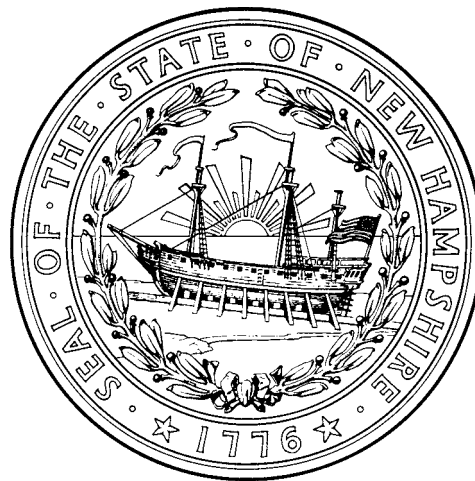


December 3, 2014  
No. 1

# **STATE OF NEW HAMPSHIRE**

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**First Year of the 164<sup>th</sup> Session of the  
New Hampshire General Court**

**Legislative Proceedings**

## **SENATE JOURNAL**

**ORGANIZATION DAY – DECEMBER 3, 2014 SESSION**

# SENATE JOURNAL 1

*December 3, 2014*

## ORGANIZATION DAY

The Honorable Tammy L. Wright, Clerk of the Senate, called the Senate to order at 10:00 a.m.

The Reverend Michael Wilson, guest chaplain to the Senate, offered the following prayer:

*Almighty God, we humbly ask that You bless the members of the New Hampshire State Senate, their families, and their staff, as they embark on a new term in office. Grant to them good health, discernment in their deliberations, and the strength needed to do the work of the people. Grant to them good judgment in bringing forth legislation and enacting bills that are beneficial for the residents of New Hampshire. Guide them in their actions, direct them along the right path, and watch over them always and protect them. We ask this in Your Holy Name.* Amen.

Sen. Woodburn led the Pledge of Allegiance.

The Honorable Tammy L. Wright, Clerk of the Senate, called the Roll of the Senate for attendance. There were 24 members present.

## OATH OF OFFICE FOR SENATORS

At this time, on the first Wednesday in December, in the year of our Lord, two thousand and fourteen, being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble and the Honorable Margaret Wood Hassan, Governor of the State of New Hampshire, accompanied by the Honorable Executive Council, will come into the Senate chamber, and will now subscribe the oaths of office and witness the signing of the oath by each individual Senator, and verify that these are duly qualified as Senators agreeably to the provisions of the Constitution.

GOVERNOR MARGARET WOOD HASSAN: Thank you. Well, good morning. First of all, congratulations to all of you, and I look forward to working with all of you. With that, would you now please raise your right hand, and where appropriate you will state your name and town and repeat after me:

*I, state your name, of your city or town, do solemnly swear, that I will bear faith and true allegiance to the United States of America and the state of New Hampshire, and will support the constitution thereof. So help me God.*

*I, state your name, do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all duties incumbent on me as State Senator according to the best of my abilities, agreeably to the rules and regulations of this constitution and laws of the state of New Hampshire. So help me God.*

GOVERNOR MARGARET WOOD HASSAN: Congratulations.

WHEREUPON, the Governor and Council witnessed the signing of the oath by each of the following individual Senators, verifying that these are duly qualified as Senators pursuant to the provisions of the New Hampshire Constitution:

District No. 1, Jeff Woodburn

District No. 2, Jeanie Forrester

District No. 3, Jeb Bradley

District No. 4, David H. Watters

District No. 5, David Pierce

District No. 6, Sam Cataldo

District No. 7, Andrew J. Hosmer

District No. 8, Jerry Little

District No. 9, Andy Sanborn

District No. 10, Molly Kelly

District No. 11, Gary L. Daniels

District No. 12, Kevin A. Avard

District No. 13, Bette R. Lasky

District No. 14, Sharon M. Carson

District No. 15, Dan Feltes

District No. 16, David Boutin

District No. 17, John Reagan

District No. 18, Donna M. Soucy

District No. 19, Regina Birdsell

District No. 20, Lou D'Allesandro

District No. 21, Martha Fuller Clark

District No. 22, Chuck Morse

District No. 23, Russell Prescott

District No. 24, Nancy F. Stiles

#### ELECTION OF THE PRESIDENT OF THE SENATE

The Honorable Tammy L. Wright, Clerk of the Senate, stated that nominations for President of the Senate are in order.

(The Clerk recognized Sen. Bradley for a nomination.)

SENATOR BRADLEY: Good morning Madam Clerk. How are you this morning? Good morning everybody. Welcome back. Happy holidays. It is indeed an honor to be able to nominate more than our former Senate President to be our next Senate President but, really in my view, our friend: Senator Morse, from Salem, to be our next Senate President. What are the characteristics that the 24 of us need to look for in a leader: fairness, impartiality, integrity, honesty, commitment to hard work, and in a chamber that is this small, the ability to, as often as possible, not make it about one person the senate president not even make it about the 24 of us as the New Hampshire Senate but make it about what we are all sent here to do: to work hard for our constituents, to better the state of New Hampshire, to disagree or agree in the most agreeable fashion, and to ensure that, to the greatest extent that we possibly can, the functioning of this body be done in the most open and transparent way, in a way that reflects the wishes of the 1.3 million citizens that we collectively represent. I have had the opportunity to know Senator Morse for a long, long time. That's, I guess, one of the benefits of serving in this building for a long, long time. Every one of those character traits that are so necessary in a leader, I think our friend Chuck embodies. You won't doubt his integrity. You won't doubt his honesty. You won't doubt his commitment to hard work, or his commitment to impartiality.

I want to talk about a friend who is no longer here today after she had been here for 20 plus years you have big shoes to fill, my friend Senator Larsen. I felt that I had a lot to learn from Senator Larsen in terms of politeness, fairness, equanimity, and Senator Morse has embraced that. And I think that what we have seen over the last year that Senator Morse has been the Senate President has embodied the tradition that Senator Larsen, and many people before her, have embraced. So, it is with no reservations whatsoever that I believe all 24 of us would have our best interests, not as individuals, but as the 50-60,000 people that we each represent, best represented by the leadership of Senator Morse. And so it's with great pleasure that I rise to nominate our friend, Senator Chuck Morse to be our next Senate President.

(The Clerk recognized Sen. Woodburn for a second.)

SENATOR WOODBURN: Thank you very much. I'm proud and honored to second the nomination of Senator Morse. In the last two weeks I've had a chance to spend more time with Senator Morse than over the last two years that I was in the Senate, and I appreciate his temperament, his courtesies, and his friendship. My past relations, although brief, have given me a sense of confidence about him and his leadership.

And, shortly after I was elected two years ago I, being the freshman member, came to meet Senator Morse and ask him for a little money for a hospital in Coos County, and was a little intimidated. He was then the famed Chair of Senate Finance, and he didn't say a lot, didn't respond much, as he often does, and seeing that silence I filled it with another request a little more money for a social agency was having some trouble. And he nodded, didn't say much more, and I was getting a little nervous. So, I said, 'why don't you come up for a tour of the North Country', and we ended. Weeks, months later Senator Morse delivered on all three. I figured I was 100% pretty good for a freshman democrat. I probably got more 'yes's' out of Senator Morse than his beloved wife and daughter. He assures me that's not the case.

So, after the election I was re-elected and now I'm no longer a freshman. And I went to see the day after the election went to see Senator Morse and I had a big hope: I wanted to move up from the basement of the LOB. I just wanted a window; an office with a window. You know I come from the North Country: I leave when it's dark, I get home when it's dark. We need a little daylight; improves my spirits; shortens my speeches. And, I couldn't believe it Senator Morse, three days later I was moving into the minority leader's office, the former office of the governor from 1861 to 1910 and it's got a window. It's got a window bigger than my office, my old office. It's great! So, Senator Morse gets things done, and we appreciate that.

