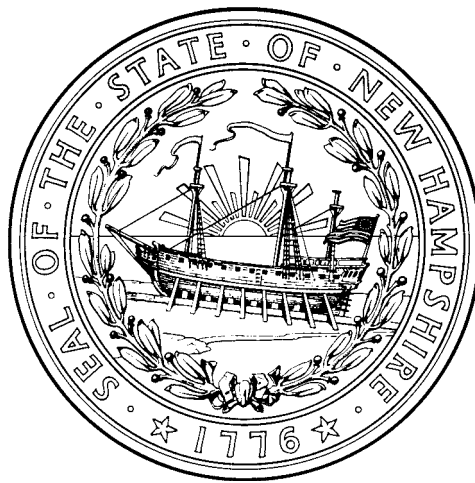


February 3, 2011
Nos. 3-4

STATE OF NEW HAMPSHIRE

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



162nd Session of the New Hampshire General Court
Legislative Proceedings

SENATE JOURNAL

ADJOURNMENT – JANUARY 19, 2011 SESSION
COMMENCEMENT – FEBRUARY 3, 2011 SESSION

SENATE JOURNAL 3 *(continued)*

January 19, 2011

INTRODUCTION OF SENATE BILLS

Sen. Bradley offered the following Resolution:

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

Adopted.

First and Second Reading and Referral

11-0413

SB 2, relative to adoption of spending caps by municipalities. (Boutin, Dist 16; Bradley, Dist 3; Bragdon, Dist 11; Gallus, Dist 1; Odell, Dist 8; Barnes, Jr., Dist 17; De Blois, Dist 18; Forsythe, Dist 4; Groen, Dist 6; Lambert, Dist 13; Sanborn, Dist 7; White, Dist 9; Infantine, Hills 13; Greazzo, Hills 17; Gagne, Hills 13; Gonzalez, Hills 17; W. Hutchinson, Hills 9: Public and Municipal Affairs)

11-0570

SB 12-FN, relative to screening panels for medical injury claims. (Bradley, Dist 3; Houde, Dist 5: Judiciary)

11-0978

SB 13-FN, increasing the limit on single wagers for games of chance conducted by charitable organizations. (Gallus, Dist 1; D'Allesandro, Dist 20; Gionet, Graf 3; Y. Thomas, Coos 4; H. Richardson, Coos 2; Sapareto, Rock 5: Ways and Means)

11-0453

SB 14-FN, relative to the brandishing of a firearm. (De Blois, Dist 18; Bradley, Dist 3: Judiciary)

11-0936

SB 23-FN, establishing a revenue assistant position within the department of justice. (Odell, Dist 8: Ways and Means)

11-0623

SB 27, relative to speed limitations for boats. (D'Allesandro, Dist 20; Boutin, Dist 16; Sanborn, Dist 7; Gallus, Dist 1; Hikel, Hills 7; Warden, Hills 7; Comtois, Belk 5; Baldasaro, Rock 3: Transportation)

11-0527

SB 33-FN, relative to retired state employee contributions for medical benefits costs. (D'Allesandro, Dist 20; Gallus, Dist 1; Odell, Dist 8; Larsen, Dist 15; Merrill, Dist 21: Executive Departments and Administration)

11-0928

SB 34-FN, relative to orders of notice in cases involving guardianship of minors. (Houde, Dist 5; Sorg, Graf 3: Judiciary)

11-0526

SB 36, relative to the permanent siting of the Hampton-Exeter District Court. (D'Allesandro, Dist 20; Prescott, Dist 23; Houde, Dist 5: Judiciary)

11-0767

SB 37, relative to the determination of residency for certain pupils. (Stiles, Dist 24; Carson, Dist 14; St. Cyr, Belk 5; Shaw, Hills 16; Ladd, Graf 5: Education)

11-0922

SB 38, relative to extensions for wetland and shoreland permits. (Odell, Dist 8: Energy and Natural Resources)

11-0937

SB 39, relative to enforcement of the excavation tax by the department of revenue administration. (Odell, Dist 8: Ways and Means)

11-0938

SB 40, making technical corrections to meals and rooms tax laws. (Odell, Dist 8: Ways and Means)

11-0939

SB 41, relative to enforcement of the timber tax and excavation tax by the department of revenue administration. (Odell, Dist 8: Judiciary)

11-0944

SB 42, relative to the declaration of consideration for purposes of the real estate transfer tax. (Odell, Dist 8: Ways and Means)

11-0945

SB 43, making a technical correction to the tobacco tax laws. (Odell, Dist 8: Ways and Means)

11-0950

SB 44, relative to payment of rent pending a landlord-tenant action. (Boutin, Dist 16; Sanborn, Dist 7; Carson, Dist 14; Jasper, Hills 27; Infantine, Hills 13; W. Hutchinson, Hills 9; Packard, Rock 3: Judiciary)

