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STATE OF NEW HAMPSHIRE

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**163rd Session of the New Hampshire General Court
Legislative Proceedings**

SENATE JOURNAL

**ADJOURNMENT – FEBRUARY 14, 2013 SESSION
COMMENCEMENT – MARCH 7, 2013 SESSION**

SENATE JOURNAL 5 *(continued)*

February 14, 2013

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

13-1008

SB 194-FN, requiring the department of health and human services to implement the Medicaid family planning expansion. (Odell, Dist 8; Stiles, Dist 24; Gilmour, Dist 12; Nordgren, Graf 12; Harding, Graf 13; Emerson, Ches 11; Kurk, Hills 2: Health, Education and Human Services)

13-1009

SB 195, relative to wind-powered renewable energy facilities. (Sanborn, Dist 9; Coffey, Hills 25: Energy and Natural Resources)

13-1010

SB 196-FN, relative to the definition of push-polling. (Pierce, Dist 5; Bradley, Dist 3: Public and Municipal Affairs)

13-1011

SB 197, relative to the inclusion of a default budget in separate warrant articles submitted by sewer commissions. (Reagan, Dist 17; C. McGuire, Merr 29; D. McGuire, Merr 21: Public and Municipal Affairs)

13-1012

SB 198, relative to the authority of county correctional officers. (Forrester, Dist 2; Carson, Dist 14; Boutin, Dist 16; Shurtleff, Merr 11; Chandler, Carr 1; J. MacKay, Merr 14: Public and Municipal 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 142, relative to teacher evaluation systems.

HB 180, relative to the definitions of “student athlete” and “student sports” for the management of concussion and head injury.

HB 206, relative to political advertising.

HB 228, relative to insurance fraud.

HB 252-FN, consolidating the property appraisal division and the municipal services division of the department of revenue administration.

HB 253, relative to limitations on sales by nano breweries for consumption on the premises.

HB 254-FN-A, abolishing certain positions in the liquor commission.

HB 282, relative to mixed use school buses, relative to licensing and criminal records of driver education instructors, and relative to background checks for department of safety employees.

HB 293, relative to the adverse events reporting system.

HB 308, relative to technical changes to election laws.

HB 327-FN, relative to payment of attorneys’ fees for indigent parents in termination of parental rights cases.

HB 372, relative to state agency telecommunications services.

HB 383, relative to operation of OHRVs on the traveled portion of public highways, where permitted.

HB 394-FN, relative to transfer of funds by the liquor commission.

HB 413, relative to property abandoned by tenants.

HB 426, relative to payment of costs and fees in guardianship cases.

HB 428, relative to funds for dam maintenance, removal and improvement.

HB 440, relative to new hire reports to the department of employment security.

HB 444, establishing a committee to study the use of autonomous vehicles in New Hampshire.

HB 488-FN, changing the definition of "cigarette" under the tobacco tax to match the definition of "cigarette" under the Master Settlement Agreement.

HB 519, requiring the division of higher education to develop a policy on academic credit for a student's military occupation, military training, coursework, and experience.

HB 520, establishing a committee to study implementing Keno in New Hampshire.

HB 521, establishing a committee to study New Hampshire election laws and procedures.

HB 558, relative to disclosure of information regarding charitable solicitations.

HCR 1, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans.

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 156, relative to the appointment and duties of the state fire marshal.

HB 157, renaming Blood Pond in the town of Lancaster as Evans Pond.

HB 200, relative to an employer's burden of proof in unemployment compensation hearings.

HB 233, relative to the care of war memorial in Franconia Notch state park.

HB 267, relative to the board of accountancy.

HB 283, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B.

HB 309, relative to filing for office.

HB 325-FN, relative to public employee suggestions for cost-saving measures.

HB 328-FN, relative to the sale of pets.

HB 347, authorizing cottage housing development as an innovative land use control.

HB 359, relative to mailing of notices and determinations by the department of employment security.

HB 361, relative to worksharing.

HB 370-FN, repealing the education tax credit program.

HB 376, relative to the shop licensure requirements for barbers, cosmetologists, manicurists, and estheticians.

HB 385, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

HB 388, relative to the storage of firearms.

HB 403, establishing a committee to study end of life decisions.

HB 482-FN, regarding infestation of bed bugs in rental housing.

HB 509, requiring the department of administrative services to provide the New Hampshire Department of American Legion with office space.

HB 535, establishing the white potato as the state vegetable.

HB 543, relative to ascertaining damages to abutting landowners.

HB 547, establishing a commission to study permanent options for funding the veterinary diagnostic laboratory.

HB 550, relative to the disposition of state-owned real estate.

HB 602, establishing a commission to study general court policies and procedures relative to persons with disabilities.

HB 607, relative to construction projects for the adjutant general's department.

HOUSE MESSAGE

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

SB 39 FN-A, relative to funding of capital projects of the division of ports and harbors, Pease development authority.

HOUSE MESSAGE

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

SB 40-FN-L, relative to distribution of education funds for fiscal year 2013.

SB 115, naming a bridge in the town of Whitefield.

INTRODUCTION OF HOUSE BILLS

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 titles and referred to the therein designated committees. Adopted.

HB 111, relative to the acquisition of property rights at Akers Pond dam in the town of Errol by the fish and game department and the acquisition of property rights at Northwood Lake dam in the town of Epsom and Hermit Lake dam in the town of Sanbornton by the department of environmental services. (Energy and Natural Resources)

HB 112-FN, relative to reclamation trust funds. (Transportation)

HB 113, relative to lot access for erection of buildings. (Public and Municipal Affairs)

HB 115, relative to the procedure for filling a vacancy on a cooperative school district budget committee. (Public and Municipal Affairs)

HB 123, relative to the limitation of liability for negligence regarding public safety officers. (Judiciary)

HB 126-L, relative to use of revolving funds by towns for maintaining recycling programs. (Public and Municipal Affairs)

HB 134, relative to contingency funds in towns. (Public and Municipal Affairs)

HB 137, relative to special number plates for members of the national guard. (Transportation)

HB 138, permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot. (Public and Municipal Affairs)

HB 147-FN, repealing a duty of the assessing standards board concerning municipal reimbursement for the cost of assessments. (Public and Municipal Affairs)

HB 155, relative to the use of open source software by state agencies; including the department of information technology in the uniform electronic transactions act; and repealing the information practices act. (Executive Departments and Administration)

HB 156, relative to the appointment and duties of the state fire marshal. (Executive Departments and Administration)

HB 157, renaming Blood Pond in the town of Lancaster as Evans Pond. (Energy and Natural Resources)

HB 160, relative to a school district's transportation responsibility for pupils of divorced parents with joint decision making responsibility. (Health, Education and Human Services)

HB 163, relative to special number plates for disabled veterans. (Transportation)

HB 165, establishing a committee to study the use of the sex offender registry. (Judiciary)

HB 167, relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin. (Judiciary)

HB 171, relative to the civil penalty for failure to make payment of workers' compensation. (Commerce)

HB 172, requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation. (Commerce)

HB 174, prohibiting the department of safety from providing motor vehicle records for the purpose of creating or enhancing a federal identification database. (Transportation)

HB 181, repealing the equalization standards board. (Public and Municipal Affairs)

HB 182, relative to appointments to the assessing standards board. (Public and Municipal Affairs)

HB 186, relative to the authority of the department of state. (Finance)

HB 187, relative to cost items in negotiated agreements. (Public and Municipal Affairs)

HB 190, relative to professional misconduct of dental hygienists. (Executive Departments and Administration)

HB 193, relative to registration of vehicles by residents without a permanent street address. (Transportation)

HB 194, relative to collection of permit fees paid with insufficient fund checks. (Transportation)

HB 195, relative to commercial driver learner permits. (Transportation)

HB 196, relative to weight of commercial vehicles with idle reduction devices. (Transportation)

HB 198, relative to town boundary perambulation. (Public and Municipal Affairs)

HB 200, relative to an employer's burden of proof in unemployment compensation hearings. (Commerce)

HB 208, relative to annual reports of county officers. (Public and Municipal Affairs)

HB 211, relative to service of demand for rent and eviction notice. (Judiciary)

HB 216, relative to the use of the title "fire marshal." (Executive Departments and Administration)

HB 220, relative to the New Hampshire medal of honor. (Public and Municipal Affairs)

HB 221, relative to the duty of the long range capital planning and utilization committee. (Capital Budget)

HB 225, relative to the rulemaking authority of the liquor commission. (Executive Departments and Administration)

HB 229-FN, relative to a financial examination supervisor. (Commerce)

HB 230, relative to administrative supervision of insurers. (Commerce)

HB 231, relative to reinsurance. (Commerce)

HB 232, relative to the membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment. (Health, Education and Human Services)

HB 233, relative to the care of war memorial in Franconia Notch state park. (Energy and Natural Resources)

HB 235, allowing counties to contract for professional real estate services for the sale or lease of county property. (Public and Municipal Affairs)

HB 236, relative to membership of the council on autism spectrum disorders. (Health, Education and Human Services)

HB 237, relative to home production of wine for personal or family use. (Commerce)

HB 251, relative to the legislative members of the home education advisory council. (Health, Education and Human Services)

HB 261-FN, relative to the assistance program for 2-parent families with dependent children. (Health, Education and Human Services)

