to accomplish the purposes of this chapter.

**The question is on the adoption of Floor Amendment 0592s.**

**Floor Amendment 0592s adopted.**

**The question is on the motion of Ought to Pass as Amended on SB 382.**

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

**SB 411**, relative to permitting of large groundwater withdrawals. Energy, Environment and Economic Development Committee. Ought to Pass, Vote 5-0. Senator Cilley for the committee.

**The question is on the adoption of committee recommendation of Ought to Pass on SB 411.**

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

**SB 306**, extending the commission to develop a legislative plan to meet the needs of certain adults with developmental disabilities. Health and Human Services 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 SB 306.**

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

**SB 310**, establishing a commission to study case management and sign language interpreters for the deaf and hard of hearing. Health and Human Services Committee. Ought to Pass with Amendment, Vote 4-0. Senator Kelly for the committee.

**Health and Human Services**  
**February 2, 2010**  
**2010-0448s**  
**01/09**

**Amendment to SB 310**

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

AN ACT relative to studies of case management and sign language interpreters for the deaf and hard of hearing.

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

1 New Hampshire Commission on Deafness and Hearing Loss; Study Required.

I. The New Hampshire commission on deafness and hearing loss, established in RSA 125-Q, shall:

(a) Study the need for case management services for the deaf; and

(b) If the commission finds that case management services for the deaf are needed, identify possible approaches to providing such services.

II. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before June 1, 2011.

2 Board of Licensing for Interpreters for the Deaf and Hard of Hearing; Study Required.

I. The board of licensing for interpreters for the deaf and hard of hearing, established in RSA 326-I:3, shall:

(a) Study the possibility of authorizing the state to provide the services of sign language interpreters for the deaf and hard of hearing; and

(b) Identify options for increasing the availability and affordability of sign language interpreters for the deaf and hard of hearing, including establishing different levels of licensing and certification of persons providing such services.

II. The board shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before June 1, 2011.

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

**2010-0448s**

#### AMENDED ANALYSIS

This bill requires the New Hampshire commission on deafness and hearing loss and the board of licensing for interpreters for the deaf and hard of hearing to study certain issues relative to the deaf and hard of hearing.

**The question is on the adoption of Committee Amendment 0448s.**

**Committee Amendment 0448s adopted.**

**The question is on the motion of Ought to Pass as Amended on SB 310.**

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

**SB 331**, establishing a governor's commission task force on substance use disorder treatment for Medicaid eligible individuals. Health and Human Services Committee. Ought to Pass with Amendment, Vote 4-0. Senator Gallus for the committee.

**Health and Human Services**

**February 2, 2010**

**2010-0449s**

**05/04**

#### Amendment to SB 331

Amend section 1 of the bill by replacing subparagraph II(d) with the following:

(d) Report its recommendations to the governor's commission, the speaker of the house of representatives, the president of the senate, the commissioner of the department of health and human services, the oversight committee on health and human services established in RSA 126-A:13, and the governor on or before October 1, 2010.

**The question is on the adoption of Committee Amendment 0449s.**

**Committee Amendment 0449s adopted.**

**The question is on the motion of Ought to Pass as Amended on SB 331.**

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

**SB 463-FN**, relative to regulation of mental health practitioners by the board of mental health practice. Health and Human Services Committee. Ought to Pass with Amendment, Vote 4-0. Senator Sgambati for the committee.

**Health and Human Services**

**February 3, 2010**

**2010-0459s**

**10/01**

#### Amendment to SB 463-FN

Amend the bill by inserting after section 1 the following and renumbering the original sections 2-7 to read as 5-10, respectively:

2 Advisory Committees. Amend RSA 330-A:4 to read as follows:

330-A:4 [Advisory] Committees Established; Duties.

I. The board shall create an advisory committee for each mental health discipline it licenses for the purpose of assisting the board in its responsibilities under RSA 330-A:10, II, and RSA 330-A:10, VI-XVI. The board member of each mental health discipline shall serve as the chair of that advisory committee. The balance of the membership of each of the advisory committees shall be composed of at least 2 persons and no more than 4 persons licensed in the mental health discipline of that committee.

***I-a. The board shall create a professional conduct investigator committee for the purpose of assisting the board in its responsibilities under RSA 330-A:28 and RSA 330-A:29. The board investigator shall serve as the chair of the professional conduct investigator committee. The balance of the membership of the professional conduct investigator committee shall be composed of at least one person from each profession licensed by the board.***

II. [Advisory] Committee members other than the chair shall be appointed by the board and shall serve at the pleasure of the board for no more than [3] 2 consecutive, [2-year] **3-year** terms.