11-0959

SB 45, relative to criteria for designation as a Granite State scholar. (D'Allesandro, Dist 20; Carson, Dist 14; Kelly, Dist 10; Gallus, Dist 1; Odell, Dist 8; Rausch, Dist 19; Larsen, Dist 15; Houde, Dist 5; Merrill, Dist 21: Education)

11-0982

SB 46, extending and revising the commission to develop a plan for the expansion of transmission capacity in the north country. (Gallus, Dist 1; Odell, Dist 8; Carson, Dist 14; Rappaport, Coos 1; Remick, Coos 2; H. Richardson, Coos 2: Energy and Natural Resources)

11-0987

SB 47, extending the commission to study water infrastructure sustainability funding. (Gallus, Dist 1; Kelly, Dist 10; Odell, Dist 8; Merrill, Dist 21; Barnes, Jr., Dist 17; Umberger, Carr 1; St. Cyr, Belk 5; Spang, Straf 7; Chandler, Carr 1; Kappler, Rock 2: Energy and Natural Resources)

11-1025

SB 48, relative to filing of rates for certain telephone services. (Odell, Dist 8; Lambert, Dist 13; Luther, Dist 12: Energy and Natural Resources)

11-1040

SB 49, relative to tip pooling arrangements. (Stiles, Dist 24; Pantelakos, Rock 16; K. Sullivan, Rock 15: Commerce)

11-1049

SB 50, making various changes to laws regulating trusts and trust companies. (D'Allesandro, Dist 20; Bradley, Dist 3; Odell, Dist 8; Gallus, Dist 1; Houde, Dist 5; Hunt, Ches 7: Commerce)

11-1064

SB 51, relative to the establishment of a state leadership team to resolve issues concerning certain adults with developmental disabilities who may present a degree of risk to the community. (Merrill, Dist 21; Kelly, Dist 10; Shurtleff, Merr 10: Health and Human Services)

11-0194

SB 52-FN, excluding persons convicted of violent crimes and sexually violent persons from mandatory early release on probation or parole. (Bragdon, Dist 11; Gallus, Dist 1; Bradley, Dist 3; Odell, Dist 8; Carson, Dist 14; Boutin, Dist 16; Barnes, Jr., Dist 17; Lambert, Dist 13; Rausch, Dist 19; Forsythe, Dist 4: Judiciary)

11-0603

SB 54, repealing certain condominium registration and filing requirements. (De Blois, Dist 18; Hinch, Hills 19: Commerce)

11-0613

SB 55-FN, requiring certain engine coolants and antifreeze to include an aversive agent so that they are rendered unpalatable. (Odell, Dist 8; Bradley, Dist 3; Merrill, Dist 21; Bettencourt, Rock 4; Reagan, Rock 1; Lovett, Sull 4: Energy and Natural Resources)

11-0968

SB 57, relative to regulation of title loan lenders. (Carson, Dist 14; Sanborn, Dist 7; De Blois, Dist 18; Boutin, Dist 16; Marshall Quandt, Rock 13; Hunt, Ches 7; Gidge, Hills 24; Baldasaro, Rock 3; Shaw, Hills 16: Commerce)

11-1008

SB 59-FN-A, relative to fees for terrain alteration permits. (Gallus, Dist 1; Sanborn, Dist 7; H. Richardson, Coos 2; Remick, Coos 2; Mirski, Graf 10: Ways and Means)

11-0203

SB 60, relative to the definition of commercial motor vehicle. (Gallus, Dist 1; Boutin, Dist 16; Stiles, Dist 24; D'Allesandro, Dist 20; M. Tremblay, Coos 4; Remick, Coos 2; Daugherty, Coos 1: Transportation)

11-0414

SB 61, relative to capital appropriations to the liquor commission. (D'Allesandro, Dist 20; Odell, Dist 8; Gallus, Dist 1: Capital Budget)

11-0455

SB 62, relative to persons participating in the return to work program. (Stiles, Dist 24; Infantine, Hills 13; Nevins, Rock 15; K. Sullivan, Rock 15; Schlachman, Rock 13: Commerce)

11-0844

SB 63, relative to the list of bail bondsmen and prohibiting law enforcement and corrections officers from indicating preferences for bail bond companies. (Barnes, Jr., Dist 17; Itse, Rock 9; Comerford, Rock 9: Judiciary)

11-0926

SB 64, removing the oath requirement for criminal complaints filed by police officers. (Houde, Dist 5; Sorg, Graf 3: Judiciary)

11-0927

SB 65, making technical corrections to a law relative to court facility financing. (Houde, Dist 5; Sorg, Graf 3: Judiciary)

11-0935

SB 66, relative to nonresident fees for motorcycle rider education. (Rausch, Dist 19; Packard, Rock 3; Waterhouse, Rock 4: Transportation)

11-0962

SB 67, establishing a committee to study school vouchers and school choice. (De Blois, Dist 18: Education)

11-0985

SB 68, relative to records of disciplinary actions taken by the electricians' board. (Gallus, Dist 1; Gimas, Hills 12: Executive Departments and Administration)