I have learned that he does say no I've learned that the hard way but I'm please that he's been fair and accommodating, and I appreciate that he always listens, and I know he values relationships, and loves this institution the Senate.

And, midway through our last session we lost our president, our leader. And at that time I'm sure everybody looked around and said 'who', and all eyes glanced over here, and looked to Senator Morse. He didn't seek this out. We sought him out because we recognized his leadership. We've always talked, in the recent days, about working together and finding ways that we can agree without and if we disagree, disagree without being disagreeable. Senator Morse has always led this Senate as we've achieved some monumental results: a budget with 100% approval, a landmark bi-partisan private health insurance deal, and so much more. And those achievements wouldn't happen without that leadership. And I hope that we can continue that. And it's with hope that I encourage all Senator's democrats and republicans to join us in re-electing our leader, Senator Chuck Morse.

Hearing no further nominations, the Clerk declared nominations to be closed.

Adopted. The Honorable Chuck Morse was elected President of the Senate.

The Honorable Tammy L. Wright, Clerk of the Senate, requested Senator Prescott and Senator Carson to escort Senator Chuck Morse, President of the Senate, to the rostrum.

#### SENATE PRESIDENT'S MESSAGE TO THE SENATE

PRESIDENT OF THE SENATE, SENATOR CHUCK MORSE: You can be seated. You know we lost a lot of friends in the Senate. Senator Bradley, you know, brought one to our attention: Senator Larsen. I know they're all traveling. I've talked to them all. They all seem to find Florida. It's an institution that needs to stay the way it was, and I don't have to tell most of you that that have been here you understand what we went through when we left here at the end of June last year. And we need to continue with that honor in the Senate. I don't think it could've been said better than the two nominating speeches I believe in that and I want to make sure that we continue in that direction. And I truly thank you for your vote today. I'm humbled by your confidence you have placed in me to serve as Senate President, once again. I'm honored to hold this gavel even though it's on the right side, it will be moved to the left next time where it belongs.

The reality is that, also, I'd like to congratulate my colleague from District 1. You know you said we don't really know each other from times before, but the reality is I've enjoyed working with you. I honestly believe this Senate even if it's been only one session together, we get to know each other just a little bit better each time. My tour of the North Country I knew he believed in it. He invited me to go to the North Country next week and I said, 'I can't give you two days, but if I show up at night to go to the meeting will that help you,' and he said, 'yes'. That's what we're all about as the Senate. Our relationships will grow.

Today we welcome 5 new Senators. We're all familiar faces at the State House, and I know they're going to hit the ground running. The New Hampshire Senate is one of the country's great deliberative bodies. We may lack the sheer size of our House, but we are strengthened by the shared commitment of 24 volunteer Senators to make New Hampshire a better place to live, work, and raise a family. I'm not sure there is ever an easy time to serve in the State House. Every year brings all new challenges, many which are unexpected. But we do know that one of our biggest challenges next year will be crafting the state budget. Our state agencies are already being asked to cut back their spending in order to address the growing deficit. We can

balance the budget, and we can do it without raising taxes, and we will live within our means, and meet the needs of the citizens of New Hampshire. We're also going to tackle problems that are holding back the New Hampshire economy. We're going to dig into healthcare, education, and energy, and going to put together bi-partisan solutions to these complex challenges. Every year I'm impressed with the talent and dedication that my colleagues put into their volunteer job. We will debate, and sometimes disagree, and that's okay. It's my responsibility to make sure that no matter how we vote every Senator is heard. It's a responsibility that I accept with thanks and humility. In the coming days we'll deal with bill filings and co-sponsorships, and committee assignments the nuts and bolts of preparing the session; things are going to get very busy in January. So, I want you all to enjoy this holiday season and I truly thank you for the honor of nominating me as Senate President. Thank you.

Recess. Out of recess.

## RESOLUTION NO. 1 RULES ADOPTION

Sen. Bradley offered the following Resolution:

RESOLVED, that the rules of the 2013-2014 session be adopted as the rules of the 2015-2016 session, with the changes which have been provided here today.

### AMENDMENT TO THE SENATE RULES

*Amend the Senate Rule Chart on page 7, Senate Rule 2-21, 4-6, 4-7, 6-5, and 7-1, by replacing with the following:*

#### **Subsidiary Motions**

<b>Motion</b>	<b>Debatable</b>	<b>Amendable</b>	<b>Notes</b>
Lay Upon the Table	No	No	May be applied to a main motion with other pending motions, in which case the main motion, along with all pending motions, is laid on the table. <del>May be applied to individual amendments, in which case only the amendment is laid on the table.</del>

#### **Main Motions (can only have one main motion before the Senate at a time)**

<b>Motion</b>	<b>Debatable</b>	<b>Amendable</b>	<b>Notes</b>
Special Order	No	No	Moves consideration of a future scheduled item to another time by a simple majority vote. <del>This is technically a suspension of Senate Rules and requires a 2/3 vote.</del>

### VOTING

**2-21 Abstaining from a Vote** - No member who was present when the question was put shall abstain from voting unless by reason of a conflict pursuant to Rule 6-125 or unless excused by the Senate for a special reason.

### PART FOUR

#### COMMITTEES AND THEIR DUTIES

**4-6 Committee Appointments** - On all committees of the Senate, including Senate conference committees, both parties shall be represented. ~~The number of members of the majority party on each committee shall not exceed the minimum number needed for the percentage representation of the majority party on that committee to equal or exceed the percentage representation of the majority party in the Senate as a whole.~~ The President shall appoint the members of all committees after consultation with the minority leader.

**4-7 Standing Committees** - The standing committees of the Senate shall be as follows: the Committee on Capital Budget, the Committee on Commerce, the Committee on Education, the Committee on Energy and Natural Resources, the Committee on Executive Departments and Administration, the Committee on Finance, the Committee on Health and Human Services ~~Committee on Health, Education and Human Services~~, the Committee on Judiciary, the Committee on Public and Municipal Affairs, the Committee on Rules, Enrolled Bills and Internal Affairs, the Committee on Transportation, and the Committee on Ways and Means.

### SENATE RULES

**6-5 Amending Rules** - Any rule of the Senate may be amended by majority vote during the first five four legislative days of the first-year session, after which a two-thirds majority shall be required.

**PART SEVEN**  
**DEADLINES**

**7-1 Deadlines**

- a) Tuesday, December 09, 2014, noon - Deadline for the Office of Legislative Services to accept drafting of a Senate Bill, Senate Concurrent Resolution, or Senate Joint Resolution with complete information for the 2015 Session.
- b) Friday, January 02, 2015, 4:00 p.m. - Deadline for prime sponsors to sign off on legislation.
- c) Wednesday, January 07, 2015 - Deadline for co-sponsors to sign off on legislation.

