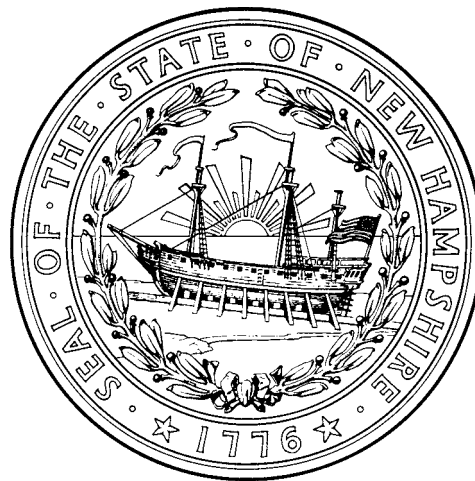


April 30, 2015
Nos. 11-12

STATE OF NEW HAMPSHIRE

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



**First Year of the 164th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – APRIL 9, 2015 SESSION
COMMENCEMENT – APRIL 30, 2015 SESSION**

SENATE JOURNAL 11 *(continued)*

April 9, 2015

HOUSE MESSAGE

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

SB 11, recodifying the Uniform Interstate Family Support Act.

SB 12, relative to jurisdiction over surrogacy cases under RSA 168-B.

SB 16, relative to the requirement for observers of water skiers.

SB 33, relative to continuing education requirements for mental health practitioners on suicide prevention.

SB 43, relative to the care and custody of female prisoners.

SB 44, relative to nonpublic sessions of public bodies under the right-to-know law.

SB 47, repealing the payment of subminimum wages to persons with disabilities.

SB 48, relative to the New Hampshire commission on Native American affairs.

SB 54, relative to property tax payments by therapeutic cannabis alternative treatment centers.

SB 65, adding a judicial branch employee member to the deferred compensation commission.

SB 71, relative to the administration of glucagon injections for children in schools.

SB 91, relative to appointment of counsel for indigent defendants.

SB 94, relative to documents filed electronically with a court under oath.

SB 101, prohibiting the state from requiring implementation of common core standards.

SB 103, relative to guardian ad litem reports and relative to the definition of incapacity for purposes of filing a guardianship petition.

SB 143, relative to defining phased development.

SB 166, relative to facilitated individualized education program meetings.

SB 168, relative to the duties of the commissioner of the department of environmental services.

SB 172, relative to the size limitations of off highway recreational vehicles.

SB 173, establishing a committee to study the feasibility of a club assistance program for off highway recreational vehicles.

SB 182, relative to the sale of freshwater fishing bait.

SB 183, allowing the fish and game department to offer lifetime hunting and fishing licenses for newborns.

SB 187, allowing a patient to designate a caregiver upon entry to a medical facility.

SB 194-FN, relative to epinephrine administration policies in postsecondary educational institutions.

SB 195-FN, encouraging instruction in cursive handwriting and memorization of multiplication tables.

SB 208, establishing a committee to study limiting the sulfur content of liquid fuels.

SB 222-FN, relative to harassment of hunting, fishing, or trapping.

SB 259-FN-L, relative to place of assembly licenses.

HOUSE MESSAGE

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

SB 78, relative to original and youth operators' licenses.

SB 90, relative to the judicial branch budget.

SB 154, authorizing the department of safety to set fees for motorcycle rider education programs.

SB 231, relative to the month of inspection for municipal fleets.

SB 236-FN, relative to alcohol ignition interlock requirements.

SB 243, relative to nonpublic sessions under the right-to-know law.

SB 249, relative to the Hampton and Exeter district divisions of the circuit court.

SB 251, relative to regulations for commercial composters.

SB 252, establishing a committee to study a number plate commemorating Laconia Motorcycle Week.

SB 258-FN, changing the timing of determination of weighted case units for the purpose of calculating the judicial branch budget request and judicial salaries.

HOUSE MESSAGE

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

SB 74, establishing a committee to study reducing the cost of county government.

SB 117-FN-L, relative to energy security and diversity.

SB 142, proclaiming September 25 as Ataxia Awareness Day.

SB 149, relative to nonpublic sessions under the right-to-know law.

SB 200-FN, relative to newborn screening for Krabbe Leukodystrophy.

HOUSE MESSAGE

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

SB 5, relative to transfers into the revenue stabilization reserve account.

SB 13, relative to the disposition of dedicated funds.

SB 19, relative to the payment of restitution among and between co-defendants.

SB 69, establishing a commission to study social impact bond funding for early childhood education for at-risk students.

SB 113-FN-A-L, relative to video lottery and table gaming.

SB 141, relative to powers of the zoning board of adjustment.

SB 167, relative to filing of small claims.

HOUSE MESSAGE

The House of Representatives has voted to Lay On The Table the following entitled Bill(s) sent down from the Senate:

SB 181, relative to registration fees for hunter education programs of the fish and game department.

April 17, 2015

2015-1358-EBA

04/10

Enrolled Bill Amendment to HB 175

The Committee on Enrolled Bills to which was referred HB 175

AN ACT establishing a committee to study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 175

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 175

Amend section 2 of the bill by replacing subparagraph I(b) with the following:

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

Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.

April 14, 2015
2015-1315-EBA
06/09

Enrolled Bill Amendment to HB 275

The Committee on Enrolled Bills to which was referred HB 275

AN ACT relative to the encroachment of a town cemetery on state-owned land.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 275

This enrolled bill amendment makes a technical correction and a grammatical correction.

Enrolled Bill Amendment to HB 275

Amend section 1 of the bill by replacing lines 9 and 10 with the following:

5 percent, as determined by the department of revenue administration at the 2014 tax rate setting.

