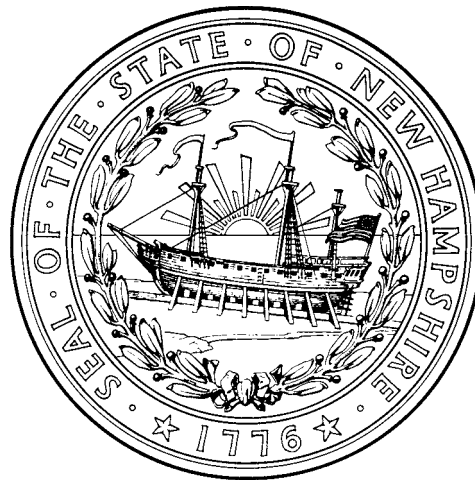


September 15, 2014
Nos. 15-16

STATE OF NEW HAMPSHIRE

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**Second Year of the 163rd Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – JUNE 4, 2014 SESSION
COMMENCEMENT – SEPTEMBER 15, 2014 SESSION**

SENATE JOURNAL 15 *(continued)*

June 4, 2014

RESIGNATION OF STATE SENATOR

The Senate received a letter of resignation from Senator Peter Bragdon dated June 6, 2014.

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 16

September 15, 2014

The Senate reconvened at 11:30 a.m., a quorum being present.

Reverend Michael Wilson, guest chaplain to the Senate, offered the following meditative thoughts and prayer:

Let us pray. Almighty God, being glorified at all times, knowing that we can do nothing without divine guidance; send your blessings and direct divine wisdom and power on the members of the New Hampshire State Senate that they may accomplish their task faithfully and diligently, being profitable to the residents of New Hampshire. Be their light when the day is dark; their fortress in the hour of temptation, a house of defense to save them; their strength when the flesh is weak and the spirit depressed; and their hope when all other hope fails. Grant them perfect health of mind and body. Direct their thoughts in the way of truth and they may enact, order, and enforce those laws that are true and just. Enlighten them to govern and lead in the way of prosperity and righteousness.
Amen.

Sen. Boutin led the Pledge of Allegiance.

Sen. Lasky and Sen. Gilmour were excused from today's session.

INTRODUCTION OF GUESTS

Recess. Out of recess.

PRESIDENT MORSE: Before we get started today, I would like to take a few minutes of personal privilege. The last time we all convened we spoke of three Senators retiring - little did we know that there would be a fourth. Senator Larsen gave us a little surprise.

When looking at Senator Larsen's career, it is clear that she believes in and embodies public service. She worked in the Wisconsin state Senate and she also served as a legislative liaison to Governor Hugh Gallen here in New Hampshire. She also served the City of Concord as a councilor for 9 years and is completing her 20th year in the New Hampshire Senate.

In addition to her service in the public sector, Senator Larsen also gave her time serving on numerous boards and capital committees for non-profits, including the Capital Center for the Arts, the Concord Boys and Girls Club, the Concord Regional Development Corporation, Merrimack County Savings Bank, Families in Transition, and the Concord Hospital.

Among her many accomplishments in the Legislature, she was the longest serving female Senate President in New Hampshire and presided over the nation's first legislative body comprised of a female majority.

As a Senator, Senator Larsen always did her homework, paid attention to the details and came prepared with questions. Whether it was on the Finance Committee, the Capital Budget Committee or one of the other committees we served on together, she didn't hesitate to disagree with me. By the same token, on the rare occasions it happened, I don't believe it was rare, she didn't hesitate to agree with me.

In addition to the attention she paid to legislation pending before this body, Senator Larsen would always ask about my family or my business. She did so, of each of us, because she genuinely cares. Senator Larsen -

I would like to thank you for taking the time to care about each one of us and for the Senate in your role as Senate President, Minority Leader, and the Senator representing District 15. Your legacy will be one of grace, fairness, kindness and reverence. I have no doubt that your contribution to the Senate is one that made us all a little nicer, more respectful and more caring.

Senator Larsen, it has truly been an honor to serve with you, and I know you know that. I will always appreciate your words of advice and guidance to me. I wish you the very best and I hope you will enjoy your next chapter in life with your family and loved ones. Thank you for your service and congratulations on your retirement.

SENATOR LARSEN: I remember when I first ran for office my opponent charged me with being a nice lady. I actually think that was one of the highest praises I could receive. I am honored by the kind words from our Senate President, and the friendship of all of you. It is, I think, it is my greatest hope that I leave all of you that sense of respect for each other, and compassion for each other because we're a small group, and we have a lot to do. So, best of luck to all of you, and thank you for this.

PRESIDENT MORSE: Seeing no more retirements...

Without objection, the Clerk shall read the title of the Veto Message only.

VETO MESSAGE

July 28, 2014

Governor's Veto Message Regarding Senate Bill 391

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 28, 2014, I have vetoed Senate Bill 391, an act relative to the juvenile justice advisory board, the policies and procedures of the youth development center and a reduction in appropriation to the Sununu Youth Services Center.

The original legislation was well intentioned; however, a last-minute decision in conference committee resulted in a bill that I cannot support. As passed, Senate Bill 391 fundamentally shifts New Hampshire juvenile justice policy in a direction that could too strongly emphasize incarceration. This shift raises serious concerns and merits significant public debate and discussion, which unfortunately the final version of this bill did not receive.