**~~7-1 Deadlines.~~**

- ~~a) Monday, September 30, 2013 - First day to file legislation for 2014 Senate session.~~
- ~~b) Friday, October 25, 2013, 4:00 p.m. - Deadline for the Office of Legislative Services to accept drafting of a Senate Bill, Senate Concurrent Resolution, or Senate Joint Resolution with complete information for the 2014 Session.~~
- ~~c) Friday, November 15, 2013, 4:00 p.m. - Deadline for prime sponsors to sign off on legislation.~~
- ~~d) Friday, November 22, 2013, 4:00 p.m. - Deadline for co-sponsors to sign off on legislation.~~
- ~~e) Monday, February 24, 2014 - Friday, February 28, 2014: SENATE BREAK.~~
- ~~f) Thursday, March 06, 2014 - Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.~~
- ~~g) Thursday, March 27, 2014 - CROSSOVER - Deadline to ACT on all Senate bills.~~
- ~~h) Thursday, April 24, 2014 - Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.~~
- ~~i) Thursday, May 15, 2014 - Deadline to ACT on all House bills.~~
- ~~j) Thursday, May 22, 2014 - Deadline to FORM Committees of Conference.~~
- ~~k) Friday, May 30, 2014 at 4:00 p.m. - Deadline to SIGN Committee of Conference Reports.~~
- ~~l) Thursday, June 05, 2014 - Deadline to ACT on Committee of Conference Reports.~~

Adopted.

**ELECTION OF THE CLERK OF THE SENATE**

President Morse stated that nominations for Clerk of the Senate are in order.

(The Chair recognized Sen. Bradley for a nomination.)

SENATOR BRADLEY: Thank you, again, Mister President. I suspect that pretty soon people are going to get tired of hearing me, but I don't think they'll get tired of me talking about our good friend, Tammy Wright, who has served this institution ably and nobly, quite frankly, for 25 years. Tammy sent me a long e-mail last night outlining all of her qualifications. You know what happened to that? I lost it. I went into this pocket this morning I can't find it. I could've read it; it's a lot of boiler plate dates when she did this, and dates when she did that. You know what, I don't want to talk about Tammy and dates. What I want to talk about is our Clerk and our friend, and somebody we all trust. And that's what is vital for this position of Senate Clerk, as with the Senate President. It starts with integrity, it starts with hard work, it starts with trust that both sides of the aisle have to have: that the Senate Clerk's Office is going to be impartial, they are going to get their work done on time, they are going to meet all of the deadlines that have to be met, and they will work with us to make sure that those technical aspects of getting bills done right, getting the calendar done right, are done. Tammy has proven herself time, and time again as capable, qualified, competent, honest, and with the utmost integrity. She's about to cry. That's not a bad thing. So, I'm going to stop the tears right now and say let's nominate her unanimously because she's done just a marvelous job, and will continue to do so. Thank you, Mister President.

(The Chair recognized Sen. Woodburn for a second.)

SENATOR WOODBURN: Thank you, Mister President. I second the nomination of Tammy Wright for our Clerk. We're fortunate to have a person of her talents, and her keen eye for detail, and her love and respect

for this body. And, this is a special anniversary: her 25 years in this office, which is hard to believe. I arrived in this building in 1984 representing my communities of Whitefield and Dalton, and a lot has changed in those years: I had dark hair, a slim build. And, our Clerk looks exactly the same. And, I was shocked today to meet her son, over here George Seigel, welcome. And you should be very proud of your mother. And, we just did an oath that required us to be both faithful and independent, and those are hard to balance; we struggle every day how to do that. We have the scales of justice to give us confidence or, at least, hope, but I think our Clerk does it better than anybody. She cares so deeply about this institution, about all of you as Senators, she does not tip that scale, and she does her work that all of us can be proud and feel that confidence. And, especially on those days when our tempers get hot, we know when the Clerk does her calling of the roll and for those new members it's an act of civic virtue to watch her do this: the glasses slides down on the tip of the nose, those dark eyes lock on yours, and you'd better have your "A-game" that day. Because when she calls it you feel history connecting and you're part of it and you'd better live up to it. And, I think all of us thank you and respect you, and will all vote for you today. Thank you, Tammy.

Hearing no further nominations, President Morse declared nominations to be closed.

Adopted. The Honorable Tammy L. Wright was elected Clerk of the Senate.

#### OATH OF OFFICE FOR SENATE OFFICER

President Morse duly administered the Oath of Office to the Clerk of the Senate:

PRESIDENT MORSE: Please raise your right hand and where appropriate state your name and repeat after me:

*I, state your name, do solemnly swear, that I will bear faith and true allegiance to the United States of America and the state of New Hampshire, and will support the constitution thereof. So help me God.*

*I, state your name, do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me as Senate Clerk, according to the best of my abilities, agreeable to the rules and regulations of this constitution and the laws of the state of New Hampshire. So help me God.*

PRESIDENT MORSE: Congratulations.

#### RESOLUTION NO. 2

#### OFFICIAL RETURN OF VOTES

Sen. Bradley offered the following Resolution:

RESOLVED, that the Secretary of State be requested to furnish the Senate with the official return of votes from the various Senatorial Districts. Adopted.

(The Chair recognized the Honorable William M. Gardner, Secretary of State.)

The Honorable William M. Gardner, Secretary of State, appeared and presented the return of votes for State Senators from the various Senatorial Districts, as returned to the Secretary of State's Office from the General Election held November 4, 2014.

HONORABLE WILLIAM M. GARDNER: Thank you. Mister President, Madam Clerk, Honorable Members, Part II, Article 33 of the Constitution says that the Secretary of State shall count the votes for Senators, and to let the Senators-elect know to come to take their seats on Organization Day. It's been a tradition that those votes have been read individually by district on the first day in the Senate. So, I'm going to proceed to do that.

#### COMMITTEE REPORT

The selected committee to whom was referred the various returns of votes for State Senators from the several districts, having attended to their duties and having examined the returns made to the Secretary of State and the records in the office of said Secretary, report that they filed the state of the vote returned from the several districts as follows:

#### First District

Jeff Woodburn, d	10,829
Mark Evans, r	<u>7,166</u>
Plurality for Woodburn	3,663

<b>Second District</b>	
Jeanie Forrester, r	12,657
Carolyn Mello, d	<u>7,521</u>
Plurality for Forrester	5,136
<b>Third District</b>	
Jeb Bradley, r	14,409
John R. White, d	<u>7,950</u>
Plurality for Bradley	6,459
<b>Fourth District</b>	
David H. Watters, d	10,121
Eddie Edwards, r	<u>8,067</u>
Plurality for Watters	2,054
<b>Fifth District</b>	
David Pierce, d&r	18,474
<b>Sixth District</b>	
Sam Cataldo, r	9,882
Richard Leonard, d	<u>7,640</u>
Plurality for Cataldo	2,242
<b>Seventh District</b>	
Andrew J. Hosmer, d	9,578
Kathleen Lauer-Rago, r	<u>9,423</u>
Plurality for Hosmer	155
<b>Eighth District</b>	
Jerry Little, r	12,033
Linda L. Tanner, d	<u>9,649</u>
Plurality for Little	2,384
<b>Ninth District</b>	
Andy Sanborn, r	12,310
Lee C. Nyquist, d	<u>10,804</u>
Plurality for Sanborn	1,506
<b>Tenth District</b>	
Molly Kelly, d	14,034
<b>Eleventh District</b>	
Gary L. Daniels, r	12,754
Roger Tilton, d	<u>8,575</u>
Plurality for Daniels	4,179
<b>Twelfth District</b>	
Kevin A. Avard, r	10,839
Peggy Gilmour, d	<u>10,517</u>
Plurality for Avard	322
<b>Thirteenth District</b>	
Bette R. Lasky, d	8,729
Doris Hohensee, r	<u>6,628</u>
Plurality for Lasky	2,101
<b>Fourteenth District</b>	
Sharon M. Carson, r	11,742
Kate Messner, d	<u>6,689</u>
Plurality for Carson	5,053
<b>Fifteenth District</b>	
Dan Feltes, d	13,352
Lydia Dube Harman, r	<u>7,154</u>
Plurality for Feltes	6,198



**Sixteenth District**

David Boutin, r	11,666
Maureen Raiche Manning, d	<u>9,255</u>
Plurality for Boutin	2,411