11-0988

SB 69, permitting 2-wheeled vehicles to proceed through an intersection after stopping for a red light. (Carson, Dist 14: Transportation)

11-1010

SB 72-FN, establishing a comprehensive cancer plan fund. (Kelly, Dist 10: Health and Human Services)

11-1023

SB 73, establishing a committee to study local options for evergreen clauses. (D'Allesandro, Dist 20; Larsen, Dist 15; Merrill, Dist 21; D. Sullivan, Hills 8: Public and Municipal Affairs)

11-0778

SB 77-FN, relative to the special fund for payment for second injuries under workers' compensation law. (Sanborn, Dist 7; White, Dist 9; Bradley, Dist 3; T. Keane, Merr 13; Cohn, Merr 6; Kreis, Merr 6: Commerce)

11-0931

SB 78-FN-A-LOCAL, relative to motor vehicle registration fees. (Sanborn, Dist 7; Bragdon, Dist 11; Forsythe, Dist 4; White, Dist 9; Bradley, Dist 3; Groen, Dist 6; De Blois, Dist 18; T. Keane, Merr 13; Cohn, Merr 6; Kreis, Merr 6; Jennifer Coffey, Merr 6; Bettencourt, Rock 4: Ways and Means)

11-0948

SB 80-FN-A-LOCAL, exempting certain rental income from the meals and rooms tax. (Boutin, Dist 16; Barnes, Jr., Dist 17; Lambert, Dist 13; Warden, Hills 7; Major, Rock 8; Bettencourt, Rock 4; Griffin, Rock 4: Ways and Means)

11-0205

SB 85, naming a bay in the town of Meredith Johnson Bay. (Forrester, Dist 2; Barnes, Jr., Dist 17; Boutin, Dist 16; Bradley, Dist 3; Bragdon, Dist 11; Carson, Dist 14; D'Allesandro, Dist 20; De Blois, Dist 18; Gallus, Dist 1; Lambert, Dist 13; Larsen, Dist 15; Morse, Dist 22; Odell, Dist 8; Rausch, Dist 19; Greemore, Belk 3; Worsman, Belk 3; Fields, Belk 2: Public and Municipal Affairs)

11-0213

SB 86, requiring the department of labor to warn employers of certain violations prior to imposing a fine. (Luther, Dist 12; Bradley, Dist 3; Barnes, Jr., Dist 17; Boutin, Dist 16; Bragdon, Dist 11; Carson, Dist 14; De Blois, Dist 18; Forsythe, Dist 4; Gallus, Dist 1; Groen, Dist 6; Lambert, Dist 13; Morse, Dist 22; Odell, Dist 8; Prescott, Dist 23; Rausch, Dist 19; Sanborn, Dist 7; Stiles, Dist 24; White, Dist 9; Infantine, Hills 13; Umberger, Carr 1; Chandler, Carr 1; Hunt, Ches 7; Bettencourt, Rock 4: Commerce)

11-0263

SB 87, relative to the closure of certain underground storage tank systems. (Bradley, Dist 3; Barnes, Jr., Dist 17; Boutin, Dist 16; Carson, Dist 14; Gallus, Dist 1; Lambert, Dist 13; Odell, Dist 8; Chandler, Carr 1; Umberger, Carr 1; Pettengill, Carr 1: Energy and Natural Resources)

11-0341

SB 88, relative to physical force in defense of a person. (Boutin, Dist 16; Barnes, Jr., Dist 17; Bradley, Dist 3; Carson, Dist 14; Bragdon, Dist 11; De Blois, Dist 18; Forsythe, Dist 4; Gallus, Dist 1; Groen, Dist 6; Lambert, Dist 13; Luther, Dist 12; White, Dist 9; Baldasaro, Rock 3; Jennifer Coffey, Merr 6; Swinford, Belk 5: Judiciary)

11-0422

SB 89, relative to employee leasing companies. (Carson, Dist 14; Goley, Hills 8; Marshall Quandt, Rock 13; Matt Quandt, Rock 13; Jennifer Coffey, Merr 6: Commerce)

11-0467

SB 90, relative to the consolidation of school administrative units. (Barnes, Jr., Dist 17; Boutin, Dist 16; Carson, Dist 14; D'Allesandro, Dist 20; Forrester, Dist 2; Gallus, Dist 1; Groen, Dist 6; Lambert, Dist 13; Luther, Dist 12; Merrill, Dist 21; Odell, Dist 8; Sanborn, Dist 7; White, Dist 9: Education)

11-0766

SB 91, relative to automatic fire suppression sprinklers. (Boutin, Dist 16; Barnes, Jr., Dist 17; Bradley, Dist 3; De Blois, Dist 18; Gallus, Dist 1; Groen, Dist 6; Sanborn, Dist 7; White, Dist 9; Infantine, Hills 13; Hawkins, Hills 18; Jennifer Coffey, Merr 6; Pepino, Hills 11; T. Keane, Merr 13: Public and Municipal Affairs)