HB 267, relative to the board of accountancy. (Executive Departments and Administration)

HB 301, relative to notice of sale in foreclosure proceedings. (Commerce)

HB 309, relative to filing for office. (Public and Municipal Affairs)

HB 347, authorizing cottage housing development as an innovative land use control. (Public and Municipal Affairs)

HB 359, relative to mailing of notices and determinations by the department of employment security. (Commerce)

HB 361, relative to worksharing. (Commerce)

HB 368, relative to the telecommunications planning and development initiative. (Energy and Natural Resources)

HB 376, relative to the shop licensure requirements for barbers, cosmetologists, manicurists, and estheticians. (Executive Departments and Administration)

HB 385, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. (Executive Departments and Administration)

HB 388, relative to the storage of firearms. (Judiciary)

HB 403, establishing a committee to study end of life decisions. (Health, Education and Human Services)

HB 418, establishing a committee to study a program to address children in need. (Health, Education and Human Services)

HB 509, requiring the department of administrative services to provide the New Hampshire Department of American Legion with office space. (Executive Departments and Administration)

HB 543, relative to ascertaining damages to abutting landowners. (Transportation)

HB 550, relative to the disposition of state-owned real estate. (Finance)

HB 607, relative to construction projects for the adjutant general's department. (Capital Budget)

REPORT OF COMMITTEE ON ENROLLED BILLS

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

SB 39, relative to funding of capital projects of the division of ports and harbors, Pease development authority.

Sen. Stiles moved adoption of the Report of Committee on Enrolled Bills. Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

SB 40, relative to distribution of education funds for fiscal year 2013.

Sen. Prescott moved adoption of the Report of Committee on Enrolled Bills. Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

SB 115, naming a bridge in the town of Whitefield.

Sen. Prescott moved adoption of the Report of Committee on Enrolled Bills. Adopted.

Out of Recess. Call Senate to Order.

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 6

March 7, 2013

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

The Reverend Kate Atkinson, guest chaplain to the Senate, offered the following meditative thoughts and prayer.

I heard a story this week about a Ugandan preacher named Uzziah Kiriaghe. He described a visit he had made to a silversmith in a village near Mount Kilimanjaro, where he spent time watching the process of purifying silver over a fire. It was slow and tedious work. Each time the silversmith passed the molten silver over the flame, more impurities burned away, and as the silver became purer, it shone more and more brightly. Uzziah asked him, "How do you know when it's done?" The silversmith replied, "When I can see my image in it."

We are the children of God and God is intimately involved in our lives. With every day that passes, God works in us to make us a little more pure, a little more perfect. And when we allow God to do this refining work, we find that we shine brighter every step of the way.

God's creative and purifying work in our life isn't complete until God can look at us and say, "I see my own image in you." Let us pray.

Creator God, purify our hearts that they may be as pure gold and precious silver. Refiner's fire, purify our hearts; cleanse us from within and make us holy, ready to do Your will. Amen.

Sen. Cataldo led the Pledge of Allegiance.

INTRODUCTION OF GUESTS AND PRESENTATIONS

Sen. Woodburn introduced Alex Meyer from Profile school district, serving as a Senate Page for the day.

Sen. D'Allesandro introduced Anniel Hernandez from West High School in Manchester, serving as a Senate Page for the day.

FN REPORT FOR MARCH 7, 2013

Senator Morse recommends the waiver, under Senate Rule 4-5, of Finance Committee referral for the following bills which have fiscal notes or otherwise appropriate money:

COMMERCE

SB 117-FN, relative to pharmacy benefits managers.

SB 126-FN relative to business practices between motor vehicle manufacturers, distributors, and dealers. (Still in committee)

SB 127-FN, relative to registration of certain state contracts with the department of state and repealing the information practices act.

ENERGY AND NATURAL RESOURCES

SB 148-FN, relative to electric renewable portfolio standards (Still in committee)

SB 154-FN-A-L, establishing an energy conservation loan program and an energy conservation project fund. (Still in committee)

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 26-FN, authorizing state agencies to enter into audit/cost recovery contracts or shared savings agreements for wireless telecommunications services.

SB 176-FN, relative to waivers of charitable trust filing fees.

SB 181-FN-A, relative to restitution payments to financial resources management lenders.

HEALTH, EDUCATION AND HUMAN SERVICES

SB 193-FN relative to dental therapists and access to oral health care. (Still in committee)

JUDICIARY

SB 156-FN, relative to the appointment of a guardian ad litem in certain sexual assault cases.

PUBLIC AND MUNICIPAL AFFAIRS

SB 120 relative to political contributions and expenditures and relative to reporting by political committees. (Still in committee)

SB 183-FN, relative to proof of identity by voters.

Senator Morse recommends the following non-FN bills be ordered to the Finance Committee upon being found Ought-to-Pass:

JUDICIARY

SB 137, relative to sibling visitation rights.

TRANSPORTATION

SB 103, establishing a committee to study the definition of houseboats and mooring and beaching regulation for houseboats.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS

The following bills were removed from the Consent Calendar:

SB 155-FN-A, relative to production of a Civil War commemorative bottle by the state liquor commission. Removed by Sen. Watters.

SB 178, establishing a committee to review and make recommendations regarding consolidating all state energy positions throughout state departments. Removed by Sen. Fuller Clark.

SB 44, relative to the disposal of controlled drugs by law enforcement officers. Removed by Sen. Soucy.

SB 145-FN, allowing publication by electronic means by the probate division. Removed by Sen. Bragdon.

Sen. Bradley moved that the Consent Calendar, with the relevant amendments as printed in the day's Calendar be adopted and that all such bills found Ought-to-Pass be ordered as follows:

FN bills not waived under Senate Rule 4-5, to the Committee on Finance; non-FN bills approved for referral to Finance by the day's FN report, to the Committee on Finance; and all other bills, to Third Reading.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 26-FN, authorizing state agencies to enter into audit/cost recovery contracts or shared savings agreements for wireless telecommunications services. Inexpedient to Legislate, Vote 5-0. Senator Carson for the committee.

This bill was requested to be "Inexpedient to Legislate", and will be dealt with within the budgetary process.

SB 54, relative to appeals from the department of administrative services bureau of public works design and construction. Ought to Pass with Amendment, Vote 5-0. Senator Cataldo for the committee.

This bill provides that a person aggrieved by a decision of the bureau of public works design and construction may request an informal review by the director of the division of plant and property management followed by an appeal to the commissioner of the department of administrative services; and, was requested by the department. The amendment improves the original language for clarification.

Senate Executive Departments and Administration

February 13, 2013

2013-0354s

05/10

Amendment to SB 54

Amend the bill by replacing section 2 with the following:

2 Public Works Appeals. RSA 21-I:86 is repealed and reenacted to read as follows:

21-I:86 Public Works Appeals.

I. Any person aggrieved by a decision of the administrator of the bureau of public works design and construction relative to public works design and construction shall petition for informal review by the director of the division of plant and property management, or the director's designee, within 15 days of the decision. Such petition for informal review shall be a prerequisite to an appeal to the commissioner under paragraph II.

II. Any person aggrieved by the determination the director of the division of plant and property management, or the director's designee, under paragraph I shall appeal to the commissioner, or the commissioner's designee, within 30 days of the director's determination.

SB 90, establishing a committee to study developing a policy for veteran preference for government hiring. Ought to Pass, Vote 5-0. Senator Carson for the committee.

This bill establishes a committee to study developing a policy for giving preference to veterans in government hiring. Seeing that there is no uniform outline for the hiring preference for veterans throughout state departments, this committee will bring legislation forward to provide uniformity in the preference of hiring veterans.

SB 93, relative to plumbers and mechanical contractors on state boards. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill is a housekeeping bill which removes obsolete references to the NH Plumbing and Mechanical Contractors Association on the state building code review board and the advisory committee on heating system certification. This bill also replaces one member from the old board to the new board without interruption.

SB 116-FN, relative to the licensure of liquefied propane installation and service technicians. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill requires the department of safety to combine two specialty licenses for propane installation and propane servicing into one license. This was a request by the industry and will streamline the process of liquefied propane installation and service technicians with the requirement of a specific number of hours of field experience, relevant to the installation, servicing and repair of liquefied propane gas appliances or equipment, and that at least 700 hours of field experience can be met with relevant experience.

Senate Executive Departments and Administration

February 13, 2013

2013-0355s

10/05

Amendment to SB 116-FN

Amend RSA 153:27, V as inserted by section 1 of the bill by replacing it with the following:

V. "Liquefied propane installation **and service** technician" means any person engaged in the installation, **servicing, and repair** of inside and outside piping from the outlet of the gas meter or second stage regulator or **from the point of delivery to the appliance, or the installation of gas appliances**, residential and non-residential heating equipment systems, or water heating systems using liquefied propane gas.

Amend the bill by replacing section 2 with the following:

2 Rulemaking; Specialty Licenses. Amend RSA 153:28, I(a) to read as follows:

(a) Standards regarding education or its equivalent, experience requirements, and testing requirements for applicants for initial licensure for the following specialty licenses:

(1) Hearth system installation and service technician.