**Seventeenth District**

John Reagan, r	11,669
Nancy R.B. Fraher, d	<u>8,382</u>
Plurality for Reagan	3,287

**Eighteenth District**

Donna M. Soucy, d	8,266
George Lambert, r	<u>7,268</u>
Plurality for Soucy	998

**Nineteenth District**

Regina Birdsell, r	11,561
Kristi St. Laurent, d	<u>7,275</u>
Plurality for Birdsell	4,286

**Twentieth District**

Lou D'Allesandro, d	7,973
Eileen Landies, r	<u>5,787</u>
Plurality for D'Allesandro	2,186

**Twenty-First District**

Martha Fuller Clark, d	12,423
Phil Nazzaro, r	<u>7,987</u>
Plurality for Clark	4,436

**Twenty-Second District**

Chuck Morse, r	12,928
Richard J. O'Shaughnessy, d	<u>6,777</u>
Plurality for Morse	6,151

**Twenty-Third District**

Russell Prescott, r	12,030
Donna Schlachman, d	<u>8,915</u>
Plurality for Prescott	3,115

**Twenty-Fourth District**

Nancy Stiles, r	14,990
Chris Muns, d	<u>9,816</u>
Plurality for Stiles	5,174

HONORABLE WILLIAM M. GARDNER: These totals reflect the return of votes that were cast in 319 voting places on November 4th, 2014, and this finishes that election.

**RESOLUTION NO. 3****SELECT COMMITTEE OF THREE**

Sen. Bradley offered the following Resolution:

RESOLVED, that the return of votes from the several Senatorial Districts be referred to a select committee of three with instructions to examine and count the same and report to the Senate where any vacancies or contest exists and if so, in what Senatorial District. Adopted.

President Morse appointed Senator Bradley, Senator Stiles, and Senator Woodburn to serve as the Select Committee to examine the vote totals.

Recess. Out of recess.

## SELECT COMMITTEE REPORT

Sen. Bradley reported that the Select Committee to which was referred the various return of the votes for state Senators from the several districts, having attended to their duties and having examined the returns made to the Secretary of State, the Committee reports that it finds the state of the vote returned from the several districts to be correct.

Sen. Bradley moved to adopt the report. Adopted.

RESOLUTION NO. 4  
SALARY AND MILEAGE PAYMENTS

Sen. Bradley offered the following ~~Resolution~~:

**RESOLVED**, that the biennium salary of the members of the Senate be paid in one undivided sum as early as practical after adoption of this resolution, and be it further **RESOLVED**, that the mileage of members of the Senate be paid every two weeks during the session. Adopted.

## INTRODUCTION OF GUESTS

**PRESIDENT MORSE:** Introduction of guests. Let me start. I'd like you all to meet my wife, Susan. Further introductions?

(The Chair recognized Sen. D'Allesandro.)

**SENATOR D'ALLESANDRO:** Thank you, Mister President. First of all, I think I have the individual who traveled the furthest to come to this meeting from London, England my daughter's mother-in-law, Pauline Smith. Seated in the gallery I have my daughter, Christina D'Allesandro and two of my grandchildren, Olivia D'Allesandro and Dillan D'Allesandro and seated behind me on the floor is my wife for the last 53 years, my colleague, my greatest supporter and, without questions, the ablest member of the D'Allesandro family, my wife, Pat D'Allesandro. Thank you, Mister President.

(The Chair recognized Sen. Daniels.)

**SENATOR DANIELS:** Thank you, Mister President. I'm honored today to have with me as a guest my wife, Loreen my father, Clarence my mother, Glenna and a close family friend, Pat Dahlstead.

(The Chair recognized Sen. Sanborn.)

**SENATOR SANBORN:** Thank you, Mister President. Although I affectionately always refer to them as the constituents of the Senator from District number 5, who takes full responsibility for all of their actions and questions, I'd like to introduce my mother and father, Richard and Selma Sanborn.

(The Chair recognized Sen. Avard.)

**SENATOR AVARD:** Thank you, Mister President. I'd like to introduce my lovely bride, Tracy my two step-children, Kevin and Kiley and my gracious in-laws, Jack and Fran Martin. Thank you.

(The Chair recognized Sen. Woodburn.)

**SENATOR WOODBURN:** Yes, thank you, Mister President. I'd like to introduce three people that make it possible for me to be here: my mother, Alicia Woodburn and my great wife, Kelly Manson and a great friend, Bill Freeland.

(The Chair recognized Sen. Hosmer.)

**SENATOR HOSMER:** Thank you, Mister President. I have, today, the privilege of introducing my wife, Donna my son, Andrew my daughter, Amelia my daughter, Ava my daughter, Brigid and two friends, Manuel Baron and Kyle Middleton. Thank you.

(The Chair recognized Sen. Little.)

**SENATOR LITTLE:** Thank you, Mister President. It is my pleasure and honor to introduce my wonderful wife, Heidi, who's up in the gallery. I'd also like to mention those who since left: my daughter, Lindsay and son-in-law, Steve Baker were here. More importantly, I guess, my grandson, Baeritt was here many of you have met him. He had his first birthday on Monday, and I was very pleased to be able to bring him here today.

(The Chair recognized Sen. Fuller Clark.)

SENATOR FULLER CLARK: Thank you very much, Mister President. I'd like to introduce my husband, Dr. Geoffrey Clark, he's here today. And I thank him for all his support over the many years. And I'd also like to introduce Greg Whitman, who has travelled here from Australia. For all of you who may, or may not know, Greg was my aide in 2008 to 2010, and it is a pleasure to welcome him back today and to let you know that he has just completed his four years of medical school in Australia.

(The Chair recognized Sen. Birdsell.)

SENATOR BIRDSELL: Thank you, Mister President. I'd like to introduce my biggest supporter, my husband, Mark Skelly, in the gallery; and my sister Marietta Birdsell and her husband, Bill Branch from Florida.

(The Chair recognized Sen. Forrester.)

SENATOR FORRESTER: Thank you, Mister President. I would like to introduce my student intern from Profile High School, Alex Meyer. Thank you.

(The Chair recognized Sen. Carson.)

SENATOR CARSON: Thank you, Mister President. I think we all realize that we can't do what we do here without the help and the support of our friends and our family members. I'm very fortunate today to have my husband, Greg, here, and my daughter, Deirdre. And, unfortunately, my daughter, Alicia, was not able to be here today so I just want to send a special 'thank you' to her for all help and her support. Thank you, Mister President.

(The Chair recognized Sen. Feltes.)

SENATOR FELTES: Thank you, Mister President. It is my honor to introduce a guest who has traveled the shortest distance just a few blocks on the South end of Concord my absolutely wonderful wife, Erin, is in the balcony.

(The Chair recognized Sen. Cataldo.)

SENATOR CATALDO: Good morning, thank you. It is my pleasure to introduce David Hurbitz by the way he's a close friend. His wife could not make it today, because of the ice conditions. And, my apologies for my wife not being here today but she's now going through a process of seeing the doctor to have a condition corrected for her. But, anyway, David Hurbitz is a great companion and friend.

(The Chair recognized Sen. Lasky.)

SENATOR LASKY: Thank you, Mister President. I have with me today two people who have helped me immeasurably in my campaign: Alan Raff and Ashley Marcoux. And, even prouder to have with me today, my husband, who has helped me in every way for the last forty-something years he keeps track, I don't. At any rate, I'm glad, very happy to have him here with me today, Elliot Lasky.

(The Chair recognized Sen. Soucy.)

SENATOR SOUCY: Thank you, Mister President. I'd like to introduce two dear friends who are with us in the gallery today: Eugene Martin and Thaddeus Logan.