III. The board shall not form any standing committees other than those specified in this chapter.

3 Compensation. Amend RSA 330-A:7 to read as follows:

330-A:7 Compensation; Expenses. Members of the board and members of the [advisory] committees shall receive a per diem compensation of \$100, for a meeting or any other board or committee activity requiring 2 or more hours in a 24-hour period, and shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily incurred in carrying out the provisions of this chapter.

4 Organization and Meetings; Acting Board members. Amend RSA 330-A:9, II to read as follows:

II. When a quorum is not available for just and timely resolution of a specific matter, former board members or advisory committee members may be appointed by the board to serve as acting board members for purposes of obtaining the minimum quorum in the resolution of that specific matter ***or when a particular profession cannot be represented in an adjudicatory hearing.***

Amend the bill by replacing sections 7 and 8 with the following:

7 Clinical Social Workers; Experience. Amend RSA 330-A:18, III to read as follows:

III. Has [~~had 2 years or~~] ***completed a minimum of 2 years of post-masters experience including completion of a minimum of*** 3,000 hours of paid, post-masters, supervised clinical experience.

8 Mental Health Practice; Clinical Mental Health Counselors. RSA 330-A:19 is repealed and reenacted to read as follows:

330-A:19 Clinical Mental Health Counselors. The board shall issue a clinical mental health counselor license to any person who meets all of the following requirements or their equivalent:

I. Has a 60 credit master's or doctoral degree in clinical mental health counseling from a Council for Accreditation of Counseling and Related Educational Programs (CACREP) accredited institution or its equivalent and which has received regional accreditation from the Association of Secondary Schools and Colleges.

II. Has passed the clinical mental health counselor's examination of the National Board of Certified Counselors, Inc.

III. Has completed a minimum of 2 years of post-masters experience including completion of a minimum of 3,000 hours of paid, post-masters, supervised clinical experience.

**2010-0459s**

#### AMENDED ANALYSIS

This bill makes changes to the regulation of mental health practice, including the experience required for clinical mental health counselors and clinical social workers, the reinstatement of expired licenses, placement of licenses on inactive status, and the creation of a professional conduct investigator committee

**The question is on the adoption of Committee Amendment 0459s.**

**Committee Amendment 0459s adopted.**



**The question is on the motion of Ought to Pass as Amended on SB 463-FN.**

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

**SB 325**, relative to loitering by intoxicated persons. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Letourneau for the committee.

**The question is on the adoption of committee recommendation of Ought to Pass on SB 325.**

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

**SB 356-FN**, relative to civil actions in the trial courts. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Houde for the committee.

**The question is on the adoption of committee recommendation of Ought to Pass on SB 356-FN.**

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

**SB 363**, requiring the suspension of boating privileges for refusing a blood alcohol test. Judiciary Committee. Ought to Pass, Vote 4-0. Senator Letourneau for the committee.

**The question is on the adoption of committee recommendation of Ought to Pass on SB 363.**

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

**SB 398-FN**, relative to prohibited sales of alcoholic beverages. Judiciary Committee. Ought to Pass with Amendment, Vote 4-0. Senator Reynolds for the committee.

**Senate Judiciary**

**February 2, 2010**

**2010-0457s**

**03/04**

#### **Amendment to SB 398-FN**

Amend the bill by replacing section 1 with the following:

1 New Section; Enforcement Activity Verifying Noncompliance. Amend RSA 179:5 by inserting after section 5-a the following new section:

179:5-b Enforcement Activity Verifying Noncompliance. It shall be a violation to sell any liquor or beverage to a minor during enforcement activity initiated solely for the purpose of verifying noncompliance with RSA 179:5. It shall be a misdemeanor to knowingly sell liquor or beverage to a minor at the time of any such enforcement activity. The commission shall retain the right to require the licensee in such a circumstance to initiate additional training of its staff or individual employee. This section shall not apply to law enforcement initiatives involving surveillance, investigations, or criminal complaints of prohibited sales.

**The question is on the adoption of Committee Amendment 0457s.**

**Committee Amendment 0457s adopted.**

**The question is on the motion of Ought to Pass as Amended on SB 398-FN.**

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

**SB 360**, relative to public availability of business taxpayer information by the department of revenue administration. Ways and Means Committee. Inexpedient to Legislate, Vote 7-0.

Senator Janeway for the committee.

**The question is on the adoption of committee recommendation of Inexpedient to Legislate on SB 360.**

**Motion of Inexpedient to Legislate adopted.**

**SB 365**, requiring the sterilization of animals adopted from shelters. Wildlife, Fish and Game and Agriculture Committee. Ought to Pass with Amendment, Vote 3-0. Senator Merrill for the committee.