III. Should the town have an insufficient undesignated fund balance available to move the

Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.

April 14, 2015
2015-1316-EBA
05/03

Enrolled Bill Amendment to HB 310

The Committee on Enrolled Bills to which was referred HB 310

AN ACT relative to reporting the destruction of motor vehicles.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 310

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 310

Amend RSA 261:22, I(a) as inserted by section 1 of the bill by replacing line 4 with the following:

electronic file which shall also be sent to the department containing such information as is

Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.

April 22, 2015
2015-1407-EBA
06/10

Enrolled Bill Amendment to HB 408

The Committee on Enrolled Bills to which was referred HB 408

AN ACT making a technical correction relative to fees for chiropractors.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 408

This enrolled bill amendment corrects the title of the bill to accurately reflect the contents of the bill.

Enrolled Bill Amendment to HB 408

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

AN ACT making a technical correction relative to fees for chiropractors and relative to the licensure of audiologists.

Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.

April 23, 2015
2015-1422-EBA
08/09

Enrolled Bill Amendment to SB 187

The Committee on Enrolled Bills to which was referred SB 187

AN ACT allowing a patient to designate a caregiver upon entry to a medical facility.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 187

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to SB 187

Amend subparagraph I(b) of section 1 of the bill by replacing line 4 with the following:

for Medicare and Medicaid Services (CMS) estimates that \$17,000,000,000 in Medicare funds is spent

Amend RSA 151:46, I as inserted by section 2 of the bill by replacing line 2 with the following:

hospital, a hospital employee, or a duly authorized agent of the hospital, or to otherwise supersede or

Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.

April 23, 2015
2015-1425-EBA
03/01

Enrolled Bill Amendment to SB 194-FN

The Committee on Enrolled Bills to which was referred SB 194-FN

AN ACT relative to epinephrine administration policies in postsecondary educational institutions.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 194-FN

This enrolled bill amendment corrects a reference in the bill.

Enrolled Bill Amendment to SB 194-FN

Amend RSA 200-N:4 as inserted by section 1 of the bill by replacing line 7 with the following:

for the emergency administration of epinephrine. The commissioner shall disseminate the guidelines to

Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.

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(s):

SB 264, relative to tipped employees.

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

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(s):

HB 107, relative to the retention of municipal trust fund bank statements.

HB 135, relative to qualifications of assistant election officials.

HB 166, relative to records storage by municipalities.

HB 170, relative to the advisory committee on international trade.

HB 175, establishing a committee to study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.

HB 177, relative to sales of alcoholic beverages by manufacturers.

HB 217, relative to fees for reinstatement of licenses, registrations, and certifications established by the pharmacy board.

HB 259, relative to the reporting date of the economic development strategy and plan.

HB 260, relative to the definition of antique motor vehicle or motorcycle.

HB 268, establishing a committee to study the adoption of low-impact housing development standards by the department of environmental services.

HB 275, relative to the encroachment of a town cemetery on state-owned land.

HB 310, relative to reporting the destruction of motor vehicles.

HB 429, reviving the commission to review and consider alcoholic beverage manufacturing processes and retail sales at manufacturing facilities.

HB 511, establishing a committee to study the funding of certain state aid grants.

HB 534, relative to the duties of the housing finance authority.

SB 12, relative to jurisdiction over surrogacy cases under RSA 168-B.

SB 16, relative to the requirement for observers of water skiers.

SB 33, relative to continuing education requirements for mental health practitioners on suicide prevention.

SB 43, relative to the care and custody of female prisoners.

SB 44, relative to nonpublic sessions of public bodies under the right-to-know law.

SB 47, repealing the payment of subminimum wages to persons with disabilities.

SB 48, relative to the New Hampshire commission on Native American affairs.

SB 54, relative to property tax payments by therapeutic cannabis alternative treatment centers.

SB 65, adding a judicial branch employee member to the deferred compensation commission.

SB 71, relative to the administration of glucagon injections for children in schools.

SB 91, relative to appointment of counsel for indigent defendants.

SB 94, relative to documents filed electronically with a court under oath.

SB 101, prohibiting the state from requiring implementation of common core standards.

SB 103, relative to guardian ad litem reports and relative to the definition of incapacity for purposes of filing a guardianship petition.

SB 143, relative to defining phased development.

SB, 166, relative to facilitated individualized education program meetings.

SB 168, relative to the duties of the commissioner of the department of environmental services.

SB 172, relative to the size limitations of off highway recreational vehicles.

SB 173, establishing a committee to study the feasibility of a club assistance program for off highway recreational vehicles.

SB 182, relative to the sale of freshwater fishing bait.

SB 183, allowing the fish and game department to offer lifetime hunting and fishing licenses for newborns.

SB 195, encouraging instruction in cursive handwriting and memorization of multiplication tables.

SB 208, establishing a committee to study limiting the sulfur content of liquid fuels.

SB 222, relative to harassment of hunting, fishing, or trapping.

SB 259, relative to place of assembly licenses.

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 12

April 30, 2015

The Senate reconvened at 10:00 a.m. a quorum being present.

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

Good morning. It's a great privilege for me to be with all of you this morning as you bring to mind your memories, and as you light a candle in honor of your friend and colleague: The Honorable Michael W. Downing.

(The candle is lit.)

I invite you to join me in a moment of silence.

Let us pray.

God of life, God of beginnings and endings, we give you thanks for Michael Downing, and for all those people who have left their mark on our lives. Thank you for the many ways they have inspired us and for the gifts they shared with us: their wisdom, courage, leadership, creativity, humor, strength, commitment, loyalty and love. Thank you that our own experience in this world is enriched by those who have shared this journey with us and have gone on before us. As we remember them with gratitude, help us to honor their legacy by being a meaningful presence in the lives of others. Amen.