11-0781

SB 92, establishing an economic strategic commission to review the relationship between business and government. (Sanborn, Dist 7; Forsythe, Dist 4; White, Dist 9; Bradley, Dist 3; Groen, Dist 6; De Blois, Dist 18; Bragdon, Dist 11; Luther, Dist 12; O'Brien, Hills 4; Bettencourt, Rock 4; T. Keane, Merr 13; Kurk, Hills 7; D. McGuire, Merr 8: Executive Departments and Administration)

11-0795

SB 93, relative to pharmacist administration of vaccines. (Gallus, Dist 1; Case, Rock 1; Kreis, Merr 6; H. Richardson, Coos 2; Terrio, Hills 14: Health and Human Services)

11-0833

SB 94, relative to state certification of community residences in municipalities with zoning ordinances which accommodate certified community residences. (Bradley, Dist 3; Ahlgren, Carr 4; Knox, Carr 4: Public and Municipal Affairs)

11-0923

SB 95, establishing a committee to study youth sports concussions. (Houde, Dist 5; D'Allesandro, Dist 20; Kelly, Dist 10; Merrill, Dist 21; Larsen, Dist 15; Boutin, Dist 16; Carson, Dist 14: Health and Human Services)

11-0946

SB 96, relative to amending the charter of The Pinkerton Academy. (Rausch, Dist 19; Katsakiores, Rock 5; Sapareto, Rock 5; K. Gould, Rock 5; Dowling, Rock 5; Ferrante, Rock 5: Education)

11-0958

SB 97, relative to the application of the community revitalization tax relief incentive. (Stiles, Dist 24; Gallus, Dist 1; Nevins, Rock 15; Waddell, Rock 15; K. Sullivan, Rock 15; Theberge, Coos 4: Ways and Means)

11-0960

SB 98, revising the international registration plan. (Rausch, Dist 19: Transportation)

11-0961

SB 99, relative to trailer brakes. (Rausch, Dist 19: Transportation)

11-0972

SB 100, relative to the size limitations on OHRVs, and the operation of OHRVs on state-owned trails. (Carson, Dist 14; Gallus, Dist 1; Bulis, Graf 1: Energy and Natural Resources)

11-0973

SB 101, requiring the Pettengill Road project in Londonderry to be added to the state's 10-year transportation improvement program. (Carson, Dist 14; Baldasaro, Rock 3; Lundgren, Rock 3; McKinney, Rock 3; Introne, Rock 3; Tamburello, Rock 3: Transportation)

11-0974

SB 102, establishing a commission to study the effects of post-traumatic stress disorder and traumatic brain injury suffered by New Hampshire soldiers and veterans returning from Iraq and Afghanistan. (Carson, Dist 14; Barnes, Jr., Dist 17; Lambert, Dist 13; Baldasaro, Rock 3; Lundgren, Rock 3; Tamburello, Rock 3; Theberge, Coos 4: Health and Human Services)

11-0975

SB 103, requiring the commissioner of administrative services to develop a plan to consolidate the human resource functions within state government. (Barnes, Jr., Dist 17; Boutin, Dist 16; Bradley, Dist 3; Bragdon, Dist 11; Carson, Dist 14; Forrester, Dist 2; Gallus, Dist 1; Groen, Dist 6; Morse, Dist 22; Odell, Dist 8; Sanborn, Dist 7; White, Dist 9: Finance)

11-0976

SB 104, relative to certain agricultural operations. (Odell, Dist 8; Theberge, Coos 4; Chandler, Carr 1; Sanders, Rock 7: Public and Municipal Affairs)

11-0979

SB 105, excepting department of transportation property from evaluation requirements for certain all terrain and trail bike trails. (Gallus, Dist 1; Stiles, Dist 24; M. Tremblay, Coos 4; Y. Thomas, Coos 4; Fields, Belk 2: Energy and Natural Resources)

11-0980

SB 106, naming the visitor center at Jericho Mountain state park for Robert Danderson. (Gallus, Dist 1; D'Allesandro, Dist 20; Barnes, Jr., Dist 17; Carson, Dist 14; M. Tremblay, Coos 4; Y. Thomas, Coos 4; Remick, Coos 2; Tholl, Coos 2: Energy and Natural Resources)

11-0981

SB 107, relative to use of designated roads in the Connecticut Lakes Headwaters Working Forest for all terrain vehicles. (Gallus, Dist 1; Rausch, Dist 19; Theberge, Coos 4; M. Tremblay, Coos 4; Sapareto, Rock 5; Fields, Belk 2: Energy and Natural Resources)

11-0983

SB 108, relative to emergency obstetrical care. (Gallus, Dist 1; Bradley, Dist 3; Kelly, Dist 10; De Blois, Dist 18; Pettengill, Carr 1; Chandler, Carr 1: Judiciary)

11-0989

SB 109, establishing a committee to study the foreclosure process in New Hampshire. (Carson, Dist 14; Barnes, Jr., Dist 17; Griffin, Rock 4; Baldasaro, Rock 3; Headd, Rock 3: Commerce)