(2) Liquefied propane installation **and service** technician. ***Provided that the standards adopted in rules shall not require more than 2,000 hours of field experience within a 60-month period relevant to the installation, servicing, and repair of liquefied propane gas appliances or equipment and that at least 750 hours of field experience can be met with relevant experience installing, servicing, or repairing heating oil fired appliances or equipment within the 60-month period.***

(3) ~~Liquefied propane service technician.~~

(4) Natural gas installation technician.

~~(5)~~ (4) Natural gas service technician.

~~(6)~~ (5) Piping installer.

~~(7)~~ (6) Trainee.

SB 176-FN, relative to waivers of charitable trust filing fees. Inexpedient to Legislate, Vote 5-0. Senator Soucy for the committee.

This bill waives the charitable trust filing fee for food pantries with less than \$50,000 in assets. The committee believes that by changing the asset amount from \$10,000 to \$50,000 could raise concerns of precedent with other nonprofits within the Charitable Trusts Unit. Current law provides the Director has the discretion to waive fees.

HEALTH, EDUCATION AND HUMAN SERVICES

SB 83, relative to the controlled drug prescription health and safety program. Ought to Pass, Vote 5-0. Senator Gilmour for the committee.

This bill would make various technical changes to the very important controlled drug prescription and health and safety program. The changes include adding a member to the advisory council, changing the date of the performance audit, and repealing the sunset provision.

SB 97, relative to high school equivalency and relative to illiteracy. Ought to Pass, Vote 5-0. Senator Kelly for the committee.

This bill would give the Department of Education the option to offer additional high school equivalency tests. This legislation would also repeal an outdated provision that is covered under the adequacy requirements and the minimum education standards.

SB 134-FN, relative to the division of higher education and the higher education commission. Ought to Pass with Amendment, Vote 5-0. Senator Sanborn for the committee.

This bill makes various technical changes to the higher education commission. These changes will allow for the RSA's to accurately represent the commission's role after being moved into the Department of Education.

Health, Education and Human Services

February 12, 2013

2013-0325s

04/05

Amendment to SB 134-FN

Amend RSA 21-N:8-a, II(e)(1)-(2) as inserted by section 1 of the bill by replacing them with the following:

(1) Regulate institutions of higher education pursuant to RSA 292:8-b through RSA 292:8-kk. The commission may accept accreditation by a recognized accrediting association in place of its own independent evaluation.

(2) Administer financial aid programs as provided in state and federal law for students attending higher education institutions.

Amend RSA 292:8-f, I as inserted by section 3 of the bill by replacing it with the following:

I. Any person *or entity* desiring to establish an institution of higher learning shall submit to the commission ~~at the time approval is requested for its articles of incorporation,~~ its plans, which shall be evaluated by the commission ~~[prior to granting its certificate].~~ Such evaluation shall include among other things the adequacy of the buildings or proposed buildings, instructional facilities and provisions for safety and well-being of its students, the qualifications of the faculty, the character of the program of studies and the adequacy of financial resources.

Amend the bill by inserting after section 3 the following and renumbering the original sections 4-7 to read as 5-8, respectively:

4 University System of New Hampshire; Tuition Waivers. Amend RSA 187-A:20-a and RSA 187-A:20-b to read as follows:

187-A:20-a Tuition Waived for Children of Certain Firefighters and Police Officers; Room and Board Scholarships.

I. A person who is a New Hampshire resident, who is under 25 years of age, and who enrolls in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state ~~approved by the department of education, division of higher education,~~ shall not be required to pay tuition for attendance at such institution if he or she is the child of a firefighter or police officer who died while in performance of his or her duties, and whose death was found to be compensable pursuant to RSA 281-A.

II.(a) Any person entitled to a waiver of tuition under this section may apply for a room and board scholarship while attending the institution, to the extent of available funds. ~~[Applications for a room and board scholarship shall be filed annually with the director of the division of higher education. The department of education shall adopt rules, pursuant to RSA 541-A,]~~ ***The board of trustees of the university system of New Hampshire and the board of trustees of the community college system of New Hampshire shall develop policies for their respective institutions*** relative to the development of criteria for awarding scholarships, development of scholarship application forms, application deadlines, scholarship amounts, provisions for continuing eligibility, and other procedures necessary to administer the room and board scholarships.

(b) There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the room and board scholarship fund. The state treasurer shall invest the fund pursuant to RSA 6:8 and earnings shall be added to the fund. The fund shall be continually appropriated to the ~~[division of higher education]~~ ***university system of New Hampshire*** for the purpose of providing room and board scholarships as provided in this section, and shall not be diverted or used for any other purpose. The ~~[director of the division of higher education]~~ ***board of trustees of the university system of New Hampshire and the board of trustees of the community college system of New Hampshire*** may apply for and accept gifts, grants, and donations from any source to be used for the purpose of providing room and board scholarships as provided in this section.

187-A:20-b Tuition Waiver for Children in State Foster Care or Guardianship.

I. An eligible individual who enrolls full-time in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state ~~[that is approved by the department of education, division of higher education,]~~ shall not be required to pay tuition or fees for attendance at such institution.

II. In this section, an eligible individual is a person who is less than 23 years of age and who is or was:

- (a) In state foster care for the immediate 6-month period prior to his or her 18th birthday;
- (b) In state guardianship or custody at the time of his or her 18th birthday;
- (c) Adopted while in state guardianship or adopted from the care, custody, and control of the department following a surrender of parental rights; or
- (d) In an out-of-home placement under the supervision of the division for juvenile justice services at the time of his or her 17th birthday.

III.(a) Eligible individuals interested in a tuition waiver shall annually apply ~~[to the division of higher education on a form]~~ ***on forms*** provided ~~[by the division of higher education]~~ and within the deadlines established by the ~~[division of higher education]~~ ***university system of New Hampshire and the community college system of New Hampshire for their respective institutions***. No more than ~~[20]~~ ***10*** tuition waivers per year shall be granted ***by the university system of New Hampshire and no more than 10 tuition waivers per year shall be granted by the community college system of New Hampshire***. The ~~[department of education shall adopt rules, pursuant to RSA 541-A, relative to the development of]~~ ***university system of New Hampshire and the community college system of New Hampshire shall each develop*** eligibility criteria ***for their respective institutions*** designed to give the children with the greatest financial need first priority in the tuition waiver program~~[- the creation of an application form, application deadlines, and provisions].~~ ***Such eligibility criteria shall include provisions*** for continuing eligibility ~~[which require]~~ ***based on*** continued full-time enrollment ~~[as provided in this section]~~ and ~~[maintaining]~~ satisfactory academic progress as defined by the institution.

(b) Beginning November 1, 2008, and no later than November 1 each year thereafter, the division of children, youth, and families shall submit a report to the health and human services oversight committee, established in RSA 126-A:13, and the house children and family law committee, or their successor committees, detailing the status of the tuition waiver program.

Amend the bill by replacing section 8 with the following:

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

JUDICIARY

SB 35, relative to the master jury list. Ought to Pass with Amendment, Vote 5-0. Senator Cataldo for the committee.

This bill makes the jury management system statute consistent with the software; provides an exemption in 91-A to the information contained in the Master Jury List; and clarifies that information provided by the Secretary of State's office on voter registration shall be on encrypted removable data. It exempts the Secretary of State's office from providing date of birth information on voters.

Senate Judiciary
February 21, 2013
2013-0518s
01/09

Amendment to SB 35

Amend the bill by replacing section 1 with the following:

1 Jurors; Definitions; Master Jury List. Amend RSA 500-A:1, IV to read as follows:

IV. "Master jury list" means the list blended and compiled ~~[by the administrative office of the courts]~~ from the voter lists and from the official record of persons who hold a current New Hampshire driver's license or a department of safety identification card, which shall be provided ~~[to the office by the department]~~ **by the secretary of state pursuant to RSA 654:45, VI on encrypted removable media. Information contained in the master jury list shall be private and confidential and shall not be subject to RSA 91-A.**

Amend the bill by deleting section 2 and renumbering the original sections 3 through 10 to read as 2 through 9, respectively.

Amend the bill by replacing all after section 8 with the following:

9 New Paragraph; Exemptions From Right-to-Know Law; Master Jury Lists. Amend RSA 91-A:5 by inserting after paragraph I the following new paragraph:

I-a. The master jury list as defined in RSA 500-A:1, IV.

10 Effective Date. This act shall take effect July 1, 2013.

2013-0518s

AMENDED ANALYSIS

This bill modifies certain provisions relative to jurors due to implementation of jury management software.

This bill also exempts the master jury list from the right-to-know law.

SB 69, relative to superior court jurisdiction over domestic violence petitions. Ought to Pass with Amendment, Vote 5-0. Senator Boutin for the committee.

This bill removes jurisdiction for domestic violence petitions from the Superior Courts to the Circuit Courts, District and Family Divisions, to coincide with the opening of the new court in Cheshire County. Cheshire County is the sole remaining county where family cases are still heard in the Superior Court. When the new court is opened, this jurisdiction is no longer appropriate.

Senate Judiciary
February 12, 2013
2013-0318s
05/10

Amendment to SB 69

Amend the bill by replacing section 9 with the following:

9 Judicial Branch Family Division; Jurisdiction. Amend RSA 490-D:2, VI to read as follows:

VI. Actions under RSA 173-B, relating to protection of persons from domestic violence except for concurrent jurisdiction with the ~~[superior and] district [courts]~~ **division** to enter temporary protective orders under RSA 173-B:4.