**Wildlife, Fish and Game and Agriculture**  
**February 2, 2010**  
**2010-0451s**  
**01/04**

**Amendment to SB 365**

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

AN ACT requiring the sterilization of animals adopted from shelters and rescue groups.

Amend RSA 437:10-a as inserted by section 1 of the bill by replacing it with the following:

437:10-a Dog and Cat Sterilization Required.

I. No animal shelter facility licensed in accordance with this chapter or animal rescuer or animal rescue group shall sell, give away, adopt, or otherwise transfer ownership of any dog or cat that has not been permanently sexually sterilized.

II. For the purposes of this section, "animal rescuer or animal rescue group" means a person or organization that transfers or places a dog or cat that has formerly been in any public or private animal shelter into a new home in the state.

III.(a) This section shall not apply to a dog or cat being reclaimed by its owner, as defined in RSA 437:18, II.

(b) An exemption to paragraph I may apply if age, illness, or a veterinary medical condition warrants, upon the written certification of a veterinarian licensed pursuant to RSA 332-B.

**2010-0451s**

**AMENDED ANALYSIS**

This bill requires animal shelter facilities and animal rescue groups to have dogs and cats sterilized before adoption.

**The question is on the adoption of Committee Amendment 0451s.**

**Committee Amendment 0451s adopted.**

**Sen. Roberge offered a floor amendment.**

**Sen. Roberge, Dist. 9**

**February 9, 1010**

**2010-0589s**

**09/04**

**Floor Amendment to SB 365**

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

2 One-Year Waiver.

I. The state veterinarian shall grant an animal shelter facility or animal rescuer or animal rescue group a one-year waiver from the sterilization requirement under RSA 437:10-a as inserted by section 1 of this act upon submission of a list of all the sexually intact dogs and cats which the facility, rescuer, or rescue group placed in new homes during the first 8 months of the prior calendar year and satisfactory proof that at least 85 percent of such dogs and cats were permanently sterilized. Proof shall consist of certification that the animal was sterilized by the veterinarian who performed the sterilization.

II. At the end of the initial one-year waiver period, an animal shelter facility or animal rescuer or animal rescue group may apply for one additional one-year waiver pursuant to paragraph I.

**2010-0589s**

**AMENDED ANALYSIS**

This bill requires animal shelter facilities and animal rescue groups to have dogs and cats sterilized before adoption. The bill allows the state veterinarian to grant up to 2 one-year waivers from this sterilization requirement to certain animal shelter facilities and animal rescue groups.

**The question is on the adoption of Floor Amendment 0589s.**

**Floor Amendment 0589s adopted.**

**The question is on the motion of Ought to Pass as Amended on SB 365.**

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

**SB 399-FN**, allowing the fish and game department to charge fees for the release of department records. Wildlife, Fish and Game and Agriculture Committee. Ought to Pass, Vote 3-0. Senator Merrill for the committee.

**The question is on the adoption of committee recommendation of Ought to Pass on SB 399-FN.**

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

**Sen. Devries is in opposition to the Motion of Ought to Pass on SB 399-FN.**

**SJR 1**, urging the secretary of agriculture to review the Federal Milk Market Order system. Wildlife, Fish and Game and Agriculture 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 SJR 1.**

**A roll call was requested by Sen. Barnes, seconded by Sen. Reynolds.**

**Recess/Out of Recess.**

**The question is on the adoption of committee recommendation of Ought to Pass on SJR 1.**

**A roll call had been requested.**

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

**The following Senators voted No: (None)**

**Yeas: 23 - 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**

**SB 306**, extending the commission to develop a legislative plan to meet the needs of certain adults with developmental disabilities.

**SB 310**, (New Title) relative to studies of case management and sign language interpreters for the deaf and hard of hearing.

**SB 325**, relative to loitering by intoxicated persons.

**SB 331**, establishing a governor's commission task force on substance use disorder treatment for Medicaid eligible individuals.

**SB 339**, (New Title) excluding certain governmental and nonprofit entities from certain licensing requirements as mortgage bankers, brokers, or services.

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

**SB 363**, requiring the suspension of boating privileges for refusing a blood alcohol test.

**SB 365**, (New Title) requiring the sterilization of animals adopted from shelters and rescue groups.

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

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

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

**SB 399-FN**, allowing the fish and game department to charge fees for the release of department records.

**SB 411**, relative to permitting of large groundwater withdrawals.

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

**SJR 1**, urging the secretary of agriculture to review the Federal Milk Market Order system.

#### **ANNOUNCEMENTS**

Sen. D'Allesandro acknowledged with appreciation the birthday of Mrs. Virginia Drew, Director of the State House Visitors' Center.

#### **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.**