Sen. Daniels led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

(The Chair recognized Sen. Pierce for a Resolution.)

SENATOR PIERCE: Thank you. We're here today to recognize a young woman from my District living in Plainfield, New Hampshire, Hannah Falcone, who has for the past two years, won the state essay contest for 4-H and this past year has won the national contest for 4-H as well. So, we're presenting her a Resolution. A Resolution from the New Hampshire Senate: "Be it known that the New Hampshire Senate extends its congratulations to Hannah Falcone in recognition of winning first place in the 2014 4-H Essay Contest for

New Hampshire and nationally for her essay, *Honey bees: Colonizing the New World*. And be it further known that the New Hampshire Senate extends its best wishes for continued success.” Signed Senator David Pierce from District 5, and Senator Chuck Morse, the Senate President, from District 22. Congratulations, Hannah.

PRESIDENT MORSE: Congratulations.

Sen. Soucy introduced constituent Deborah Allard-Butterworth visiting in the gallery today.

Sen. D’Allesandro gave a “Happy Birthday” welcome to intern Christine Luciano.

Sen. Boutin introduced Madeline Beaujovan visiting in the gallery today.

Sen. Kelly introduced North Walpole School visiting in the gallery today.

INTRODUCTION OF PAGES

Sen. Feltes introduced Delia Barry and Benjamin Roy of Concord High School serving as Senate Pages for the day.

SPECIAL ORDER

Without objection, the following bills were special ordered to Thursday, May 14, 2015.

CONSENT CALENDAR

EDUCATION

HB 347, relative to payment of wages of certain hourly school district employees.

TRANSPORTATION

HB 553-FN, relative to dealer registration privileges by a dealership management company and proof of ownership of a vehicle at the time of sale.

REGULAR CALENDAR

EDUCATION

HB 206, relative to non-academic surveys or questionnaires given to students.

HB 332, relative to school district policy regarding objectionable course material.

PUBLIC AND MUNICIPAL AFFAIRS

HB 328, relative to delivery of absentee ballots.

FN REPORT FOR APRIL 30, 2015

Senator Forrester recommends the waiver of referral to the Finance Committee, Senate Rule 4-5, for the following bills with fiscal notes or an appropriation of funds:

CONSENT CALENDAR:

COMMERCE

HB 644-FN, relative to regulation of small loans, title loans, and payday loans.

JUDICIARY

HB 108-FN, relative to sealing nonpublic session minutes.

TRANSPORTATION

HB 395-FN, relative to electronic toll collection.

HB 553-FN, relative to dealer registration privileges by a dealership management company and proof of ownership of a vehicle at the time of sale.

HB 621-FN, establishing fines for violations of the “wide berth” laws.

REGULAR CALENDAR:

COMMERCE

HB 554-FN, relative to sales of beer in refillable containers.

EDUCATION

HB 206, relative to non-academic surveys or questionnaires given to students.

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property.

ENERGY AND NATURAL RESOURCES

HB 200, allowing homestead food operations exempt from licensure to sell homestead food products at retail food stores.

HB 354, relative to the closing of clam, oyster, and other bivalve areas for restoration.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 109-FN-L, relative to the testing of backflow devices.

HEALTH AND HUMAN SERVICES

HB 422-FN, relative to certification of death certificates by physician assistants.

TRANSPORTATION

HB 559-FN, relative to vehicle registration by entities doing business in New Hampshire.

WAYS AND MEANS

HB 664-FN, consolidating existing oil pollution funds.

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

REGULAR CALENDAR:

EDUCATION

HB 577-FN-A-L, establishing a children's savings account program.

TRANSPORTATION

HB 258-FN-L, relative to fees for preparing motor vehicle registration documents.

WAYS AND MEANS

HB 550-FN, relative to administration of the tobacco tax.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS

The following bills were removed from the Consent Calendar:

COMMERCE

HB 353, relative to the governance of condominium unit owners' associations. Removed by Sen. Bradley.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 364, relative to renewal fees administered by the office of professional licensing. Removed by Sen. Carson.

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes. Removed by Sen. Bradley.

RULES, ENROLLED BILLS AND INTERNAL AFFAIRS

HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivision. Removed by Sen. Bradley.

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 to Third Reading.

Recess. Out of recess.

COMMERCE

HB 158, requiring the managing agent to return the records of a condominium association upon the request of the association. Ought to Pass, Vote 5-0. Senator Pierce for the committee.

Currently, some managing agents delay for significant amounts of time when asked to return condominium association documents. This bill would solve that by requiring the managing agent to return the records of a condominium association upon the request of the association.

HB 184, relative to travel insurance. Ought to Pass, Vote 5-0. Senator Pierce for the committee.

This bill establishes procedures for the sale of travel insurance by travel agents. Under this bill, the insurance commissioner may issue a license to a travel agent to serve as a "limited lines travel insurance producer" to sell, solicit, or negotiate travel insurance through a licensed insurer. This bill is based on model legislation that has been adopted in more than 30 states and will help provide clear and consistent regulatory oversight as well as guidelines insuring consumer protection.

HB 308, relative to the supervision of a real estate office and the duties of a facilitator under the real estate practice act. Ought to Pass, Vote 5-0. Senator Soucy for the committee.

This bill removes the requirement for on-site real estate office supervision by a principal or managing broker. This bill which is supported by the Real Estate Commission, reflects the current industry practice of working off site but at the same time maintains current levels of industry supervision. This bill also clarifies a facilitator's duty to present all offers and agreements.

HB 358, relative to driver's license information obtained by pawnbrokers and secondhand dealers. Ought to Pass with Amendment, Vote 5-0. Senator Soucy for the committee.