SB 81, authorizing phlebotomists and emergency medical technicians to withdraw blood for alcohol concentration tests. Ought to Pass with Amendment, Vote 5-0. Senator Soucy for the committee.

This bill, as amended, adds phlebotomists to the list of people who are allowed to draw blood at the request of law enforcement officers, authorized agents or peace officers. In its original form, the bill listed emergency medical technicians in the group of medical personnel, but after debate, EMTs were removed from the list.

Senate Judiciary
February 12, 2013
2013-0327s
03/05

Amendment to SB 81

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

AN ACT authorizing phlebotomists to withdraw blood for alcohol concentration tests.

Amend the bill by replacing section 1 with the following:

1 Administration of Alcohol Concentration Tests. Amend RSA 265-A:5, I to read as follows:

I. Only a duly licensed physician, registered nurse, certified physician's assistant, ***phlebotomist***, or qualified medical technician or medical technologist acting at the request of a law enforcement officer, authorized agent, or peace officer may withdraw blood for the purpose of a test required by RSA 265-A:4. Such licensed physician, registered nurse, ***certified*** physician's assistant, ***phlebotomist***, or qualified medical technician or medical technologist shall not be liable for damages or otherwise to the person from whom blood is withdrawn for any act performed in connection with such withdrawal provided the physician, registered nurse, physician's assistant, ***phlebotomist***, or qualified medical technician or medical technologist acts with ordinary care.

2013-0327s

AMENDED ANALYSIS

This bill authorizes phlebotomists to withdraw blood for alcohol concentration tests.

This bill was requested by the department of safety.

SB 96, relative to vexatious litigants. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill clarifies that persons who are deemed to have filed frivolous litigation against other individuals can be required to provide either a bond or be represented by legal counsel. Currently any attorney who files vexatious litigation can lose his or her license to practice law but no similar penalty exists for pro se litigants. This enables the judge, in those rare instances, to take action against those who attempt to harass individuals in our courts.

Senate Judiciary
February 21, 2013
2013-0508s
06/01

Amendment to SB 96

Amend RSA 507:15-a, I as inserted by section 1 of the bill by replacing it with the following:

I. In this section, "vexatious litigant" means an individual who has been found by a judge to have filed 3 or more frivolous lawsuits which the judge finds, by clear and convincing evidence, were initiated for the primary purpose of harassment.

SB 106, relative to confidentiality in adult guardianship cases. Ought to Pass, Vote 5-0. Senator Lasky for the committee.

This bill establishes confidentiality for records, reports and evidence submitted to the courts in adult guardianship cases.

SB 107, relative to probate administration. Ought to Pass with Amendment, Vote 5-0. Senator Lasky for the committee.

This legislation makes simple changes to our probate administration statutes to enable our probate system to be less onerous. The amendment merely clarifies that any probate administration that involves a legatee of a charitable trust, that the Director of Charitable Trusts must assent.

Senate Judiciary
February 21, 2013
2013-0506s
01/05

Amendment to SB 107

Amend the bill by replacing section 1 with the following:

1 Proof, Common Form. Amend RSA 552:6 to read as follows:

552:6 Proof, Common Form. If the probate of a will is not contested the judge may allow and approve it in common form, upon the testimony of one of the subscribing witnesses, though the others are living and within process of the court, ***or upon the assent of the surviving spouse, legatees, devisees, heirs at law and, in the case of an unnamed charitable interest, the assent of the director of charitable trusts, without the need for a witness to appear.***

2013-0506s

AMENDED ANALYSIS

This bill makes changes to probate administration. The changes include:

I. Proof of a will by the assent of the heirs and the director of charitable trusts under certain circumstances.

II. Expanding waiver of administration to situations where a parent or a revocable trust is the only heir.

III. Changes in the statute relative to inventory.

SB 137, relative to sibling visitation rights. Ought to Pass, Vote 5-0. Senator Carson for the committee.

This bill establishes a procedure for siblings to petition the court for visitation with each other. Grandparents and others can petition the court but siblings do not currently have this ability.

PUBLIC AND MUNICIPAL AFFAIRS

SB 36-L, relative to the property tax exemption for veterans who are totally and permanently disabled from service connection. Re-refer to committee, Vote 5-0. Senator Forrester for the committee.

Due to the complicated issues surrounding this type of exemption, including the potential economic impact to communities, committee members voted to re-refer the bill for further evaluation.

SB 172-FN-L, relative to public funds. Ought to Pass, Vote 5-0. Senator Stiles for the committee.

This bill allows cities, towns and school districts to maintain FDIC insurance coverage for their deposits that exceed the FDIC limit through a program called Insured Cash Sweep ("ICS"). It provides communities greater liquidity with full FDIC insurance. The ICS program permits large deposits to be shared among a network of banks, with the local bank acting as the main point of contact. ICS is much like the Certificate of Deposit Registry System ("CDARS"), which the Legislature adopted in 2010.

SB 183-FN, relative to proof of identity by voters. Re-refer to committee, Vote 5-0. Senator Lasky for the committee.

This bill repeals changes to laws requiring photo identification of voters scheduled to take effect September 1, 2013, generally referred to as "Phase II". It also modifies various provisions relating to the already implemented "Phase I", including modifications to proving identity to obtain a ballot, obtaining a voter identification card and penalties for voter fraud. The committee voted to re-refer to allow additional time to work on the bill.

SB 185, establishing a commission on housing policy and regulation. Ought to Pass with Amendment, Vote 5-0. Senator Forrester for the committee.

This bill establishes a commission on housing policy and regulation. Its purpose is to identify and reduce legislative and administrative barriers to the creation of affordable housing, and to encourage the development of same.

Public and Municipal Affairs

February 21, 2013

2013-0500s

05/04

Amendment to SB 185

Amend RSA 19-M:1, I as inserted by section 2 of the bill by inserting after subparagraph (t) the following new subparagraphs:

- (u) The president of the New Hampshire Manufactured and Modular Housing Association, or designee.
- (v) The chairperson of the New Hampshire Housing Authorities Corporation, or designee.
- (w) The president of the New Hampshire Planners Association, or designee.

TRANSPORTATION

SB 103, establishing a committee to study the definition of houseboats and mooring and beaching regulation for houseboats. Ought to Pass with Amendment, Vote 5-0. Senator Rausch for the committee.

The original intent of this bill was to establish a committee to study the definition of houseboats and mooring and beaching regulation for houseboats. The Committee amended the bill, with the help of Marine Patrol Safety, to change the current statute to address some of the issues brought forward that the committee would have been tasked to study.

Senate Transportation
February 19, 2013
2013-0469s
03/09

Amendment to SB 103

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

AN ACT relative to beaching, grounding, or tying a boat to shore.

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

1 Chapter Heading Changed. The chapter heading of RSA 270-A is repealed and reenacted to read as follows:

CHAPTER 270-A
BEACHING, GROUNDING, OR TYING A BOAT TO SHORE

2 Definitions; Mooring. Amend RSA 270-A:1, IV to read as follows:

IV. "Mooring" means beaching, grounding, or tying of a houseboat to the shore of any of the ~~[inland surface waters]~~ **public bodies of water** of the state, and the anchoring of a houseboat on any of the ~~[inland surface waters]~~ **public bodies of water** of the state.

3 New Paragraph; Definitions; Shorefront Property. Amend RSA 270-A:1 by inserting after paragraph IV the following new paragraph:

V. "Shorefront property" means land fronting or abutting a public body of water. "Shorefront property" shall not include a deeded right-of-way nor shall it include land not contiguous to the shore with any with any other type of legal shorefront access.

4 Beaching, Grounding, or Tying Permitted. Amend RSA 270-A:2 to read as follows:

270-A:2 Where ~~[Overnight Mooring]~~ **Beaching, Grounding, or Tying to Shore** Permitted. A ~~[houseboat]~~ **boat** may be beached or grounded, or tied to the ~~[shore]~~ **shorefront property** of any of the ~~[inland surface waters]~~ **public bodies of water** of the state ~~[for an overnight period, or any part of an overnight period,]~~ only when **the shorefront property is** ~~[on or at a location]~~ owned, leased, or otherwise under the control of the owner or operator of ~~[the houseboat]~~ **said boat** or by permission of the owner, lessee, or person otherwise in control of ~~[such location. An unoccupied houseboat may be anchored on the inland surface waters of the state for an overnight period, or any part of an overnight period, only in an area reasonably adjacent to a location owned, leased, or otherwise under the control of the owner or operator of the houseboat or by permission of the owner, lessee, or person otherwise in control of such location]~~ **said shorefront property. For the purposes of this chapter, property owned in common by a condominium association or other group shall be deemed owned by the group and shall not convey any rights under this chapter to its individual members.**

5 Overnight Mooring. Amend RSA 270-A:3 to read as follows:

270-A:3 Where Overnight Mooring Prohibited. No ~~[houseboat]~~ **boat** shall be beached or grounded, or tied to the shore of any of the ~~[inland surface waters]~~ **public bodies of water** of the state for an overnight period or any part of an overnight period, except as permitted in RSA 270-A:2 or in cases of emergency. No ~~[houseboat]~~ **boat** shall be anchored on any of the ~~[inland surface waters]~~ **public bodies of water** of the state for an overnight period or any part of an overnight period except as permitted in RSA 270-A:2 or in cases of emergency.