At the direction of the legislature through Senate Bill 349 in 2012, the Department of Health and Human Services has been working to integrate the Division of Children, Youth and Families and Juvenile Justice. That integration has not always been smooth, and it has also been challenged by legislatively mandated budget cuts specific to the Sununu Center. But, as the legislature decided just two years ago, there is significant value in integrating our system for helping children in need, and moving away from an institutional/incarceration model to the extent possible.

This bill would require a separate director of Juvenile Justice, equivalent to the director of the Division of Children, Youth and Families. The legislation requires that the director of Juvenile Justice also be the director of the Sununu Youth Services Center.

My office, and the department, had worked hard with legislators and supported a compromise that would have clarified the membership and responsibilities of the Juvenile Justice Advisory Board and would have provided a meaningful opportunity for continued review and evaluation in the integration of these essential services.

Unfortunately, this legislation abruptly reverses state policy by once again isolating juvenile justice services from other services to children and youth, and it goes a step further by emphasizing the "incarceration" component of these services. As a state, we recognize the potential long-term negative impacts of incarceration on the rehabilitation of juvenile offenders.

While institutionalization is sometimes unavoidable given the danger some youthful offenders represent to themselves and to others, as a state we have worked to increase community placements and reduce the length of stays for children at the Sununu Center. Of the 1400 children currently under the supervision of juvenile justice services, only about 60 are in the Sununu Center. Yet, this legislation places the director of the Sununu Center in charge of all juvenile services. Such a fundamental shift in policy comes with a high cost to both children and taxpayers and would take New Hampshire in the wrong direction.

The original legislation began as an effort to re-establish and clarify the responsibilities of the Juvenile Justice Advisory Board. That is an effort I do support, and I will work to implement to the extent possible that portion of the legislation through an Executive Order.

In addition, the Commissioner of Health and Human Services and I share a belief that we do need a fundamental examination of our juvenile justice system and the Sununu Center, especially as we prepare to return 17 year-olds to New Hampshire's juvenile justice system. Therefore the Department of Health and Human Services will engage an independent, organization with national expertise to conduct a review of the Sununu Center and juvenile justice services, and to make recommendations on how we can improve our juvenile justice structure, management and policies.

An integrated, community-based approach is both the most likely to help youthful offenders put their lives back on track, and the most cost-effective for the state. This bill would undo our efforts to move in that direction. Therefore, I have vetoed Senate Bill 391.

Respectfully Submitted,

Margaret Wood Hassan
Governor

The question is not withstanding the Governor's Veto, shall Senate Bill 391 become law?

A roll call is required.

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

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

Yeas: 12 - Nays: 9

Veto sustained lacking necessary 2/3 vote.

Sen. Gilmour and Sen. Lasky were excused.

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.

Adopted. Adjournment from the Early Session.

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

(The Chair recognized Sen. D'Allesandro)

SENATOR D'ALLESANDRO: Thank you, Mister President. Mister President, point of personal privilege, please. Thank you. Last week, the son of one of our former employees passed away. Bob Quinn's son passed away. Bob Quinn's son was developmentally disabled when he passed away at Cedarcrest in Keene. It's not in the life stream for a child to pass away before the parent, but in this particular situation, most of you know that Bob Quinn and his wife spent an extraordinary amount of time giving love and affection to this child who was disadvantaged at birth. The situation was this: the child was in Cedarcrest due to respite, and the word came to the family that he was doing marvelously well the day before. He had one of the best days of his stay there, and he was really coming back and doing well. The next day they got a call - you have to come over to Cedarcrest. Not knowing why, they ventured over and found out that their son had passed away. As I said, those of us who are married and have children understand that the greatest loss in life is the loss of a child, and Abby and Bob Quinn spent so much time and effort caring for this child. And they knew that this child's lifespan was going to be limited, but you never know when, you just never know when. I know that they faced this tragedy and they'll go on. And I think it's another example of how parents give so much, so much to their children, and you never know about what's going to happen. So, indeed, you treasure every day. Bob Quinn is just a fine young man. His wife is a fine young woman. He served us well when he was a member of our staff here in the Senate, and they have, obviously, my deepest sympathy, and my hope that they can restructure their lives, and move forward. They have two other children, and they have to, you know, bear the effects of the loss of a child as life goes on. You know, I say this with a great deal of concern. When you have a child, or grandchild, who has an infirmity, and you never know, you never know, when their life may

be taken, what you do is you treasure every moment of every day. And as the Quinn's did, they treasured every moment of every day. And the great experiences - you just can never give enough love - you can never do that, and when the time comes that there's a separation, we all share in the great, great sympathy that we extend to the family. Thank you, Mister President.

(The Chair recognized Sen. Larsen.)

SENATOR LARSEN: I would just like to add our condolences to the family of Betsy Miller, who passed away unexpectedly. She was a presence, and well known in this chamber and in the State House for her advocacy for the counties, and many other issues. Some of us were at her funeral not so long ago, and extend our deepest sympathies to her family in this unexpected loss. Thank you.

Without objection all personal privileges and unanimous consent shall be entered into the permanent *Journal of the Senate*. (Rule 2-16 and Rule 2-17)

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 sending and receiving messages, and when we recess, we recess to the call of the Chair.

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

HOUSE MESSAGE

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

HB 591, relative to an abusive work environment and the health and safety of public employees.

HB 685, relative to state agency communications.

HB 1244, relative to the disclosure of the names of lottery winners.

HOUSE MESSAGE

As of this date September 17, 2014, at 11:50 a.m., the House of Representatives has adjourned from the second year session of the 163rd General Court.

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