Recess. Out of recess.

#### HOUSE MESSAGE

The House of Representatives has organized and elected its officers:

Speaker of the House: Shawn N. Jasper of Hudson

Clerk of the House: Paul C. Smith of Epsom

Sergeant-at-Arms: Walter N. Sword of Hopkinton

#### HOUSE MESSAGE

The House of Representatives has organized and is ready to meet with the Senate in Joint Convention for the purpose of electing a Secretary of State and a State Treasurer.

#### RESOLUTION NO. 5 JOINT CONVENTION

Sen. Bradley offered the following Resolution:

RESOLVED, that the Senate meet in Joint Convention with the House of Representatives for the purpose of electing the Secretary of State and the State Treasurer. Adopted.

Recess. Out of Recess.

#### ADJOURNMENT FROM THE EARLY SESSION

Sen. Bradley moved that the Senate now adjourn from the Early Session, that the business of the Late Session be in order at the present time; and that when we adjourn, we adjourn to Wednesday, January 7, 2015. Adopted. Adjourned from the Early Session.

#### LATE SESSION ANNOUNCEMENTS

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

#### ADJOURNMENT

Sen. Bradley moved that the Senate, having organized and completed its business for the day, adjourn to Wednesday, January 7, 2015.

Adopted. The Senate is adjourned to Wednesday, January 7, 2015.

### RULES OF THE SENATE 2015 – 2016

#### PART ONE DUTIES OF THE SENATE PRESIDENT

- 1-1 Determination of Quorum; Correction of Journal
- 1-2 Members, Conduct When Speaking
- 1-3 Members not to Speak More Than Twice
- 1-4 President Shall Recognize Whom
- 1-5 Questions of Order, Appeal
- 1-6 Galleries, Clearing of
- 1-7 President to Sign Bills, etc
- 1-8 President May Name Member to Chair

#### PART TWO THE SENATE SESSION

##### DECORUM

- 2-1 Absence of Members from Session
- 2-2 Decorum While Another is Speaking
- 2-3 Use of Electronic Devices
- 2-4 Recording and Broadcast Devices During Recess

##### DEBATE

- 2-10 Motions
- 2-11 Limitations on Renewal of Motions
- 2-12 No Substitution under Color of Amendment
- 2-13 Reconsideration Restrictions
- 2-14 Reconsideration Process
- 2-15 Division of the Question
- 2-16 Personal Privilege
- 2-17 Other Remarks (Unanimous Consent)

## VOTING

- 2-20 General Rules on Voting
- 2-21 Abstaining from a Vote
- 2-22 Voice Vote
- 2-23 Division Vote
- 2-24 Recorded Voice or Division Vote
- 2-25 Roll Call Vote

## MISCELLANEOUS

- 2-30 Visitors to the Senate
- 2-31 Hours of Meeting
- 2-32 Introduction of Petitions

**PART THREE**  
**BILLS AND RESOLUTIONS**

## DRAFTING

- 3-1 Office of Legislative Services to Prepare Items
- 3-2 Marking and Numbering Bills and Resolutions
- 3-3 Confidential Filing Requests
- 3-4 Draft Provided to Legislative Budget Assistant
- 3-5 Drafting Requests After Deadline

## POST-DRAFTING PROCESS

- 3-10 Reading of Bills and Resolutions
- 3-11 Printing and Distribution.
- 3-12 Administrative Tasks During Adjournment

## AMENDMENTS

- 3-15 Amendments Only on Second Reading
- 3-16 Review of Amendments by Office of Legislative Services
- 3-17 Non-Germane Amendments Prohibited

## GENERAL RULES ON BILLS

- 3-20 Resolutions Treated as Bills
- 3-21 Prohibition in Second-Year Session
- 3-22 Bills Amended by the House
- 3-23 First-Year Bills or Resolutions Laid on the Table
- 3-24 Reports on Budget Bills
- 3-25 Chapter Study Committees
- 3-26 Types of Resolutions Allowed

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**COMMITTEES AND THEIR DUTIES**

- 4-1 Public Hearings
- 4-2 Committee Reports
- 4-3 Tie Vote in Committee
- 4-4 Amendments by Committee
- 4-5 Referral to Finance Committee

4-6 Committee Appointments

4-7 Standing Committees

4-8 Committee Reports and Meetings

**PART FIVE**  
**COMMITTEES OF CONFERENCE**

GENERAL RULES ON COMMITTEES OF CONFERENCE

5-1 Formation of Committees of Conference

5-2 Exceptions to Number of Members

5-3 Replacement of Members

5-4 Operation of Committees of Conference

5-5 Chairperson of Committees of Conference

5-6 Bill Sponsor Granted a Hearing

PROHIBITIONS

5-10 Title Change Prohibited

5-11 Non-Germane Amendments Prohibited

5-12 Indefinitely Postponed Items Prohibited

ACTIONS

5-15 Action on Committee of Conference Reports

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**PART SIX**  
**OTHER RULES**

SENATE STAFF

6-1 Composition and Duties

6-2 Days of Employment

6-3 Requisition Approval Required

SENATE RULES

6-5 Amending Rules

6-6 Suspending Rules

6-7 Rescinding Rules

MESSAGES

6-10 Messages Sent to House

6-11 Messages, When Received

CONSENT CALENDAR

6-20 Consent Calendar

6-21 Conditions for Inclusion

6-22 Prohibitions

6-23 Removal

MISCELLANEOUS

6-25 Conflict of Interest

6-26 Requests to the Legislative Budget Assistant

6-27 Committee of the Whole

**PART SEVEN**  
**DEADLINES**

7-1 Deadlines

**PART ONE**  
**DUTIES OF THE SENATE PRESIDENT**

**1-1 Determination of Quorum; Correction of Journal** - The President, having taken the chair, shall determine a quorum to be present. Any erroneous entry in the daily journal shall be corrected no later than the third succeeding legislative day, and the permanent journal corrected within one week after the permanent journal copy is placed in the hands of the Senate.

**1-2 Members, Conduct When Speaking** - Any member, wishing to speak, shall notify the President. When recognized to speak, the member shall rise and address the President, and when finished shall then sit down.

**1-3 Members Not to Speak More Than Twice** - No member shall speak more than twice on the same question on the same day without leave of the Senate President.

**1-4 President Shall Recognize Whom** - When more than one member wishes to speak at the same time, the President shall decide who shall speak first.

**1-5 Questions of Order, Appeal** - The President shall preserve decorum and order. If any member transgresses the rules of the Senate, the President shall, or any member may, call said member to order in which case the member so called to order shall immediately cease and desist, and the Senate, if appealed to, shall decide the case. But if there is no appeal, the decision of the President shall be conclusive.

**1-6 Galleries, Clearing of** - In case of any disturbance or disorderly conduct in the gallery, the President shall have the power to order the same to be cleared. The Chairman of the Committee of the Whole may restrict attendance to the duly elected Senators.

**1-7 President to Sign Bills, etc** - All warrants, subpoenas and other processes issued by order of the Senate shall be under the hand and seal of the President attested by the Clerk.

**1-8 President May Name Member to Chair** - The President when performing the duties of the Chair may, at any time, name any member to perform the duties of the Chair.

**PART TWO**  
**THE SENATE SESSION**

**DECORUM**

**2-1 Absence of Members from Session** - No member shall absent himself or herself without permission from the Senate.

**2-2 Decorum While Another is Speaking** - No member shall hold conversation with another while a member is speaking in debate.

**2-3 Use of Electronic Devices** - The use of electronic devices, with the exception of Senate-issued devices and devices used by members of the media, is prohibited on the Senate floor during session, unless the Senate is in recess or unless otherwise approved by the Senate.