11-1001

SB 110, relative to condominium development projects and application of the state fire code. (De Blois, Dist 18: Commerce)

11-1003

SB 111, relative to short sales of a homeowner's residence. (Boutin, Dist 16: Commerce)

11-1011

SB 112, relative to the membership on the advanced manufacturing education advisory panel. (Kelly, Dist 10; Larsen, Dist 15; Odell, Dist 8: Education)

11-1015

SB 113, relative to nonpublic schools receiving public funds. (Larsen, Dist 15; Kelly, Dist 10: Education)

11-1016

SB 114, prohibiting assessing teacher performance based solely on assessment scores. (Larsen, Dist 15: Education)

11-1024

SB 115, relative to observing voter check-in. (Boutin, Dist 16; Barnes, Jr., Dist 17; Carson, Dist 14; Jasper, Hills 27; Duarte, Rock 1: Public and Municipal Affairs)

11-1027

SB 116, relative to the manufactured housing installation standards board. (Carson, Dist 14; Matt Quandt, Rock 13: Commerce)

11-1030

SB 117, relative to private postsecondary career schools and the student tuition guaranty fund. (Odell, Dist 8; Stiles, Dist 24; Carson, Dist 14; Merrill, Dist 21; D'Allesandro, Dist 20; Day, Hills 7; Hawkins, Hills 18; Jeudy, Hills 10; Copeland, Rock 13: Education)

11-1037

SB 118, modifying the definition of renewable generation facility. (Gallus, Dist 1; Rappaport, Coos 1: Energy and Natural Resources)

11-1038

SB 119, relative to qualified association trusts. (Bradley, Dist 3; Stiles, Dist 24; Barnes, Jr., Dist 17; Boutin, Dist 16; Carson, Dist 14; Gallus, Dist 1; Lambert, Dist 13; Odell, Dist 8; Rausch, Dist 19; Sanborn, Dist 7; Hunt, Ches 7; Charron, Rock 7; Jennifer Coffey, Merr 6; Umberger, Carr 1; F. Rice, Rock 15: Commerce)

11-1039

SB 120, relative to alcoholic beverage advertising restrictions. (Stiles, Dist 24; Barnes, Jr., Dist 17; Boutin, Dist 16; Bradley, Dist 3; Carson, Dist 14; D'Allesandro, Dist 20; De Blois, Dist 18; Gallus, Dist 1; Lambert, Dist 13; Odell, Dist 8; White, Dist 9; Pantelakos, Rock 16; Bettencourt, Rock 4; Kappler, Rock 2: Commerce)

11-1043

SB 121, relative to the application of the worker adjustment and retraining notification act. (Luther, Dist 12; Barnes, Jr., Dist 17; Bragdon, Dist 11; De Blois, Dist 18; Gallus, Dist 1; Lambert, Dist 13; Sanborn, Dist 7; White, Dist 9: Commerce)

11-1047

SB 122, establishing a committee to study the laws relating to electronic prescriptions. (Stiles, Dist 24; Sanborn, Dist 7; DiPentima, Rock 16; Case, Rock 1: Health and Human Services)

11-1069

SB 123, relative to notification if a person found incompetent to stand trial and civilly committed is released into the community. (Bradley, Dist 3; Barnes, Jr., Dist 17; Boutin, Dist 16; Carson, Dist 14; De Blois, Dist 18; Gallus, Dist 1; Lambert, Dist 13; Odell, Dist 8; Stiles, Dist 24; White, Dist 9; Sorg, Graf 3: Judiciary)

11-0212

SB 125-FN-A, relative to the business profits tax deduction for reasonable compensation. (Bradley, Dist 3; Barnes, Jr., Dist 17; Boutin, Dist 16; Bragdon, Dist 11; Carson, Dist 14; De Blois, Dist 18; Forrester, Dist 2; Forsythe, Dist 4; Gallus, Dist 1; Lambert, Dist 13; Luther, Dist 12; Morse, Dist 22; Rausch, Dist 19; Sanborn, Dist 7; Stiles, Dist 24; White, Dist 9; Chandler, Carr 1; Hess, Merr 9; Major, Rock 8; Tucker, Rock 17; Bettencourt, Rock 4: Ways and Means)

11-0362

SB 126-FN, relative to net operating loss carryovers under the business profits tax. (Luther, Dist 12; Barnes, Jr., Dist 17; Boutin, Dist 16; Bragdon, Dist 11; Carson, Dist 14; Forsythe, Dist 4; Gallus, Dist 1; Groen, Dist 6; Lambert, Dist 13; Rausch, Dist 19; Sanborn, Dist 7; White, Dist 9; Bettencourt, Rock 4; Major, Rock 8; Chandler, Carr 1; Tucker, Rock 17: Ways and Means)