6 Penalty. Amend RSA 270-A:5 to read as follows:

270-A:5 Penalty for Overnight Mooring at a Prohibited Location. If any person shall violate any provision of this chapter relative to mooring a ~~[houseboat]~~ **boat** overnight in a prohibited location, he **or she** shall be guilty of a violation. Each night of mooring a ~~[houseboat]~~ **boat** in a prohibited location shall be considered a separate violation.

7 Additional Penalty. Amend RSA 270-A:7 to read as follows:

270-A:7 Additional Penalty. In addition to the penalties provided in RSA 270-A:5 and [6] **270-A:6**, the court may revoke the New Hampshire registration certificate and the right to obtain such a certificate for any ~~[houseboat or motor used for propelling such houseboat]~~ **boat** in violation of any of the provisions of this chapter, for a period not to exceed one year from the date of conviction.

8 Effective Date. This act shall take effect January 1, 2014.

2013-0469s

AMENDED ANALYSIS

This bill prohibits beaching, grounding, or tying a boat to shore on a public body of water without the permission of the owner, lessee, or person in control of property fronting or abutting the body of water.

SB 165, repealing a prohibition relative to auxiliary state troopers, repealing the law governing motor vehicles carrying property for hire. Ought to Pass with Amendment, Vote 5-0. Senator Boutin for the committee.

This bill was introduced at the request of the Department of Safety. The bill clarifies the number of permissible hours that members of the auxiliary State Police force may work in a part-time capacity during a calendar year, which is determined by the Police Standards and Training Council pursuant to current rules and current chapter law.

Transportation

February 13, 2013

2013-0330s

01/04

Amendment to SB 165

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

AN ACT repealing a prohibition relative to auxiliary state troopers.

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

1 Auxiliary State Police; Time of Service. Amend RSA 106-B:19 to read as follows:

106-B:19 Auxiliary State Police. The director is authorized to recruit, train, and organize an auxiliary state police force ***of not more than 16 persons*** for the purpose of providing emergency services throughout the state for peacetime or wartime emergencies or threatened emergencies and for augmenting the state police force in such manner as the director may deem appropriate. Notwithstanding other provisions the director may recruit such auxiliary force from retired state or local police. Such auxiliary force shall at all times be under the direction and control of the said director and shall be subject to rules adopted by the director under RSA 541-A ~~[and shall serve for a period of not more than 90 days in any one year]~~ ***and shall be limited to specific hours in any given calendar year for part-time police officers adopted in rules under RSA 541-A by the police standards and training council, pursuant to RSA 188-F:27, III.***

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

2013-0330s

AMENDED ANALYSIS

This bill repeals a prohibition relative to auxiliary state troopers.

The question is on the adoption of the Consent Calendar. Adopted.

MOTION OF RECONSIDERATION

Sen. Watters, having voted on the prevailing side, moved to reconsider SB 63-FN, the bill having been previously made Inexpedient to Legislate. Adopted.

Sen. Watters moved to Lay on the Table SB 63-FN. Adopted.

REGULAR CALENDAR REPORTS

COMMERCE

SB 77, instituting a state minimum hourly rate. Inexpedient to Legislate, Vote 3-2. Senator Bradley for the committee.

Sen. Larsen moved to Lay on the Table SB 77. Adopted.

SB 92, prohibiting multiple prescription drug failures. Ought to Pass, Vote 5-0. Senator Pierce for the committee.

The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.

SB 104, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire. Ought to Pass with Amendment, Vote 5-0. Senator Hosmer for the committee.

Commerce
February 21, 2013
2013-0520s
08/09

Amendment to SB 104

Amend RSA 322:14, I as inserted by section 1 of the bill by inserting after subparagraph (g) the following new subparagraph:

(h) One member of the Auto and Truck Recyclers of New Hampshire, appointed by the speaker of the house.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.

SB 117-FN, relative to pharmacy benefits managers. Ought to Pass with Amendment, Vote 5-0. Senator Cataldo for the committee.

Commerce
February 21, 2013
2013-0523s
01/09

Amendment to SB 117-FN

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

AN ACT establishing a commission to study the regulation of pharmacy benefits managers.

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

1 New Chapter; Commission to Study Pharmacy Benefits Managers. Amend RSA by inserting after chapter 420-N the following new chapter:

CHAPTER 420-O COMMISSION TO STUDY PHARMACY BENEFITS MANAGERS

420-O:1 Commission Established.

I. There is established a commission to study the regulation of pharmacy benefits managers. The members of the commission shall be as follows:

- (a) The insurance commissioner, or designee.
- (b) The commissioner of administrative services, or designee.
- (c) A representative of the pharmacy board, appointed by the board.
- (d) A representative of the New Hampshire Medical Society, appointed by the society.
- (e) A representative of the New Hampshire Nurses' Association, appointed by the association.
- (f) A representative of a large pharmacy chain, appointed by the governor.
- (g) A representative of an independent pharmacy, appointed by the governor.
- (h) A pharmacy benefit manager, appointed by the governor.
- (i) A public member representing a public health advocacy group, appointed by the governor.

II. The commission shall study the regulation of pharmacy benefits managers. The commission's study shall include, but not be limited to, whether pharmacy benefits managers should be regulated by the state and how and when the regulation should be implemented.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the representative of the pharmacy board. The first meeting of the commission shall be held within 45 days of the effective date of this section.

IV. The commission shall make an interim report on or before November 1, 2013 and a final report on or before January 1, 2014 of 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.

2 Repeal. RSA 420-O:1, relative to the commission to study the regulation of pharmacy benefits managers, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect January 1, 2014.

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

2013-0523s

AMENDED ANALYSIS

This bill establishes a commission to study the regulation of pharmacy benefits managers.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.

SB 127-FN, relative to registration of certain state contracts with the department of state and repealing the information practices act. Ought to Pass, Vote 5-0. Senator Sanborn for the committee.

The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.

SB 140-FN, requiring a pharmacy to substitute generically equivalent drugs for any prescription paid for by state funds. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Commerce

February 21, 2013

2013-0521s

01/05

Amendment to SB 140-FN

Amend RSA 318:47-d as inserted by section 1 of the bill by replacing it with the following:

318:47-d Pharmacies; Substituting Generic Drugs. Pharmacies, including mail-order pharmacies, may substitute generically equivalent drug products for all legend and non-legend prescriptions unless the prescribing practitioner handwrites "medically necessary" on each paper prescription, or uses electronic indications when transmitted electronically, or gives instructions when transmitted orally that the brand name drug product is medically necessary. ***Notwithstanding any provision of law to the contrary, pharmacies, including mail order pharmacies, shall substitute generically equivalent drugs for all legend and non-legend prescriptions when all or part of the payment for such prescription is state funds, unless the prescribing practitioner handwrites "medically necessary" on each paper prescription, or uses electronic indications when transmitted electronically, or gives instructions when transmitted orally that the brand named drug is medically necessary; provided that in cases where the legend drug is less expensive, the legend drug shall be used. Prescription refills shall not require the reissuance of the "medically necessary" indication.***

2013-0521s

AMENDED ANALYSIS

This bill requires a pharmacy to substitute generically equivalent drugs for any prescription paid for by state funds unless the legend drug is less expensive.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Committee on Finance (Rule 4-5).

SB 143-FN, relative to benefits for unemployed persons who are attempting to establish a business. Ought to Pass with Amendment, Vote 3-2. Senator Pierce for the committee.

Commerce
February 21, 2013
2013-0522s
08/09

Amendment to SB 143-FN

Amend RSA 282-A:31-g, V as inserted by section 1 of the bill by replacing it with the following:

V. "Self-employment assistance program" means a program under which an individual who meets the requirements of RSA 282-A:31-h, II is eligible to receive an allowance in lieu of regular benefits for the purpose of assisting that individual in establishing a business and becoming self-employed.

Amend RSA 282-A:31-h, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The aggregate number of individuals participating in the self-employment assistance program at any time may not exceed 2.5 percent of the number of individuals receiving regular benefits at that time.

Amend RSA 282-A:31-h as inserted by section 1 of the bill by inserting after paragraph VIII the following new paragraph:

IX. The commissioner may terminate a participant's self-employment assistance allowance when the commissioner deems it appropriate.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended.

A roll call was requested by Sen. Soucy, seconded by Sen. D'Allesandro.

The following Senators voted Yes: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Odell, Kelly, Gilmour, Lasky, Larsen, Boutin, Reagan, Soucy, D'Allesandro, Fuller Clark, Morse, Prescott, Stiles, Bragdon.

The following Senators voted No: Sanborn, Carson, Rausch.

Yeas: 21 - Nays: 3

Adopted, bill ordered to Committee on Finance (Rule 4-5).

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 86, relative to unclassified state employees. Ought to Pass with Amendment, Vote 4-1. Senator Watters for the committee.

Senate Executive Departments and Administration
February 13, 2013
2013-0353s
06/05

Amendment to SB 86

Amend the bill by replacing section 1 with the following:

1 New Section; Approval of Governor and Council. Amend RSA 94 by inserting after section 1-e the following new section:

94:1-f Unclassified Employees; Approval of Governor and Council. The governor and council shall approve the employment and salary of all unclassified employees hired or reappointed after the effective date of this section.