**2-4 Recording and Broadcast Devices During Recess** - All recording and broadcast devices used on the Senate floor shall be paused or otherwise prevented from recording or broadcasting audio or video of members or staff while the Senate is in recess.

**DEBATE**

**2-10 Motions** - Motions during debate shall be considered according to the provisions of Table I, with said motions listed in order of decreasing precedence.

**2-11 Limitations on Renewal of Motions** - No motion to postpone indefinitely, to postpone to a certain day or time, or to refer (or rerefer, if applicable), being decided, shall be in order at the same stage of the bill or resolution, until after adjournment.

**2-12 No Substitution under Color of Amendment.** - No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

**2-13 Reconsideration Restrictions** - No vote shall be reconsidered unless the motion for reconsideration is made by a member who voted with the prevailing side and, if the vote applied to a bill or resolution, the bill or resolution to which the vote applied is in the possession of the Senate. Any request for reconsideration of a bill or resolution subject to a deadline established by Senate rules not acted on by said deadline shall be null and void.

**2-14 Reconsideration Process** - Reconsideration shall only be made in one of the following manners:

(a) A motion to reconsider shall be made in open session prior to adjournment from the early session on the same day on which the vote to be reconsidered was taken, in which case, unless otherwise ordered by the Senate, the reconsideration vote shall be taken up immediately, or

(b) A signed notice of reconsideration, by a member who voted with the prevailing side, shall be provided to the Clerk, on a form prescribed by the Clerk, within two business days of the taking of the vote to be reconsidered, in which case, unless otherwise ordered by the Senate, any reconsiderations shall be the first order of business on the next legislative day.

**2-15 Division of the Question** - Any member may call for the division of the question and when the sense will admit it, as determined by the President, the question shall be divided.

**Table I - Motions**

**Privileged Motions**

Motion	Debatable	Amendable	Notes
Adjourn	No	Yes	Amendments limited to the time to which to adjourn.
Recess	No	Yes	Amendments limited to length of the recess.

**Incidental Motions (all become main motions if made when no question is pending or when not related to the business at hand)**

Motion	Debatable	Amendable	Notes
Appeal	Yes	No	Debate limited to the specific decision of presiding officer from which appeal is made. Presiding officer is allowed to speak. The question to be put is, "Shall the decision of the president stand?" A tie vote also sustains the chair's ruling.
Point of Order	No	No	Calls attention to a violation of rules or order. May be raised when another member is speaking. Not technically a motion, but the presiding officer could submit the question to the Senate, at which point it becomes a motion open for debate, but not amendment.
Parliamentary Inquiry	No	No	Requests information from the presiding officer about parliamentary procedure or Senate rules. May be raised when another member is speaking only if it requires immediate attention. Not technically a motion.
Object to Reading of Papers	No	No	Reading from documents as part of a speech is generally allowed as a courtesy, provided the papers are relevant, short and not used as a delaying tactic. Any member may object during the reading, however, and the body decides whether permission to read is granted.
Suspend the Rules	No	No	Requires a 2/3 vote. See Rule 6-6

**Subsidiary Motions**

Motion	Debatable	Amendable	Notes
Lay Upon the Table	No	No	May be applied to a main motion with other pending motions, in which case the main motion, along with all pending motions, is laid on the table.
Previous Question	No	No	If not otherwise specified, ends debate and calls for a vote on the immediately pending question. May be used to end debate and call for votes on all pending questions.



Postpone to a Certain Day or Time	Yes	Yes	Merits of the main question must not be referred to any more than is necessary to enable the Senate to determine the propriety of postponement.
Refer (or Rerefer)	Yes	Yes	
Amend	Yes	Yes	Debatable only as to the propriety of a referral. Amendments limited to the committee to which the matter will be referred and any instructions thereto.
Postpone Indefinitely	Yes	No	
			Opens the main question for debate, since it involves the final disposition of the question. No part of a bill or resolution postponed indefinitely shall be acted on in any way (bill, amendment, resolution, conference report, etc.) for the rest of the biennium.

**Main Motions (can only have one main motion before the Senate at a time)**

Motion	Debatable	Amendable	Notes
Committee Reports	Yes	Yes	See Rule 4-2
Bills Amended			
by the House	Yes	No	See Rule 3-22
Take From Table	No	No	
Special Order	No	No	Moves consideration of a future scheduled item to another time by a simple majority vote.
Reconsider	Yes	No	Debatable to the extent the question being reconsidered is debatable. If so, it opens up the original question for debate.
Withdraw From Committee	Yes	No	Brings an item back from committee and puts it before the entire Senate.

**2-16 Personal privilege** - A Senator may, as a matter of personal privilege, defend his/her position on a bill or resolution, his/her integrity, his/her record, or his/her conduct, against unfair or unwarranted criticism, or may speak of an issue which relates to his/her rights, privileges or conveniences as a Senator; provided, however, the matters raised under personal privilege shall not be subject to questioning, answer, or debate, by another Senator. Personal Privilege remarks may be included in the Daily Journal if requested by the Senator, and in the Permanent Journal by vote of the Senate.

**2-17 Other Remarks (Unanimous Consent)** - A Senator may, when granted leave by the Senate, speak on other matters of his/her choosing and in such cases may be subject to questioning and/or answer according to the Rules of the Senate. These remarks may be included in the Daily Journal if requested by the Senator, and in the Permanent Journal by vote of the Senate.

VOTING

**2-20 General Rules on Voting** - All questions shall be put by the President, and no member who was absent when the question was put shall be required to vote.

**2-21 Abstaining from a Vote** - No member who was present when the question was put shall abstain from voting unless by reason of a conflict pursuant to Rule 6-25 or unless excused by the Senate for a special reason.

**2-22 Voice Vote** - When the question has been put, each member present shall signify assent or dissent by voting yea or nay.

**2-23 Division Vote** - If the President doubts or a division is called for, the Senate shall divide. Those in the affirmative on the question shall first rise from their seats and stand until they be counted. They shall then be seated and those in the negative on the question shall rise from their seats and stand until they be counted. The President shall rise and state the decision of the Senate.

**2-24 Recorded Voice or Division Vote** - Any member may, following a voice or division vote, have his or her vote recorded in the Journal by providing a signed notice of said vote to the Clerk, on a form prescribed by the Clerk, within two business days of the taking of said vote.

**2-25 Roll Call Vote** - When the yeas and nays have been moved by a member and duly seconded by another member, each member present shall declare assent or dissent to the question. The names of the persons so making the motion and the second shall be recorded in the Journal. The President shall determine the order of the roll call.

## MISCELLANEOUS

**2-30 Visitors to the Senate** - No person except members of the Senate and its officers, the Governor, Council members, the Secretary of State, the Treasurer, the Speaker of the House of Representatives and its officers and clerks, shall be admitted to the floor of the Senate while the Senate is in session, except by the invitation of the President, or some member with the President's consent.

**2-31 Hours of meeting** - The Senate shall adjourn to meet on the subsequent legislative day for the early session at the time mentioned in the adjournment motion. The late session shall immediately follow the early session unless the Senate shall otherwise order.

**2-32 Introduction of Petitions** - Before any petition shall be received and read, a brief statement of the contents thereof shall be made by the member introducing the same.

**PART THREE**  
**BILLS AND RESOLUTIONS**

## DRAFTING

**3-1 Office of Legislative Services to Prepare Items** - All petitions, memorials and other papers addressed to the Senate and all bills and resolutions to be introduced in the Senate except those procedural and rules resolutions prepared by the Clerk, shall be delivered or caused to be delivered to the Office of Legislative Services, who shall prepare the items in proper form and present them to the sponsor(s) for signature and then to the Clerk.