11-0415

SB 127-FN, relative to the city of Manchester's contributory retirement system. (D'Allesandro, Dist 20; D. Sullivan, Hills 8; Barody, Hills 13; Goley, Hills 8: Public and Municipal Affairs)

11-0418

SB 128-FN-A, establishing a fee on occupancy of sleeping accommodations of the Appalachian Mountain Club and the Randolph Mountain Club to fund search and game rescue operations of the fish and game department. (D'Allesandro, Dist 20; Gallus, Dist 1; Chandler, Carr 1; Mirski, Graf 10: Energy and Natural Resources)

11-0624

SB 130-FN-A, repealing the tax on gambling winnings. (D'Allesandro, Dist 20; Gallus, Dist 1; Barnes, Jr., Dist 17; Hatch, Coos 3; Campbell, Hills 24; D. Sullivan, Hills 8; P. Garrity, Hills 14: Ways and Means)

11-1028

SB 135-FN-A, relative to election returns and election records. (Carson, Dist 14; Barnes, Jr., Dist 17; Hoelzel, Rock 2: Public and Municipal Affairs)

11-1033

SB 137-FN-A, relative to the driver training fund. (Gallus, Dist 1; D'Allesandro, Dist 20; Gionet, Graf 3; M. Tremblay, Coos 4; Eaton, Graf 1; Umberger, Carr 1: Transportation)

11-1036

SB 139-FN, relative to state recoveries of public assistance caused by fraud. (D'Allesandro, Dist 20; Gallus, Dist 1; Odell, Dist 8; Bradley, Dist 3; Larsen, Dist 15; Merrill, Dist 21: Judiciary)

11-1057

SB 140-FN, relative to the disposition of military justice fines. (Barnes, Jr., Dist 17; Merrill, Dist 21; Boutin, Dist 16: Public and Municipal Affairs)

11-1066

SB 141-FN, requiring drivers who are residents of foreign countries to have insurance. (Bradley, Dist 3: Commerce)

11-1026

SB 144, relative to extending certain permits and approvals. (Carson, Dist 14; Odell, Dist 8; B. Patten, Carr 4; Renzullo, Hills 27: Energy and Natural Resources)

11-0215

SB 147-FN, relative to Medicaid managed care. (Bradley, Dist 3; De Blois, Dist 18; Forrester, Dist 2; Forsythe, Dist 4; Gallus, Dist 1; Groen, Dist 6; Lambert, Dist 13; Luther, Dist 12; Morse, Dist 22; Odell, Dist 8; Sanborn, Dist 7; White, Dist 9; Barnes, Jr., Dist 17; Boutin, Dist 16; Carson, Dist 14: Health and Human Services)

11-0258

SB 148-FN, relative to health insurance coverage and directing the attorney general to join the lawsuit challenging the Patient Protection and Affordable Care Act. (De Blois, Dist 18; Bradley, Dist 3; Barnes, Jr., Dist 17; Boutin, Dist 16; Bragdon, Dist 11; Carson, Dist 14; Forrester, Dist 2; Forsythe, Dist 4; Gallus, Dist 1; Groen, Dist 6; Lambert, Dist 13; Morse, Dist 22; Odell, Dist 8; Rausch, Dist 19; Sanborn, Dist 7; Stiles, Dist 24; White, Dist 9: Commerce)

11-0458

SB 150-FN, authorizing individuals and certain businesses to purchase health insurance from out-of-state insurance companies. (Bradley, Dist 3; Barnes, Jr., Dist 17; Boutin, Dist 16; Carson, Dist 14; De Blois, Dist 18; Forsythe, Dist 4; Gallus, Dist 1; Groen, Dist 6; Lambert, Dist 13; Luther, Dist 12; Morse, Dist 22; Odell, Dist 8; Prescott, Dist 23; Rausch, Dist 19; Sanborn, Dist 7; White, Dist 9: Commerce)

11-0763

SB 153-FN, relative to the regulation of real estate appraisers by the New Hampshire real estate appraiser board. (Gallus, Dist 1; Tholl, Coos 2: Executive Departments and Administration)

11-0986

SB 158-FN, relative to the payment of state aid grants for water and wastewater for 2009 and 2010. (Gallus, Dist 1; Odell, Dist 8; D'Allesandro, Dist 20; Umberger, Carr 1; St. Cyr, Belk 5; Spang, Straf 7; Chandler, Carr 1; Kappler, Rock 2: Finance)

11-1005

SB 162-FN, relative to federal health care reform 2010. (White, Dist 9; Barnes, Jr., Dist 17; Boutin, Dist 16; Bradley, Dist 3; Bragdon, Dist 11; Carson, Dist 14; Forrester, Dist 2; Gallus, Dist 1; Groen, Dist 6; Morse, Dist 22; Rausch, Dist 19; Sanborn, Dist 7; Stiles, Dist 24; Hunt, Ches 7; Avard, Hills 20; D. McGuire, Merr 8; Accornero, Belk 4: Commerce)