This bill is a request of the committee to study pawn brokers and secondhand dealers. This bill allows pawn brokers and secondhand dealers to retain certain identifying information from a customer's driver's license as long as the license holder consents for the purpose of identifying sellers of stolen merchandise. Currently, local rules are a patchwork of regulations and often don't allow this information to be transferred to law enforcement.

Commerce

April 15, 2015

2015-1349s

08/04

Amendment to HB 358

Amend RSA 263:12, X as inserted by section 1 of the bill by replacing it with the following:

X. Knowingly scan, record, retain, or store, in any electronic form or format, personal information, as defined in RSA 260:14, obtained from any license, unless authorized by the department. Nothing in this paragraph shall prohibit a person from transferring, in non-electronic form or format, personal information contained on the face of a license to another person, provided that the consent of the license holder is obtained if the transfer is not to a law enforcement agency. Notwithstanding any other provision of law, any person selling alcohol or tobacco who uses due diligence in checking identification to prevent unauthorized sales and purchases of alcohol and tobacco shall not be held responsible for the acceptance of fraudulent identification. Where due diligence is exercised on the part of the seller, the unauthorized purchaser shall be liable for any penalty or fine resulting from the unauthorized sale. ***This paragraph shall not prohibit the scanning, recording, retaining, or storing of such information in electronic form collected with the license holder's consent as part of a sale of merchandise to a pawnbroker or other secondhand dealer, and submission of such information to law enforcement databases for the sole purpose of identifying sellers of stolen merchandise. The pawnbroker or secondhand dealer shall not retain the scanned information in electronic form transmitted to a law enforcement database, unless required by local regulation, and shall not furnish the information to anyone except a law enforcement officer. The pawnbroker or secondhand dealer may maintain in a log or other document with the name and address of the person whose license was scanned along with a description of the items the individual sold, pawned or purchased, and shall allow such log or document to be examined by a law enforcement official upon request.***

2015-1349s

AMENDED ANALYSIS

This bill allows pawn brokers and secondhand dealers to retain certain identifying information from a driver's license.

HB 478, relative to rulemaking for market conduct record retention and production. Ought to Pass, Vote 5-0. Senator Soucy for the committee.

This bill, a request of the Insurance Department, will authorize the Insurance Commissioner to adopt rules for the purposes of governing market conduct record retention and production. The addition of rulemaking authority to RSA 400-B will enable the Department to clarify with more specificity which documents are to be kept, which documents can be destroyed and which documents may be requested in a market conduct examination.

HB 481, relative to commercial insurance. Ought to Pass, Vote 5-0. Senator Prescott for the committee.

This bill is a request of the insurance department and will make it clear that the cancellation or refusal to renew provisions for commercial insurance do not apply to mortgage guaranty insurance or sureties. Mortgage guaranty insurance is usually known as private mortgage insurance. It is purchased to compensate lenders in the case of mortgage default. Sureties provide payment to one party if a second party fails to meet some obligation like failing to fulfill the provisions of a contract.

HB 482, relative to the insurance claims adjuster definition. Ought to Pass, Vote 5-0. Senator Prescott for the committee.

This bill is a request of the insurance department and will clarify the home state of an insurance claims adjuster. Without a designated home state, any adjuster whose residential state does not license adjusters would have to seek to qualify in several states, which can take time. This will help during a state of emergency, should the need arise so that we can provide a reciprocal license in a matter of hours versus a matter of days.

HB 531, establishing a committee to study short-term rentals by homeowners and owners of residential properties. Ought to Pass with Amendment, Vote 5-0. Senator Cataldo for the committee.

This bill establishes a committee to study short-term rentals by homeowners and owners of residential properties. The committee will evaluate the effect this type of rental has on the traditional lodging market and will solicit information and testimony from individuals and organizations with experience or expertise deemed relevant. The committee amendment reduced the number of Senators to one and increased the number of Representatives to four.

Commerce
April 7, 2015
2015-1266s
05/10

Amendment to HB 531

Amend paragraph I as inserted by section 2 of the bill by replacing it with the following:

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

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

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

HB 644-FN, relative to regulation of small loans, title loans, and payday loans. Ought to Pass, Vote 5-0. Senator Pierce for the committee.

This bill is a request of the Banking Department and will make technical changes to the regulation of small loans, title loans, and payday loans so that the statutes will be more user friendly, easy to understand, and offer clear and consistent requirements among its regulated entities. While mostly technical, this bill addresses one substantive policy issue which is the requirement for bonding of licensees. HB 644-FN requires licensees to post a surety bond, instead of cash reserves or loan assets, in case the department needs to access funds for consumer restitution or department invoice.

EDUCATION

HB 519, establishing a committee to study department of education policies affecting dyslexic students. Ought to Pass with Amendment, Vote 5-0. Senator Kelly for the committee.

This bill establishes a committee to study policies affecting dyslexic students. The amendment makes changes to the composition of the study committee, reduces the number required for quorum, and changes the completion date for the final report to November 2015.

Senate Education
April 8, 2015
2015-1278s
08/09

Amendment to HB 519

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

AN ACT establishing a committee to study policies which it determines are necessary for dyslexic students.

Amend the bill by replacing all after section 1 with the following:

1 Committee Established. There is established a committee to study policies which it determines are necessary for dyslexic students.

2 Membership and Compensation.

I. The members of the committee shall be six 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.

3 Duties. The committee shall study policies which it determines are necessary for dyslexic students.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

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

2015-1278s

AMENDED ANALYSIS

This bill establishes a committee to study policies which it determines are necessary for dyslexic students.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 146, relative to the board of dental examiners. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This housekeeping legislation changes the name of the original board to the Commission on Dental Accreditation. It also repeals two out-of-date RSAs which no longer apply.