**3-2 Marking and Numbering Bills and Resolutions** - Every bill and resolution, except those procedural and rules resolutions prepared by the Clerk, shall be numbered serially according to the type of bill or resolution. Each bill shall be marked on the first page "Senate Bill"; each joint resolution shall be marked "Senate Joint Resolution"; each concurrent resolution proposing a constitutional amendment shall be marked "Concurrent Resolution Proposing a Constitutional Amendment"; each concurrent resolution shall be marked "Senate Concurrent Resolution"; and each senate resolution shall be marked "Senate Resolution".

**3-3 Confidential Filing Requests** - If requested by the sponsor, a proposed bill, resolution or petition shall not be made public, except by the sponsor, until introduced into the Senate.

**3-4 Draft Provided to Legislative Budget Assistant** - If a drafting request for a bill or resolution has been filed with the Office of Legislative Services requiring a fiscal note as provided in RSA 14:44-47, the substance or a draft of the proposal may be provided to the Legislative Budget Assistant for preparation of the required fiscal note without the specific consent of the sponsor of the proposal, provided that the identity of the sponsor shall not be disclosed.

**3-5 Drafting Requests After Deadline** - Notwithstanding the drafting deadline established in Rule 7-1, a Senate bill, Senate joint resolution, or Senate concurrent resolution may be accepted by the Office of Legislative Services for drafting and introduced into the Senate at any time prior to the crossover deadline established by Senate rules if the drafting request is approved by a majority of the Rules, Enrolled Bills and Internal Affairs Committee.

## POST-DRAFTING PROCESS

**3-10 Reading of Bills and Resolutions** - Every bill or resolution, except senate resolutions and those procedural and rules resolutions prepared by the Clerk, shall have three readings in the Senate previous to its passage. The first and second readings shall be by title only which may be accomplished by a conglomerate resolution, after which the bill or resolution shall be referred by the President to the appropriate committee and shall be printed as provided in Rule 3-11, unless otherwise ordered by the Senate. No bill or resolution after it has been read a second time shall have a third reading until after adjournment from the early session. The time assigned for the third reading of bills and resolutions shall be in the late session unless otherwise ordered by the Senate. The orders of the day for the reading of bills or resolutions shall hold for every succeeding day until disposed of.

**3-11 Printing and Distribution** - After every bill or resolution shall have been read a second time, and referred by the President to the appropriate committee, the Clerk shall procure a sufficient number of copies, printed on paper of uniform size, for the use of the legislature, and cause the same to be distributed to the members, and when printed the bill or resolution shall be immediately delivered to the committee to which it shall have been referred. Bills and resolutions received from the House shall be printed at the same stage of their procedure unless they have been printed in the House and copies distributed in the Senate, in which case any amendment made by the House shall be duplicated and distributed in the Senate.

**3-12 Administrative Tasks During Adjournment** - During any recess or adjournment the President may receive bills and resolutions for printing and for reference to committee, provided that no bill or resolution shall have a public hearing until it is formally introduced into the Senate, printed and available for distribution.

#### AMENDMENTS

**3-15 Amendments Only on Second Reading** - No amendment shall be made but upon the second reading of a bill or resolution; and all such amendments shall be in writing, with the name of the Senator and the district he or she represents, or in the case of a committee amendment the name of the committee that recommended it, thereon.

**3-16 Review of Amendments by Office of Legislative Services** - Amendments shall have been reviewed by the Office of Legislative Services for form, construction, statutory and chapter reference.

**3-17 Non-Germane Amendments Prohibited** - No amendment to any bill or resolution shall be allowed except it be germane. For the purposes of this rule, an amendment to a bill or resolution is germane if the subject matter of the amendment is the same as that of some portion of the bill or resolution. The prohibition on non-germane amendments shall not apply in the case of a bill or resolution previously found ought-to-pass by the Senate being added to a subsequent bill or resolution.

#### GENERAL RULES ON BILLS

**3-20 Resolutions Treated as Bills** - All resolutions which may require the signature of the Governor shall be treated in the same manner as bills.

**3-21 Prohibition in Second-Year Session** - No bill or resolution the subject matter of which has been indefinitely postponed or made inexpedient to legislate in the Senate in the first-year session shall be admitted into the second-year session whether as a bill, an amendment, a committee of conference report or in any other manner.

**3-22 Bills Amended by the House** - Any bill or resolution returned from the House with an amendment shall not be referred to committee but shall have one of the following recommendations considered by the full Senate: Concur, Nonconcur, Nonconcur and Request a Committee of Conference. Adoption of a motion to Nonconcur kills the bill or resolution.

**3-23 First-Year Bills or Resolutions Laid on the Table** - All bills or resolutions remaining on the table upon adjournment of the first-year session shall be made Inexpedient to Legislate at that time.

**3-24 Reports on Budget Bills** - Senate action on a report of the Committee on Finance on either the general appropriations (budget) bill or the capital budget bill shall not be taken by the Senate until said report has been available from the Senate Clerk twenty-four hours in advance, in written form. Footnotes to such bills (except footnotes in explanation of the principal text of such bills or designating the use or restriction of any funds or portions thereof) shall not be allowed.

**3-25 Chapter Study Committees** - Any bill or resolution creating a chapter study committee shall have membership limited to members of the General Court.

**3-26 Types of Resolutions Allowed** - The only resolutions that may be introduced into the Senate are: resolutions seeking an advisory opinion of the supreme court under the New Hampshire Constitution; joint resolutions sponsored by the Joint Legislative Committee on Administrative Rules; resolutions ratifying amendments to the U.S. Constitution; resolutions proposing amendment of the New Hampshire Constitution; and procedural and rules resolutions prepared by the Clerk.

#### PART FOUR

##### COMMITTEES AND THEIR DUTIES

**4-1 Public Hearings** - A hearing shall be held upon each bill or resolution referred to a committee, and notice of such hearing shall be advertised at least 4 days before such hearing in the Senate Calendar. The Senate Calendar shall be available on the Internet for viewing as soon as it has been released for printing.

**4-2 Committee Reports** - All bills and resolutions in the possession of committees shall be reported out with one of the following recommendations: ought to pass, ought to pass with amendment, rerefer to committee, inexpedient to legislate, or refer for interim study. Rerefer to committee shall be a committee report only in the first year session and all such rereferred bills or resolutions shall be acted on by the fourth legislative day of the second year session. Refer for interim study shall be a committee report only in the second year session.

**4-3 Tie Vote in Committee** - In the event a committee is unable to reach a majority vote in favor of any recommendation, the bill or resolution shall be reported out of committee with a recommendation of inexpedient to legislate.

**4-4 Amendments by Committee** - When a bill or resolution is reported favorably with an amendment, the report of the committee shall state the amendment, and then recite the section of the bill or resolution in full as amended. The amendment shall be printed in the senate calendar on the date that the report is listed for action. If no action is taken on that day, then the amendment shall be printed on the day to which the bill or resolution has been referred. All bills and resolutions reported shall be retained by the Clerk and shall not be finally acted upon until the following legislative day, and a list of such bills and resolutions with the report of the committee thereon shall be published in the senate calendar for the day on which action shall be taken.

**4-5 Referral to Finance Committee** - Every bill and joint resolution appropriating money, and every other bill which is accompanied by a fiscal note pursuant to RSA 14:44, which has been referred to another committee and found ought-to-pass by the Senate, shall be referred to the Finance Committee for review, unless otherwise ordered by the Senate upon recommendation of the chair of the Finance Committee. Notwithstanding Senate Rule 4-1, a public hearing for any such bill or resolution shall not be required if a public hearing for the bill or resolution was previously held by another committee.