2013-0353s

AMENDED ANALYSIS

This bill requires the governor and council to approve the employment and salary of unclassified state employees.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended.

A division vote was requested.

Yeas: 12 - Nays: 12

Failed.

Sen. Bradley moved to Lay on the Table SB 86. Adopted.

SB 135-FN, relative to the regulation of the practice of genetic counseling. Ought to Pass with Amendment, Vote 4-1. Senator Carson for the committee.

Senate Executive Departments and Administration

February 13, 2013

2013-0356s

10/05

Amendment to SB 135-FN

Amend RSA 326-K as inserted by section 1 of the bill by inserting after RSA 326-K:6 the following new RSA section:

326-K:7 Compensation. Notwithstanding RSA 328-F:6 and RSA 328-F:15, I(g), the members of genetic counselors governing board shall serve without compensation for attendance at meetings and shall not be reimbursed for travel expenses incurred in connection with the work of the board.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Committee on Finance (Rule 4-5).

SB 181-FN-A, relative to restitution payments to financial resources management lenders. Re-refer to committee, Vote 4-0. Senator Carson for the committee.

The question is on the adoption of the Committee recommendation of Re-refer to committee. Adopted.

FINANCE

SB 150-FN-A-L, making an appropriation to the department of revenue administration for the purpose of reimbursing cities and towns for certain flood control payments. Ought to Pass with Amendment, Vote 5-0. Senator Larsen for the committee.

Senate Finance

February 20, 2013

2013-0487s

08/09

Amendment to SB 150-FN-A-LOCAL

Amend the bill by replacing section 1 with the following:

1 Merrimack River Basin; Reimbursement for Flood Control; Appropriation. The sum of \$800,000, for the fiscal year ending June 30, 2014 and the sum of \$800,000 for the fiscal year ending June 30, 2015 are hereby appropriated to the department of revenue administration for the purpose of reimbursing towns and cities in the Merrimack river basin under the Connecticut river flood control compact in RSA 484:1 and the Merrimack river flood control compact in RSA 484:7 for flood control payments authorized under RSA 122:4. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended.

A roll call was requested by Sen. Larsen, seconded by Sen. Prescott.

The following Senators voted Yes: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Odell, Sanborn, Kelly, Gilmour, Lasky, Carson, Larsen, Boutin, Reagan, Soucy, Rausch, D'Allesandro, Fuller Clark, Morse, Prescott, Stiles, Bragdon.

The following Senators voted No: (None).

Yeas: 24 - Nays: 0

Adopted.

Sen. Morse moved to Lay on the Table SB 150-FN-A-L.

Recess. Out of recess.

The question is on the motion to Lay on the Table SB 150-FN-A-L.

A roll call was requested by Sen. Soucy, seconded by Sen. Pierce.

The following Senators voted Yes: Forrester, Bradley, Cataldo, Odell, Sanborn, Carson, Boutin, Reagan, Rausch, Morse, Prescott, Stiles, Bragdon.

The following Senators voted No: Woodburn, Watters, Pierce, Hosmer, Kelly, Gilmour, Lasky, Larsen, Soucy, D'Allesandro, Fuller Clark.

Yeas: 13 - Nays: 11

Adopted.

SB 153-FN, relative to legislative approval of collective bargaining agreements entered into by the state. Ought to Pass with Amendment, Vote 5-0. Senator Larsen for the committee.

Senate Finance
February 12, 2013
2013-0322s
06/01

Amendment to SB 153-FN

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Bargaining by State Employees. Amend RSA 273-A:9 by inserting after paragraph I the following new paragraph:

I-a. Notwithstanding any other provision of law to the contrary, the cost items of every collective bargaining agreement entered into by the state shall be approved by the fiscal committee of the general court before each takes effect.

2013-0322s

AMENDED ANALYSIS

This bill requires approval by the fiscal committee of the general court of the cost items of all collective bargaining agreements entered into by the state.

The question is on the adoption of the Committee Amendment. Adopted.

Recess. Out of recess.

Recess. Out of recess.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended.

A roll call was requested by Sen. Larsen, seconded by Sen. Fuller Clark.

The following Senators voted Yes: Forrester, Bradley, Cataldo, Odell, Sanborn, Carson, Boutin, Reagan, Rausch, Morse, Prescott, Stiles, Bragdon.

The following Senators voted No: Woodburn, Watters, Pierce, Hosmer, Kelly, Gilmour, Lasky, Larsen, Soucy, D'Allesandro, Fuller Clark.

Yeas: 13 - Nays: 11

Adopted, bill ordered to Third Reading.

SB 174-FN-A, making an appropriation for the purpose of reimbursing the spouse of a law enforcement officer who died in the line of duty. Ought to Pass, Vote 6-0. Senator D'Allesandro for the committee.

The question is on the adoption of the Committee recommendation of Ought to Pass.

A roll call was requested by Sen. Larsen, seconded by Sen. Fuller Clark.

The following Senators voted Yes: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Odell, Sanborn, Kelly, Gilmour, Lasky, Carson, Larsen, Boutin, Reagan, Soucy, Rausch, D'Allesandro, Fuller Clark, Morse, Prescott, Stiles, Bragdon.

The following Senators voted No: (None).

Yeas: 24 - Nays: 0

Adopted.

Sen. Morse moved to Lay on the Table SB 174-FN-A. Adopted.

SB 177-FN, relative to the procurement process for state services and establishing a state contracting standards board. Re-refer to committee, Vote 6-0. Senator Morse for the committee.

Sen. Morse moved to Lay on the Table SB 177-FN. Adopted.

HEALTH, EDUCATION AND HUMAN SERVICES

SB 48, relative to school performance and accountability. Ought to Pass with Amendment, Vote 4-1. Senator Stiles for the committee.

Health, Education and Human Services

February 19, 2013

2013-0465s

04/09

Amendment to SB 48

Amend the bill by replacing section 2 with the following:

2 School Performance and Accountability; Definitions. Amend RSA 193-H:1 to read as follows:

193-H:1 Definitions. In this chapter:

I. "Commissioner" means the commissioner of the department of education.

II. "Department" means the department of education.

III. "[~~Highly-qualified~~] **Effective** teacher" means a person who is certified by the local school board **and holds a valid teaching credential**, and who has demonstrated, through a process approved by the department of education, teaching skills in the core subjects of instruction.

IV. **"Focus school" means a school that has the largest within-school gaps between the highest achieving subgroup or subgroups of students and the lowest-achieving subgroup or subgroups of students or, for a high school, has the largest within-school gaps in graduation rates.**

V. **"Priority school" means:**

(a) A school that is among the lowest 5 percent of schools in the state based on the achievement of all students on the statewide assessment pursuant to RSA 193-C and which, when measuring the achievement of all students, has demonstrated a lack of progress on the statewide assessment over 3 years; or

(b) A high school with a graduation rate of less than 60 percent over 3 years.

VI. "Statewide assessment" means the New Hampshire education improvement and assessment program as established under RSA 193-C.

2013-0465s

AMENDED ANALYSIS

This bill makes various changes to the statute on school performance and accountability. The bill also repeals the local education improvement fund established under the statewide assessment program and establishes definitions of "priority school" and "focus school."

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.

SB 53, relative to school district policies regarding a parent's determination that certain course material is objectionable. Inexpedient to Legislate, Vote 4-1. Senator Sanborn for the committee.

The question is on the adoption of the Committee recommendation of Inexpedient to Legislate. Adopted.

Sen. Soucy is in opposition to the motion of Inexpedient to Legislate on SB 53.

SB 82, establishing a commission to identify strategies needed for developing and implementing a competency-based public education system. Ought to Pass with Amendment, Vote 5-0. Senator Stiles for the committee.

Health, Education and Human Services

February 12, 2013

2013-0328s

04/01

Amendment to SB 82

Amend section 1 of the bill by replacing it with the following:

1 New Subdivision; Commission for Competency-Based Public Education. Amend RSA 189 by inserting after section 64 the following new subdivision:

Commission for Competency-Based Public Education

189:65 Commission Established. There is hereby established a commission to identify strategies needed for delivering and implementing a competency-based public education.

189:66 Membership and Compensation. The members of the commission shall be as follows:

I. The commissioner of the department of education, or designee.

II. The chairman of the New Hampshire state board of education, or designee.

III. One teacher who is a member of the National Education Association-New Hampshire, appointed by the executive director of the association.

IV. One member from the American Federation of Teachers-New Hampshire, appointed by such organization.

V. Two New Hampshire school district superintendents, appointed by the president of the New Hampshire School Administrators Association.

VI. One member from the New Hampshire School Boards Association, appointed by the president of the association.

VII. One member from the New Hampshire Association of Special Education Administrators, appointed by the president of the association.

VIII. One member from the Parent Information Center, appointed by the executive director of the center.

IX. One member from the community college system of New Hampshire, appointed by the chancellor of the community college system of New Hampshire.

X. One member from the New Hampshire Association of School Business Officials, appointed by the executive director of the association.

XI. Two members from the Business and Industry Association, appointed by the president of the association.

XII. Two members from the New Hampshire Association of Chamber of Commerce Executives, appointed by the president of the association.