HB 326, relative to the board of registration of medical technicians. Ought to Pass, Vote 5-0. Senator Carson for the committee.

This legislation expands the board of registration of medical technicians by including registered or certified medical technicians. It also clarifies only medical technicians meeting the definition are subject to penalties for non-registration. In addition, it allows for temporary registration, and requires every facility administrator to report to the board any disciplinary actions taken.

HB 425, relative to procedures for the adoption of agency rules under the administrative procedures act. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill makes various changes in the procedure and requirements for the adoption of rules to include the preparation of fiscal impact statements, adoption of forms, an expedited amendment to a document or content incorporated by reference in a rule. The amendment addresses ambiguities in the fiscal impact statements.

Senate Executive Departments and Administration

April 8, 2015

2015-1273s

10/04

Amendment to HB 425

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

1 Fiscal Impact Statements; Intended Action. Amend RSA 541-A:5, II to read as follows:

II. The legislative budget assistant shall develop a form which shall specify the details and supporting data necessary to assess the fiscal impact of the ~~[proposed rule]~~ ***intended action. The fiscal impact of a proposed rule which was previously effective but has expired, or of a proposed rule which adopts a current agency policy, procedure, or practice as a rule for the first time, shall not be assessed as an existing rule but as a proposed rule which is not yet effective.***

2 New Paragraph; Fiscal Impact Statements; Definition Added; Intended Action. Amend RSA 541-A:5 by inserting after paragraph VI the following new paragraph:

VII. In this section, "intended action" means the proposed adoption, amendment, readoption, readoption with amendment, or repeal of a rule pursuant to RSA 541-A, as described in the drafting and procedure manual for administrative rules pursuant to RSA 541-A:8.

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-8 to read as 4-9, respectively:

3 Fiscal Impact Statements. Amend RSA 541-A:5, IV to read as follows:

IV. The fiscal impact statement issued by the legislative budget assistant shall not be limited to dollar amounts, but shall include a discussion of the methodology used to reach any stated amounts. In addition, the fiscal impact statement shall consist of:

(a) A narrative stating the costs and benefits to the citizens of the state and to the political subdivisions of the intended action.

(b) A conclusion as to the cost or benefit to the state general fund or any state special fund of taking the intended action.

(c) An explanation of, and citation to, the federal mandate for the ~~[proposed rule]~~ **intended action**, if there is such a mandate, and how that mandate affects state funds.

(d) A comparison of the cost of the ~~[proposed rule]~~ **intended action** with the cost of the existing rule, if there is an existing rule, **and, to the extent that the proposed rule had expired, indicating the cost of the expired rule and, if applicable, the difference in cost of any proposed change from the expired rule.**

(e) An analysis of the general impact of the ~~[proposed rule]~~ **intended action** upon any independently owned businesses, including a description of the specific reporting and recordkeeping requirements upon small businesses which employ fewer than 10 employees.

HB 523, relative to the jurisdiction of the penalty appeal board. Ought to Pass, Vote 5-0. Senator Soucy for the committee.

This bill, requested by the Department of Labor, expands the appeals process to all penalties imposed by the Commissioner of Labor.

HEALTH AND HUMAN SERVICES

HB 150, establishing a commission to study the legalization, regulation, and taxation of marijuana. Inexpedient to Legislate, Vote 5-0. Senator Carson for the committee.

This bill sought to establish a commission to study the legalization, regulation, and taxation of marijuana.

The committee believes that it is premature to study this issue because the sale and usage of marijuana is a violation of federal law.

HB 190, establishing a statutory commission to study the standards for collaborative pharmacy practice. Ought to Pass with Amendment, Vote 5-0. Senator Kelly for the committee.

This bill establishes a statutory commission to study the standards for collaborative pharmacy practice.

The committee amended the bill to add a member who is a family physician and a member who is an internist, both to be appointed by the board of medicine. The committee feels this bill is an important first step for New Hampshire in order to move towards utilizing pharmacists to improve healthcare costs.

Health and Human Services

April 15, 2015

2015-1337s

10/06

Amendment to HB 190

Amend RSA 318:16-c, I as inserted by section 2 of the bill by inserting after subparagraph (m) the following new subparagraphs:

(n) A member who is a family physician, appointed by the board of medicine.

(o) A member who is an internist, appointed by the board of medicine.

HB 484, relative to medication administration by licensed nursing assistants and relative to exemptions from regulation for certain nursing care and attendant care services. Ought to Pass with Amendment, Vote 5-0. Senator Fuller Clark for the committee.

This bill clarifies the authority of licensed nurse assistants to administer medication and adds an exemption from regulation for nursing care and consumer directed attendant care services provided by unlicensed persons. The committee amended the bill to ensure that hospices were included among the places in which an LNA is employed and can administer medication. The committee believes this bill is important in order to keep patients in their homes and to ensure their safety.

Health and Human Services
April 15, 2015
2015-1338s
10/06

Amendment to HB 484

Amend RSA 326-B:14, II-a(b) as inserted by section 1 of the bill by replacing it with the following:

(b) A licensed nurse delegates the task of medication administration to the LNA who is employed in the home care, hospice, residential care, or adult day care setting. The board, in consultation with the commissioner of health and human services or a designee, shall adopt rules under RSA 541-A establishing standards for such delegation of medication administration which include, but are not limited to, limitations on the number of delegations per assistive personnel, training and competency requirements, documentation requirements, and medication administration error reporting requirements.

HB 522, making certain changes in the law governing toxic substances in the workplace to comply with federal law. Ought to Pass, Vote 5-0. Senator Carson for the committee.