**4-6 Committee Appointments** - On all committees of the Senate, including Senate conference committees, both parties shall be represented. The President shall appoint the members of all committees after consultation with the minority leader.

**4-7 Standing Committees** - The standing committees of the Senate shall be as follows: the Committee on Capital Budget, the Committee on Commerce, the Committee on Education, the Committee on Energy and Natural Resources, the Committee on Executive Departments and Administration, the Committee on Finance, the Committee on Health and Human Services, the Committee on Judiciary, the Committee on Public and Municipal Affairs, the Committee on Rules, Enrolled Bills and Internal Affairs, the Committee on Transportation, and the Committee on Ways and Means.

**4-8 Committee Reports and Meetings** - The committees shall promptly consider and report on all matters referred to them. The President may authorize such committees having a heavy load of investigation, re-drafting, research or amendments to meet as needed on non legislative days during the legislative session.

## PART FIVE COMMITTEES OF CONFERENCE

### GENERAL RULES ON COMMITTEES OF CONFERENCE

**5-1 Formation of Committees of Conference** - Whenever there is any disagreement between the Senate and the House on the content of any bill or resolution, and whenever both bodies, voting separately, have agreed to establish a committee of conference, the President of the Senate shall appoint three members to the Senate committee of conference on the bill or resolution and the Speaker of the House shall appoint four members to the House committee of conference.

**5-2 Exceptions to Number of Members** - Notwithstanding Rule 5-1, the House committee of conference on the operating budget shall consist of five members and the number of members of any committee of conference may increase or decrease if the President and the Speaker both agree.

**5-3 Replacement of Members** - Notwithstanding Rule 4-6, the President may replace any member of a Senate committee of conference who asks to be replaced or who is unwilling or unable to support a proposed conference committee report.

**5-4 Operation of Committees of Conference** - The two committees of conference on a bill or resolution shall meet jointly but vote separately while in conference. A unanimous vote by both committees of conference shall be necessary for an agreed report to the Senate and the House by the committees of conference.

**5-5 Chairperson of Committees of Conference** - The first-named person on a Senate committee of conference shall chair the committee. The chair of the committee of conference of the body where the bill or resolution originated shall chair the joint meeting of the committees of conference and shall have the authority to call the time and place for their first meeting.

**5-6 Bill Sponsor Granted a Hearing** - The prime sponsor of any bill or resolution referred to committees of conference shall, upon his or her request, be granted a hearing before said committees prior to action thereon.

## PROHIBITIONS

**5-10 Title Change Prohibited** - A committee of conference shall not change the title of the bill or resolution submitted to it.

**5-11 Non-Germane Amendments Prohibited** - A committee of conference shall not add to the bill or resolution submitted to it any amendment that is non-germane to either the House- or Senate-passed version of the bill or resolution. For the purposes of this rule, the criteria for determining germaneness, as described in Rule 3-17 shall apply.

**5-12 Indefinitely Postponed Items Prohibited** - A committee of conference shall not add to the bill or resolution submitted to it any measure that was indefinitely postponed in either body.

## ACTIONS

**5-15 Action on Committee of Conference Reports** - No action shall be taken by the Senate on any committee of conference report earlier than some subsequent day to the filing of the report, and after the report has been placed on a member's desk.

**5-16 Committees of Conference on Budget Bills** - The report of the committee of conference on either the general appropriation bill or the capital improvements bill shall be printed in the journal or a supplement thereto, and shall be available for at least 24 hours in written form, before action on said report is taken on the floor. Footnotes to such bills (except footnotes in explanation of the principal text of such bills or designating the use or restriction of any funds or portions thereof) shall not be allowed.

**PART SIX**  
**OTHER RULES**

## SENATE STAFF

**6-1 Composition and Duties** - The staff of the Senate shall be comprised of:

- (1) A Clerk, who shall be elected by the Senate;
- (2) Clerk's office staff, who shall be nominated by the Clerk and appointed by the President; and
- (3) Such other personnel as the President shall appoint.

The President shall define the duties of all members of the Senate staff which are not fixed by statute or otherwise ordered by the Senate.

**6-2 Days of Employment** - Each member of the staff of the Senate shall be available on call to carry out the work of the Senate.

**6-3 Requisition Approval Required** - No officer or employee of the Senate during the session or any adjournment thereof shall purchase or contract for the purchase, pay, or promise to pay any sum of money on behalf of the Senate or issue any requisition or manifest without the approval of the Senate President.

## SENATE RULES

**6-5 Amending Rules** - Any rule of the Senate may be amended by majority vote during the first four legislative days of the first-year session, after which a two-thirds majority shall be required.

**6-6 Suspending Rules** - No standing rule of the Senate shall be suspended unless two-thirds of the members present and voting vote in favor thereof.

**6-7 Rescinding Rules** - No rule shall be rescinded unless two days notice of the motion has been given and two-thirds of those present and voting vote therefore.

## MESSAGES

**6-10 Messages Sent to House** - Messages shall be sent to the House of Representatives by the Clerk of the Senate.

**6-11 Messages, When Received** - Messages from the Governor or House of Representatives may be received at all times, except when the Senate is engaged in putting the question, in calling the yeas and nays, or in counting the ballots.

## CONSENT CALENDAR

**6-20 Consent Calendar** - The Senate Calendar may have a Consent Calendar section containing reports on bills and resolutions believed to be non-controversial.

**6-21 Conditions for Inclusion** - No bill or resolution shall appear on the Consent Calendar unless all of the following conditions are met:

(a) All members of the committee to which the bill or resolution was referred vote in favor of the final committee recommendation in executive session.

(b) All members of the committee to which the bill or resolution was referred vote in favor of placing it on the Consent Calendar.

(c) A short explanation of the committee's recommendation, approved by the chairperson of the committee appears with the bill or resolution in the Consent Calendar.

**6-22 Prohibitions** - The following items shall not appear on the Consent Calendar:

a) Bills or resolutions recommended for passage by the Committee on Finance

b) Constitutional amendment concurrent resolutions

c) Committee of conference reports

**6-23 Removal** - Any member may request removal of any bill or resolution listed on the Consent Calendar. Any item removed from the Consent Calendar shall be taken up at the conclusion of the Regular Calendar. All items remaining on the Consent Calendar shall be acted upon without debate.

#### MISCELLANEOUS

**6-25 Conflict of Interest** - In all instances every member shall act in conformance with the duly adopted Ethical Guidelines and Opinions of the New Hampshire General Court.

**6-26 Requests to the Legislative Budget Assistant** - Any Senate member may make a request of the Office of the Legislative Budget Assistant Budget Division, for technical staff assistance in the areas of finance, accounting and budgeting. The Budget Division may respond to that request when doing so will not interfere with the Budget Division's principal responsibilities as outlined in RSA 14:31-b, as determined by the Legislative Budget Assistant.

**6-27 Committee of the Whole** - The Senate may resolve itself into a Committee of the Whole at any time on motion made for that purpose; and in forming a Committee of the Whole; the President shall leave the chair, and appoint a chairperson to preside in committee.

#### PART SEVEN

##### DEADLINES

#### 7-1 Deadlines

a) Tuesday, December 09, 2014, noon - Deadline for the Office of Legislative Services to accept drafting of a Senate Bill, Senate Concurrent Resolution, or Senate Joint Resolution with complete information for the 2015 Session.

b) Friday, January 02, 2015, 4:00 p.m. - Deadline for prime sponsors to sign off on legislation.

c) Wednesday, January 07, 2015 - Deadline for co-sponsors to sign off on legislation.