XIII. One member from the Council for Teacher Education, appointed by the chairman of the council.

XIV. The chancellor of the university system of New Hampshire, or designee.

XV. One member from the Southeastern Regional Education Service Center, appointed by the executive director of the center.

XVI. One member from North Country Education Services, appointed by that organization.

XVII. One member who shall be a New Hampshire school district attorney, appointed by the governor.

XVIII. Five members of the public, who shall be appointed by the members of the executive council with each member of the executive council receiving one appointment.

XIX. Two members who have received the New Hampshire Teacher of the Year award, appointed by the commissioner of the department of education.

XX. One member who is an elementary or middle school principal, appointed by the New Hampshire Association of School Principals.

XXI. One member who is a high school principal, appointed by the New Hampshire Association of School Principals

XXII. One member of the New Hampshire Extended Learning Organization, appointed by that organization.

XXIII. One attorney licensed in the state of New Hampshire who represents children with disabilities, appointed by the Disabilities Rights Center.

XXIV. One member representing home schooled students, appointed by the chairperson of the home education advisory council established in RSA 193-A:10.

XXV. One member representing charter school students, appointed by the New Hampshire Public Charter School Association.

XXVI. One member representing students engaged in career and technical education, appointed by the New Hampshire Association of Career and Technical Administrators.

189:67 Duties. The commission shall:

I. Create a report defining the development and implementation of a competency-based public education system which is based on each student attaining mastery of required competencies regardless of the learning environment.

II. Identify multiple models and strategies of financing a competency-based public education.

III. Identify the roles educators will play in a competency-based public education system.

IV. Identify multiple models and strategies of financing for a competency-based education system in school districts of various sizes and financial capabilities.

V. Identify support structures needed to facilitate the successful implementation of a competency-based system.

VI. Identify potential barriers to successfully implementing a competency-based system.

VII. Make recommendations for legislation that will facilitate the implementation of a competency-based system.

VIII. Not suggest or identify any new tax source to fund the commission's recommendation.

189:68 Chairperson; Quorum. The members of the commission shall elect a chairperson and a vice-chairperson from among the members at the first meeting. The first meeting of the commission shall be called by the chairman of the state board of education. The first meeting of the commission shall be held within 15 days of the effective date of this section. Fifteen members of the commission shall constitute a quorum. Meetings of the commission shall be noticed in the house of representatives and senate calendars.

189:69 Report. The chairperson of the commission shall submit the report of the commission's 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, the state library, and the commissioner of the department of education on or before October 31, 2014.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.

JUDICIARY

SB 156-FN, relative to the appointment of a guardian ad litem in certain sexual assault cases. Inexpedient to Legislate, Vote 4-0. Senator Lasky for the committee.

The question is on the adoption of the Committee recommendation of Inexpedient to Legislate. Adopted.

PUBLIC AND MUNICIPAL AFFAIRS

SB 88, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces. Ought to Pass with Amendment, Vote 5-0. Senator Forrester for the committee.

Public and Municipal Affairs

February 21, 2013

2013-0499s

01/04

Amendment to SB 88

Amend RSA 3:3-d as inserted by section 2 of the bill by replacing it with the following:

3:3-d Display of Honor and Remember Flag. The Honor and Remember Flag shall be displayed by the state daily at the New Hampshire state veterans cemetery in Boscawen, above the state house in Concord immediately below the state flag when there is a New Hampshire casualty, and on the following days:

I. Gold Star Mother's Day, the first Sunday after Easter.

II. Memorial Day, the last Monday in May.

III. Independence Day, July 4.

IV. National POW/MIA Recognition Day.

V. Veterans Day, November 11.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.

SB 102, relative to the selection of members of the conservation commission. Inexpedient to Legislate, Vote 3-2. Senator Lasky for the committee.

The question is on the adoption of the Committee recommendation of Inexpedient to Legislate. Failed.

Sen. Bradley moved Ought to Pass.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

TRANSPORTATION

SB 47, relative to a surviving spouse's right to retain a Purple Heart plate. Ought to Pass, Vote 4-1. Senator Boutin for the committee.

The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.

Sens. Cataldo and Carson are in opposition to the motion of Ought to Pass on SB 47.

SB 159, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations. Ought to Pass with Amendment, Vote 3-0. Senator Watters for the committee.

Senate Transportation

February 13, 2013

2013-0367s

03/10

Amendment to SB 159

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Motor Carriers; Exemption for Agricultural and Farm Vehicles. Amend RSA 266:72-a by inserting after paragraph V the following new paragraph:

VI. The driver of any vehicle operating intrastate and registered with New Hampshire farm or agricultural plates and with a gross vehicle weight, gross vehicle weight rating, or gross combination weight rating of 26,000 pounds or less; designed or used to transport fewer than 16 passengers, including the driver; and which does not transport materials required to be placarded pursuant to 49 C.F.R. part 172, subpart F, shall be exempt from the provisions of 49 C.F.R. parts 391, 392, 393, 395, and 396, as adopted as rules pursuant to this section, except that such exemption shall not apply to the requirements of 49 C.F.R. section 392.3,

operating while fatigued or ill, 49 C.F.R. section 392.4, use of illegal drugs or substances, 49 C.F.R. section 392.5, driver use of alcohol, 49 C.F.R. part 393, subpart C, brakes, and 49 C.F.R. section 396.7, unsafe operations forbidden.

The question is on the adoption of the Committee Amendment. Adopted.

Sen. Rausch offered a floor amendment.

Sen. Rausch, Dist. 19

March 5, 2013

2013-0715s

03/04

Floor Amendment to SB 159

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 the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.

SB 160-FN-A, relative to turnpikes and electronic toll collection. Ought to Pass with Amendment, Vote 3-0. Senator Boutin for the committee.

Senate Transportation

February 19, 2013

2013-0470s

06/10

Amendment to SB 160-FN-A

Amend the bill by replacing section 6 with the following:

6 Toll Collection System. Amend RSA 236:31, IV(d) to read as follows:

(d) A schedule of administrative fees to be imposed upon those who violate this section. Such administrative fees shall be set from time to time in an amount sufficient to permit the department to fully recover its costs, and the costs incurred by the department of safety, to administer, maintain, and upgrade the violation enforcement system. All funds received under this section shall be deposited in the turnpike fund. The department of transportation may, with the approval of the fiscal committee of the general court and the governor and council, draw from the turnpike fund to administer the [electronic] toll **collection** system.

Amend the bill by replacing section 8 with the following:

8 Toll Collection System. Amend RSA 236:31, VII to read as follows:

VII. The transponders and the monitoring system used in [electronic] **a** toll collection **system** shall not be used to track or determine the location of a vehicle or be used to collect information, including but not limited to the name, street address, post office box number, license, or billing information, about the individual and vehicle associated with the transponder, except at each point where a toll is collected or incurred.

Amend the bill by replacing section 13 with the following:

13 Turnpike System; Funds Provided; Blue Star Memorial Highway. Amend RSA 237:7, I(a) to read as follows:

(a) Improvements to the Blue Star

memorial highway. RSA 237:2, I, IX.

[70,000,000] **68,800,000**

Amend the bill by inserting after section 14 the following and renumbering the original section 15 to read as 16:

15 Turnpike System; Funds Provided. Amend RSA 237:7, I(k) to read as follows:

(k) Toll collection equipment. RSA 237:2, VIII, IX.

[116,000,000] **117,300,000**

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Committee on Finance (Rule 4-5).

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 155-FN-A, relative to production of a Civil War commemorative bottle by the state liquor commission. Ought to Pass with Amendment, Vote 5-0. Senator Watters for the committee.

This bill requires that revenue which is received from commemorative liquor bottles be used for the preservation of Civil War battle flags displayed at the state house. The amendment changes the title of the original bill to reflect the existing RSA, which gives the Liquor Commission authority to issue bottles.

Senate Executive Departments and Administration
February 20, 2013
2013-0485s
03/09

Amendment to SB 155-FN-A

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

AN ACT requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags.

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

1 Historical Fund; Flag Preservation. Amend RSA 177:8, II to read as follows:

II. All revenue from these special markups shall be reported separately by the commission and, after the cost of the pamphlets is subtracted, shall be credited to the legislative appropriation and kept as a special nonlapsing fund to be known as the historical fund. The historical fund shall be within the oversight of the *joint* legislative historical committee established in RSA 17-I:1. No part of the fund shall be transferred or expended for any purpose except by the *joint legislative* historical committee in carrying out its responsibilities under RSA 17-I. ***The joint legislative historical committee shall use the revenue from the special markups exclusively for the preservation of Civil War battle flags displayed at the state house.***

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

2013-0485s

AMENDED ANALYSIS

This bill requires revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Committee on Finance (Rule 4-5).

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 178, establishing a committee to review and make recommendations regarding consolidating all state energy positions throughout state departments. Ought to Pass with Amendment, Vote 5-0. Senator Watters for the committee.

This bill establishes a committee to review and make recommendations regarding consolidating all state energy positions throughout state departments. The amendment changes the number of Senators assigned to this Committee from two to one and adds two additional House members appointed by the Speaker.

Executive Departments and Administration
February 13, 2013
2013-0352s
04/01

Amendment to SB 178

Amend the bill by replacing section 2 with the following:

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) Five members of the house of representatives, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.