11-1020

SB 164, relative to the personal needs allowance of residents of nursing homes. (Larsen, Dist 15; Kelly, Dist 10; Merrill, Dist 21; Houde, Dist 5; Williams, Merr 11; Gile, Merr 10; Pilliod, Belk 5; MacKay, Merr 11: Health and Human Services)

11-1051

SB 168-FN, conforming the interest and dividends tax to federal tax definitions. (Luther, Dist 12; Bradley, Dist 3; White, Dist 9; Lambert, Dist 13; Odell, Dist 8: Ways and Means)

11-0967

SB 170, relative to the New Hampshire Medical Malpractice Joint Underwriting Association. (Carson, Dist 14; Bradley, Dist 3; Bragdon, Dist 11; Groen, Dist 6; White, Dist 9; Lambert, Dist 13; Luther, Dist 12; Rausch, Dist 19; Stiles, Dist 24; B. Patten, Carr 4; Bettencourt, Rock 4; Kidder, Merr 1; Renzullo, Hills 27: Executive Departments and Administration)

11-0969

SB 171, relative to prescription drug benefits for the treatment of pain. (Carson, Dist 14; Stiles, Dist 24; Rosenwald, Hills 22; Case, Rock 1: Health and Human Services)

11-1009

SB 172, relative to performance-based school accountability criteria. (Kelly, Dist 10; Merrill, Dist 21; Stiles, Dist 24: Education)

11-1012

SB 173, proclaiming January 24 of each year as Granny D. Day. (Kelly, Dist 10; Carson, Dist 14; D'Allesandro, Dist 20; Larsen, Dist 15: Public and Municipal Affairs)

11-1022

SB 174, relative to the Concord regional solid waste/resource recovery cooperative. (Larsen, Dist 15; Houde, Dist 5; Kelly, Dist 10; Boutin, Dist 16: Public and Municipal Affairs)

11-1031

SB 175, regulating the commercial use of a person's identity. (Odell, Dist 8; Houde, Dist 5; Chandler, Carr 1; Daniels, Hills 6: Commerce)

11-1035

SB 176, relative to marriage licenses. (D'Allesandro, Dist 20; Kelly, Dist 10; Houde, Dist 5; Gallus, Dist 1: Judiciary)

11-1044

SB 177, relative to training of directors and officers of nonprofit corporations. (Odell, Dist 8; Carson, Dist 14; Day, Hills 7: Executive Departments and Administration)

11-1053

SB 178, establishing a commission to study long-term sustainable funding for school building aid and the establishment of eligibility criteria for school building aid in order to ensure that all school age children in every part of the state have access to a safe, healthy, and academic environment for learning. (Kelly, Dist 10; Merrill, Dist 21; Larsen, Dist 15; D'Allesandro, Dist 20; Houde, Dist 5; Ladd, Graf 5: Education)

11-1060

SB 179, relative to qualified purchasing alliances. (Merrill, Dist 21; Stiles, Dist 24; P. Schmidt, Straf 4; Andolina, Straf 6; D. Hooper, Straf 5; Watters, Straf 4: Commerce)

11-0932

SCR 1, urging Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States. (Sen. Groen, Dist 6; Sen. De Blois, Dist 18; Sen. Gallus, Dist 1; Sen. Sanborn, Dist 7; Sen. White, Dist 9; Rep. Hoell, Merr 13; Rep. Groen, Straf 1: Internal Affairs)

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 32, relative to statutory references to the choice and duties of town auditors.

HB 77, relative to amendments to warrant articles.

HB 88, relative to liquor enforcement and liquor licensing.

HB 91, relative to the reporting by state agencies with capital budget projects to the capital budget overview committee.

HB 92, relative to expiration of licenses issued by the board of foresters.

HB 119, relative to agency membership on the information technology council.

INTRODUCTION OF HOUSE BILL

Sen. Bradley 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.

Adopted.

First and Second Reading and Referral

HB 77, relative to amendments to warrant articles. (Public and Municipal Affairs)

Out of Recess.

MOTION TO ADJOURN FROM LATE SESSION

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

Adopted.

Adjournment from the Late Session.

SENATE JOURNAL 4

February 3, 2011

The Senate reconvened at 12 p.m., a quorum being present.

The Reverend Canon Charles LaFond, chaplain to the Senate, offered the following meditation and prayer.

The word “discretion” in the Middle Ages meant much more than the word does now; now it means secret-keeping, or not speaking. But, it came with its root in “discretio”, which meant both discernment and discretion. So, discernment was, “What shall I do, or what am I called to do?” and, discretion was, “How do I work that plan out? How do I move forward in the midst of having decided what I’m going to do?” And, the combination of the two are to leadership like flour and yeast are to bread. To practice both well is to let go of immediate or personal gratification and separates a politician from a leader in the church or in government.

It seems to me that the art of leadership is more than just deciding what to do; it’s deciding what not to do and what not to say. I’m always stunned to see how similar are leadership in government and in the church. The question in the church is to elect people good at being bishops, not to elect people good at becoming bishops. And, I suspect, so, too, in the Senate. Let us pray.