This bill is at the request of the Department of Labor and modifies the content required on certain data sheets regarding toxic substances in the workplace. Passage of this bill brings New Hampshire in compliance with federal law.

JUDICIARY

HB 108-FN, relative to sealing nonpublic session minutes. Ought to Pass, Vote 5-0. Senator Lasky for the committee.

This legislation merely requires that the vote to seal minutes from a non-public meeting under 91-A is done in public session of the deliberative body.

HB 118, relative to vehicular assault. Ought to Pass, Vote 5-0. Senator Pierce for the committee.

This bill removes from statute language that has been ruled unconstitutional by the New Hampshire Supreme Court and makes it clear that the violation is triggered by the defendant's negligence.

HB 492, relative to military and historic re-enactments and commemorations. Ought to Pass, Vote 5-0. Senator Daniels for the committee.

This bill requires military and historic re-enactors to notify the fire department prior to using blank ammunition in certain statute-specified events. Enactors must comply with the state fire code. This was requested by the State Fire Marshal.

HB 497, relative to interference with a cemetery burial plot. Ought to Pass, Vote 5-0. Senator Lasky for the committee.

This bill corrects the statute governing cemetery plots and allows an ascendant as well as a descendant to move a person's body.

PUBLIC AND MUNICIPAL AFFAIRS

HB 149, relative to qualifications for the office of county commissioner. Ought to Pass, Vote 5-0. Senator Boutin for the committee.

This bill provides that the office of county commissioner is an incompatible office with other federal, state, and county elective offices.

HB 254, relative to exceptions to restrictions on boating. Ought to Pass, Vote 5-0. Senator Lasky for the committee.

This bill expands an exception to municipal employees that currently covers state employees, regarding restrictions on boating applicable to specified bodies of water, when they are engaging in emergency rescue operations.

HB 331, relative to absences among selectmen on election day. Re-refer to committee, Vote 5-0. Senator Boutin for the committee.

This bill would have allowed for a selectman to appointment a selectman pro tem to perform their duties for the duration of Election Day, as the NH Constitution requires a quorum of selectmen be present on Election Day. However, the committee feels as though there are other possible avenues for addressing the quorum requirement and therefore voted to re-refer the bill for further examination.

HB 493, relative to minimum voting booths for city or town elections. Ought to Pass with Amendment, Vote 5-0. Senator Lasky for the committee.

This bill establishes separate minimum voting booth requirements for city or town elections. The committee amended the bill to include village and school district elections, as it was inadvertently left out and to change the effective date to upon passage, so that this may apply to an upcoming special election.

Public and Municipal Affairs

April 8, 2015

2015-1277s

03/05

Amendment to HB 493

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

AN ACT relative to minimum voting booths for city, town, school district, and village district elections.

Amend RSA 658:9, V(b)(4) as inserted by section 1 of the bill by replacing it with the following:

(4) For all city, town, school district, and village district elections, one for every 200 voters on the checklist.

Amend the bill by replacing section 2 with the following:

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

2015-1277s

AMENDED ANALYSIS

This bill establishes separate minimum voting booth requirements for city, town, school district, and village district elections.

HB 545, relative to eligibility for office. Ought to Pass, Vote 5-0. Senator Birdsell for the committee.

This bill adds statements regarding the eligibility of convicted felons to forms required of candidates for office, in order to clarify that any sentences must be satisfactorily completed before an individual can be eligible for office.

RULES, ENROLLED BILLS AND INTERNAL AFFAIRS

HB 526, relative to transfers of appropriations in Carroll county. Ought to Pass, Vote 5-0. Senator Bradley for the committee.

This bill establishes a procedure for the Carroll County executive committee to approve the transfer of appropriations requested by the county commissioners. The bill is specific to Carroll County and it will add beneficial discipline for the formation of future Carroll County budgets.

TRANSPORTATION

HB 121, making a technical correction to the negligent driving statute. Ought to Pass, Vote 5-0. Senator Watters for the committee.

This bill was requested by the department of safety and makes a simple technical correction to a reference in the negligent driving statute.

HB 130, relative to the use of blue lights on emergency vehicles. Ought to Pass, Vote 5-0. Senator Birdsell for the committee.

This bill authorizes the use of blue lights on vehicles operated by local and federal emergency response employees, volunteers and employees of an ambulance service contracted with a city, town, or village district and acts as a mechanism to enhance the safety of our emergency responders.

HB 178, relative to exclusions from seasonal highway weight limit regulations. Ought to Pass, Vote 5-0. Senator Daniels for the committee.

This bill adds an exclusion from seasonal highway weight limit regulations for trucks carrying sap for maple syrup production. The maple industry is one of the few that has seen an acceleration of growth in recent years grossing \$150 million annually. This legislation will provide producers with enhanced security of their continued investments allowing the business to further expand and take advantage of the short 6 week season.

HB 395-FN, relative to electronic toll collection. Ought to Pass with Amendment, Vote 5-0. Senator Watters for the committee.

This bill provides that a person having the exclusive right to use a vehicle pursuant to a court order is the vehicle's owner for purposes of electronic toll collection. The committee amended the bill to further clarify when exactly this would take effect. This legislation will hold EZ-Pass toll violators responsible for paying their fines while the vehicle is awarded to them due to a court order.

Senate Transportation
April 21, 2015
2015-1401s
03/04

Amendment to HB 395-FN

Amend the bill by replacing section 1 with the following:

1 Motor Vehicles; Owner Defined. Amend RSA 259:72, V to read as follows:

V. For the purposes of the provisions of this title relative to electronic toll collection, any person holding title to a vehicle, or having the exclusive right to the use thereof ***pursuant to a court order following a final hearing on the merits or*** under a written rental or lease agreement, for any period of time.