JUDICIARY

SB 44, relative to the disposal of controlled drugs by law enforcement officers. Ought to Pass, Vote 5-0. Senator Boutin for the committee.

This bill amends the procedure for disposal of controlled drugs and centralizes writing administrative rules with the Department of Justice.

The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.

JUDICIARY

SB 145-FN, allowing publication by electronic means by the probate division. Ought to Pass with Amendment, Vote 5-0. Senator Boutin for the committee.

This legislation removes the current statutory language that requires publication of notices in local newspapers and allows the courts to use their web site for publication. This change will enable estates to save on publication costs and enables court personnel to save time by not having to prove that the publications met statutory requirements.

Senate Judiciary
February 21, 2013
2013-0507s
01/10

Amendment to SB 145-FN

Amend RSA 550:10 as inserted by section 1 of the bill by replacing it with the following:

550:10 Publication of Notice in Newspaper or Electronic Media.

I. Notwithstanding any other provision of law, whenever notice is required to be published by the probate court, the clerk of the applicable circuit court established in RSA 490-F shall cause such notice to be made available to the public on the New Hampshire judicial branch website or by other electronic media for no less than 2 weeks beginning no later than 2 weeks before the day or thing of which notice is given, unless otherwise ordered by the judge.

II. The clerk may cause such notice to be published in a newspaper which circulates in the town or city in which the person whose estate is involved last resided, or in the county whose court has jurisdiction, or otherwise as ordered by the judge. If published in a newspaper, the first such publication shall be at least 2 weeks before the day or thing of which notice is given and the second publication shall be at least 7 days before the day or thing of which notice is given, unless otherwise ordered by the judge.

III. Notice shall be published in English, and may be published in a language other than English, if ordered by the judge.

IV. The clerk may publish in one notice the necessary information pertaining to more than one estate, provided, however, that each separate subject matter such as the appointment of a fiduciary, a hearing on an account, a hearing on a license to sell real estate, or any other designated subject matter shall have a specific designation within each such notice.

V. Prior to such publication, the fiduciary of the estate concerned shall advance and pay to the clerk the cost of such publication as determined by the clerk, and a fee to the clerk as established by the supreme court under RSA 490:27. The fiduciary shall be allowed said sums so paid to the clerk in the account.

Sen. Boutin moved to Lay on the Table SB 145-FN. Adopted.

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 35, relative to the master jury list.

SB 44, relative to the disposal of controlled drugs by law enforcement officers.

SB 47, relative to a surviving spouse's right to retain a Purple Heart plate.

SB 48, relative to school performance and accountability.

SB 54, relative to appeals from the department of administrative services bureau of public works design and construction.

SB 69, relative to superior court jurisdiction over domestic violence petitions.

SB 81, authorizing phlebotomists to withdraw blood for alcohol concentration tests.

SB 82, establishing a commission to identify strategies needed for developing and implementing a competency-based public education system.

SB 83, relative to the controlled drug prescription health and safety program.

SB 88, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces.

SB 90, establishing a committee to study developing a policy for veteran preference for government hiring.

SB 92, prohibiting multiple prescription drug failures.

SB 93, relative to plumbers and mechanical contractors on state boards.

SB 96, relative to vexatious litigants.

SB 97, relative to high school equivalency and relative to illiteracy.

SB 102, relative to the selection of members of the conservation commission.

SB 104, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire.

SB 106, relative to confidentiality in adult guardianship cases.

SB 107, relative to probate administration.

SB 117-FN, establishing a commission to study the regulation of pharmacy benefits managers.

SB 127-FN, relative to registration of certain state contracts with the department of state and repealing the information practices act.

SB 153-FN, relative to legislative approval of collective bargaining agreements entered into by the state.

SB 159, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations.

SB 165, repealing a prohibition relative to auxiliary state troopers.

SB 178, establishing a committee to review and make recommendations regarding consolidating all state energy positions throughout state departments.

SB 185, establishing a commission on housing policy and regulation.

LIST OF RULE 6-25'S FOR THE DAY
ANNOUNCEMENTS

(The Chair recognized Sen. Pierce.)

SENATOR PIERCE: Thank you, Mister President. In follow-up to the Senate's action adopting the Honor and Remember Flag, as the Senator from District 2 mentioned, in Committee, there was a young woman who read the names of 66 Granite Staters who had given their lives—I believe it was in the Iraq and Afghanistan

Conflicts. And I asked the Chairman from Hooksett if we could stand and give a moment of silence in recognition of that sacrifice, and he graciously granted that. I believe it's appropriate for the entire Senate to do that in a follow-up to adopting that flag.

The Senate observed a moment of silence in remembrance of members of the Armed Forces killed in the line of duty.

(The Chair recognized Sen. Gilmour.)

SENATOR GILMOUR: Thank you, Mister President. Many of us lost a friend this week with the death of Jan Squires. Jan gave real meaning to the saying that behind every successful man is a good and very strong woman. She did this while always being true to her own self. Jan spent much of her growing up time in New London, where she met and married her college sweetheart, Jim Squires. Jan supported Jim through medical school, the Air Force, and the many years of surgical residency until they moved back to New Hampshire and settled in Hollis. While Jim began his amazing career benefitting our state—including holding this District 12 Senate seat—Jan began her own life of community service. Always the outgoing one of the duo, Jan gathered the friends, gave the parties, worked to make the community better, as part of her church, the library, the schools, and conservation efforts. Part of the Voting Checklist team for years, Jan loved the behind-the-scenes work of politics. She entertained many a candidate for all offices, including President—usually Republicans—and worked tirelessly to make sure things were done just right. She helped her friends—including me—when they chose to run for whatever office we sought, whether it be this chamber or for the post of cemetery trustee, as she believed in the importance of getting good people involved in our public process and into office.

Jan has tons of friends and a wide social circle. Perhaps I shouldn't, but I will share one of her lesser-known secrets: She liked to sneak away and take the bus to Foxwoods for a weekend at the casino. She called it her favorite bed and breakfast in Connecticut. She made us laugh with that.

Jan has four children and ten grandchildren. She was fiercely proud of each one of them and their activities and accomplishments. All will miss her deeply, as will all of her friends, but we are better for being part of her life. Thank you.

(The Chair recognized Sen. D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Mister President, I rise to let my colleagues know of the passing of one of the most distinguished women in the history of the State of New Hampshire: May Sidore Gruber. May Gruber was just a week shy of her 101st birthday—her 101st birthday. Actually, we had a party for her at St. A's to celebrate her 100th birthday. But, let me tell you some of the things that made May Sidore so special—May Gruber so special.

She and her family founded a company called the Pandora Knitting Mill. In 1940, they moved to Manchester, New Hampshire. At the height of their production, they employed 1,000 people, and those of you that drive by the mill yard see the Pandora building; it's still there today. They had 1,000 people and produced about 60,000 sweaters a week. These sweaters were distributed around the world. But May not only kept it going after her husband passed away, but she went out into the community, raised \$1.5 million to buy all of her partners out so that she had exclusive control of the Pandora Industries.

She was very philanthropic. She was a founder of the Child Health Services in Manchester and kept that thing going with her philanthropic donations time after time after time. She founded, along with her family, founded a lecture series at University of New Hampshire in Manchester: the Sidore Lecture Series. They gave a building in Manchester to the University of New Hampshire. She was a founder of the Community Music School in Manchester. She's a great supporter of the Democratic Party: helped fund the League of Women Voters in New Hampshire and the New Hampshire Civil Liberties Union. She even had a newspaper in Manchester called the *Manchester Free Press*. She was politically active and active in her community until she was 99 years of age—99 years of age. There are those who knew May who really were astounded by the kind of energy that she manifested well, well into her nineties. She was a woman who did things that no women before had done, continued to do them until her passing, and leaves a remarkable record for New Hampshire—a remarkable record for New Hampshire. She was philanthropic, she was a businesswoman who did good things for our community, a lover of the arts. She and her husband—her second husband, Mr. Gruber—fund a Chair at New York University, where she graduated from. A woman who will be sorely missed in our state, and truly an example...If you want an example for young women, where you say: "Boy, women can rise to the top," May Sidore is a perfect example of that—a perfect example of it, and did it with grace, did it with dignity, and shared the wealth with her community. We are all sad at the passing of May Gruber, but when you think of it, how lucky we were to have her for 100 years. I think we all wish that we could fall into that category. Thank you, Mister President.

(The Chair recognized Sen. Prescott.)

SENATOR PRESCOTT: Great. Thank you. My daughter went to Sanborn High School, went to the Community Technical School in Exeter, and she went through biochemistry in high school, got really enthralled about it, and when this bill came forward—HB 135—it reminded me that my daughter's probably going to graduate from UNH with a genetics degree, and she was just accepted to the University of Maryland doctorate program in Baltimore to be a human geneticist.

(The Chair recognized Sen. Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. This last week, the North Country lost an important lady at 95 years old: Natalie Grimes from Bath, New Hampshire. She was involved in many things, including her local church and the Pine Grove Grange, but probably to most of us is known as the voice of Ray Burton. She was Ray Burton's mother, and for many, many years she was the voice that answered the phone, and many people have come to rely on her in time of need to be the person who listened and took care of their needs. So, keep her in your prayers, please. Thank you.

Without objection all Rule 2-16's shall be entered into the permanent *Journal of the Senate*. Adopted.

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.