God of all being, assist us in being good humans, and out of that decision, to be good leaders. Guide is in knowing what is next, and so also guide us in knowing what is not next, but could have been. And then, sit with us as we mourn that from which we have turned away, so that we may embrace that which we know to be right.
Amen.

Sen. Houde led the Pledge of Allegiance.

INTRODUCTION OF GUESTS AND PRESENTATIONS

Sen. D’Allesandro introduced Senator Steven Baddour of the Massachusetts State Senate.

Sen. D’Allesandro introduced former Massachusetts State Senator and retired Massachusetts State Trooper James Jajuga.

Sen. D’Allesandro introduced John Chemaly, a Massachusetts businessman.

Sen. Larsen introduced Emma Nelson, a student from Bishop Brady High School in Concord, serving as a Senate Page today.

Sen. Barnes introduced Representative Kathleen Hoelzel, a constituent from Raymond.

Sen. Barnes introduced Peter Buckingham, a constituent from Raymond.

SUSPENSION OF SENATE RULES

Sen. Bradley moved that Senate Rule 4-2 be suspended in order to dispense with a notice of the committee report in the Senate Calendar on HB 77.

The question is on the motion to suspend the rules.

Motion to suspend rules adopted by necessary 2/3 vote.

COMMITTEE REPORTS

HB 77, relative to amendments to warrant articles. Public and Municipal Affairs Committee. Ought to Pass, Vote 5-0. Senator Barnes for the committee.

Recess. Out of recess.

The question is on the adoption of committee recommendation of Ought to Pass on HB 77.

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

SB 24-FN-L, exempting the Unity school district from the moratorium on school building aid. Education Committee. Ought to Pass, Vote 5-0. Senator Kelly for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 24-FN-L.

Motion of Ought to Pass adopted, bill ordered to Committee on Finance (Rule 4-3).

SB 19, relative to the definition of "prime wetlands." Energy and Natural Resources Committee. Ought to Pass with Amendment, Vote 5-0. Senator Lambert for the committee.

Energy and Natural Resources

January 27, 2011

2011-0092s

06/10

Amendment to SB 19

Amend the bill by replacing section 1 with the following:

1 Local Option; Prime Wetlands. Amend RSA 482-A:15, I to read as follows:

I. Any municipality, by its conservation commission, or, in the absence of a conservation commission, the planning board, or, in the absence of a planning board, the local governing body, may undertake to designate, map, and document prime wetlands lying within its boundaries, or if such areas lie only partly within its boundaries, then that portion lying within its boundaries. For the purposes of this chapter, "prime wetlands" shall mean any areas ***of very poorly drained soils*** falling within the jurisdictional definitions of RSA 482-A:3 and RSA 482-A:4 that possess one or more of the values set forth in RSA 482-A:1 and that, because of their size, unspoiled character, fragile condition, or other relevant factors, make them of substantial significance. ***The designation of any prime wetland by the department prior to the effective date of this paragraph shall remain in effect.*** The commissioner shall adopt rules under RSA 541-A relative to the form, criteria, and methods that shall be used to designate, map, and document prime wetlands, determine boundaries in the field, and amend maps and designations once filed and accepted by the department under paragraph II.

The question is on the adoption of Committee Amendment 0092s.

Committee Amendment 0092s adopted.

The question is on the motion of Ought to Pass as Amended on SB 19.

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

SB 26, establishing a committee to study the classification of motor vehicles. Transportation Committee. Ought to Pass with Amendment, Vote 4-0. Senator Boutin for the committee.

Senate Transportation

January 27, 2011

2011-0095s

03/04

Amendment to SB 26

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 120 days of the effective date of this section. Four members of the committee shall constitute a quorum.

The question is on the adoption of Committee Amendment 0095s.

Committee Amendment 0095s adopted.

The question is on the motion of Ought to Pass as Amended on SB 26.

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

SB 31, relative to revocation or denial of a driver's license for drug or alcohol involvement by persons under 21 years of age. Transportation Committee. Ought to Pass with Amendment, Vote 4-0. Senator Kelly for the committee.

Senate Transportation

January 27, 2011

2011-0096s

03/04

Amendment to SB 31

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 0096s.

Committee Amendment 0096s adopted.

The question is on the motion of Ought to Pass as Amended on SB 31.

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

MOTION TO ADJOURN FROM EARLY SESSION

Sen. Bradley 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.

Adopted.

Adjournment from the Early Session.

LATE SESSION

Third Reading and Final Passage

SB 19, relative to the definition of "prime wetlands."

SB 26, establishing a committee to study the classification of motor vehicles.

SB 31, relative to revocation or denial of a driver's license for drug or alcohol involvement by persons under 21 years of age.

HB 77, relative to amendments to warrant articles.

ANNOUNCEMENTS

MOTION TO RECESS TO CALL OF THE CHAIR

Sen. Bradley 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 and when we recess, we recess to the Call of the Chair.

Adopted.

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