2015-1401s

AMENDED ANALYSIS

This bill provides that a person having the exclusive right to use a vehicle pursuant to a court order following a final hearing on the merits is the vehicle's owner for purposes of electronic toll collection.

HB 621-FN, establishing fines for violations of the "wide berth" laws. Ought to Pass, Vote 5-0. Senator Daniels for the committee.

This bill establishes fines for violations of the laws requiring drivers to give wide berth to highway workers and at highway emergencies. Establishing a fine schedule for the "move over law" allows citizens the opportunity to choose whether they'd like to handle their violation via mail or the DMV website, while still allowing them the option to appear in court if they so choose; as is the protocol for all other traffic violations. This legislation makes it more manageable for our state's police to enforce this law, keeping the roads safer, while providing efficiency for violators.

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

REGULAR CALENDAR REPORTS

COMMERCE

HB 411, prohibiting the payment of subminimum wages to persons with disabilities. Ought to Pass, Vote 5-0. Senator Bradley for the committee.

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

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

The following Senators voted Yes: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Little, Sanborn, Kelly, Daniels, Avard, Lasky, Carson, Feltes, Boutin, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Prescott, Stiles, Morse.

The following Senators voted No: (None)

Yeas: 24 - Nays: 0

Sen. Bradley moved to Lay on the Table HB 411. Adopted.

HB 554-FN, relative to sales of beer in refillable containers. Inexpedient to Legislate, Vote 4-1. Senator Prescott for the committee.

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

EDUCATION

HB 124, relative to the implementation of new college and career readiness standards. Inexpedient to Legislate, Vote 4-1. Senator Watters for the committee.

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

Sens. Avard and Birdsell are in opposition to the motion of Inexpedient to Legislate on HB 124.

HB 142, relative to student social media policies by educational institutions. Ought to Pass with Amendment, Vote 4-0. Senator Kelly for the committee.

Senate Education
 April 16, 2015
 2015-1357s
 08/05

Amendment to HB 142

Amend RSA 189:70, II as inserted by section 1 of the bill by inserting after subparagraph (c) the following new subparagraph:

(d) Requesting a student voluntarily share a printed copy of a specific communication from the student's social media account that is relevant to an ongoing investigation.

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

Sen. Bradley offered a floor amendment.

Sen. Bradley, Dist. 3
 April 29, 2015
 2015-1504s
 04/10

Amendment to HB 142

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

AN ACT relative to student social media policies by educational institutions and nonpublic sessions under the right-to-know law.

Amend the bill by replacing all after section 1 with the following:

2 New Subparagraph; Right-to-Know; Nonpublic Sessions. Amend RSA 91-A:3, II by inserting after subparagraph (j) the following new subparagraph:

(k) Consideration by a school board of entering into a student or pupil tuition contract authorized by RSA 194 or RSA 195-A, which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general public or the school district that is considering a contract, including any meeting between the school boards, or committees thereof, involved in the negotiations. A contract negotiated by a school board shall be made public prior to its consideration for approval by a school district, together with minutes of all meetings held in nonpublic session, any proposals or records related to the contract, and any proposal or records involving a school district that did not become a party to the contract, shall be made public. Approval of a contract by a school district shall occur only at a meeting open to the public at which, or after which, the public has had an opportunity to participate.

3 Effective Date.

I. Section 2 of this act shall take effect September 1, 2015.

II. The remainder of this act shall take effect 60 days after its passage.

2015-1504s

AMENDED ANALYSIS

This bill specifies permissible conduct by an educational institution regarding access to a student's social media account and allows a school board to consider certain contracts in nonpublic session under the right-to-know law under certain circumstances.

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

Sen. Watters offered a floor amendment.

Sen. Watters, Dist. 4
 April 30, 2015
 2015-1511s
 04/01

Floor Amendment to HB 142

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

AN ACT relative to student social media policies by educational institutions and nonpublic sessions under the right-to-know law, and establishing a commission to study social impact bond funding for early childhood education for at-risk students.

Amend the bill by replacing all after section 2 with the following:

3 New Subdivision; Commission to Study Social Impact Bond Funding for Early Childhood Education for At-Risk Students. Amend RSA 189 by inserting after section 70 the following new subdivision:

Commission to Study Social Impact Bond Funding For
Early Childhood Education for At-Risk Students

189:71 Commission Established.

I. There is established a commission to study social impact bond funding for early childhood education for at-risk students. The members of the commission shall be as follows:

- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) One member of the senate, appointed by the senate president.
- (c) One member representing the interests of the governor, appointed by the governor.
- (d) The commissioner of the department of education, or designee.
- (e) One member from New Hampshire Kids Count, appointed by that organization.
- (f) One member from SPARK NH, appointed by that organization.
- (g) One member from Early Learning NH, appointed by that organization.
- (h) One member from the university of New Hampshire Child Study and Development Center, appointed by the center.
- (i) One member from the New Hampshire School Boards Association, appointed by that organization.
- (j) One member from the New Hampshire Municipal Association, appointed by that organization.
- (k) Two parents with children in kindergarten through grade 3, appointed by the governor.
- (l) One school administrative unit administrator, appointed by the governor.
- (m) One kindergarten teacher, appointed by the governor.
- (n) Two teachers who teach in any grade between kindergarten and grade 3, appointed by the governor.

II. The commission shall:

- (a) Study procedures for issuing social impact bonds for early childhood education for at-risk students.
- (b) Study establishment of an early childhood education board to negotiate contracts with private entities to fund certain early childhood education programs and award grants to certain early childhood education programs.
- (c) Study components of a high quality school readiness program that may be funded through a results-based contract between the board and a private entity, and study the conditions on meeting performance outcomes for repayment to private entities and the requirements of independent evaluation of performance outcomes.
- (d) Study components of a monitoring program, policies, and rules for early childhood education, including definitions of "at-risk" students to be served.
- (e) Study the sources and amounts of funding needed for social impact bonds for this program, based on potential numbers of students served.

III. Legislative members of the commission shall receive mileage at the legislative rate while attending to the duties of the commission.

IV. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Nine members of the committee shall constitute a quorum.

V. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before June 1, 2016.

4 Repeal. RSA 189:71, relative to a commission to study social impact bond funding for early childhood education for at-risk students, is repealed.

5 Effective Date.

I. Section 2 of this act shall take effect September 1, 2015.

II. Section 4 of this act shall take effect June 1, 2016.

III. The remainder of this act shall take effect 60 days after its passage.

2015-1511s

AMENDED ANALYSIS

This bill:

I. Specifies permissible conduct by an educational institution regarding access to a student's social media account.

II. Allows a school board to consider certain contracts in nonpublic session under the right-to-know law under certain circumstances.

III. Establishes a commission to study social impact bond funding for early childhood education for at-risk students.

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

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

HB 520, establishing privacy protections for student online personal information. Ought to Pass, Vote 4-0. Senator Avar for the committee.

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

HB 555, relative to participation of chartered public school students in school district co-curricular activities. Re-refer to committee, Vote 4-1. Senator Stiles for the committee.

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

Sen. Avar is in opposition to the motion of Re-refer to Committee on HB 555.

HB 577-FN-A-L, establishing a children's savings account program. Ought to Pass with Amendment, Vote 4-0. Senator Watters for the committee.

Senate Education

April 21, 2015

2015-1392s

04/05

Amendment to HB 577-FN-A-LOCAL

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

AN ACT establishing a children's savings account program, and relative to the bonding authority of the city of Dover.

Amend the bill by replacing all after section 2 with the following:

3 Issuance of Bonds; City of Dover Authority.

I. Notwithstanding any general or special law to the contrary, the city of Dover shall have the following authority with respect to bonds or notes issued pursuant to RSA 33, RSA 33-B, or pursuant to any other enabling authority heretofore or hereinafter enacted.

II. In this section:

(a) "City" means the city of Dover.

(b) "City finance director" means the finance director of the city.

(c) "City manager" means the city manager of the city.

III. In connection with the issuance of any bonds or notes of the city issued pursuant to RSA 33, RSA 33-B, or pursuant to any other enabling authority, the city finance director, with the approval of the city manager, may enter into credit enhancement or liquidity agreements on behalf of the city, with such payment, security, default, remedy, and other terms and conditions as the city finance director, with the approval of the city manager, shall determine. Any bonds or notes of the city issued pursuant to RSA 33, RSA 33-B, or pursuant to any other enabling authority, whether heretofore or hereafter enacted, may mature at such times, not exceeding 30 years, or such longer term as may be provided in RSA 33, RSA 33-B, or pursuant to any other provision of law, in such amounts, and may bear interest at such rate or rates as may be determined by the city finance director, with the approval of the city manager. Bonds or notes of the city may be made redeemable before maturity at the option of the city or any holder thereof at such price or prices and upon such other terms and conditions as may be fixed by the city finance director, with the approval of the city manager, prior to the issuance of any such bonds or notes.

IV. Any premium received by the city may, in the discretion of the city finance director, be:

- (a) Applied to the payment of the costs of preparing, issuing, and marketing any such bonds or notes;
- (b) Applied to the cost of the project or projects for which such bonds or notes were issued, resulting in a like reduction of the amount of bonds or notes issued to finance such project;
- (c) Deposited in the general fund of the city and available to be appropriated for any lawful purpose of the city; or
- (d) Applied in any combination of the subparagraphs (a) - (c).

V. The city may authorize and issue its general obligation bonds or notes for any purpose for which it may raise money.

VI. The city may authorize the issuance of general obligation refunding bonds in order to pay all or part of any issue of its outstanding general obligation bonds and for the payment of any redemption premium thereon, all or part of the interest coming due on or prior to the date on which the outstanding general obligation bonds are redeemed, and the costs of issuing and marketing any such general obligation refunding bonds. Any general obligation refunding bonds issued by the city shall mature at such time or times and in such amounts as the city finance director, with the approval of the city manager, shall determine; provided, however, that the present value of the principal and interest payments due on any issue of general obligation refunding bonds of the city shall not exceed the present value of the principal and interest payments to be paid on the general obligation bonds to be refunded by such issue of general obligation refunding bonds.

VII. The requirements of RSA 33:11 regarding the authentication of bonds shall not apply to the city.

VIII. The authority granted in this section shall be in addition to, and not in place of the authority granted to the city of Dover by any other general or special law.

4 Effective Date.

I. Sections 1 and 2 of this act shall take effect July 1, 2015.

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

2015-1392s

AMENDED ANALYSIS

This bill establishes the children's savings account program, including a commission and fund, for the purpose of establishing children's savings accounts for children attending public kindergarten.

This bill also authorizes the city of Dover to establish terms and conditions in the issuance of general obligation bonds.

The Chair ruled Committee Amendment 1392s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Committee Amendment 1392s to HB 577-FN-A-L. Adopted by the necessary 2/3 vote.

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 the Committee on Finance (Rule 4-5).

HB 604, relative to the use of mixed use school busses by special education pupils. Ought to Pass, Vote 4-0. Senator Kelly for the committee.

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

Sen. Feltes asserts Rule 6-25 on HB 604.

HB 610, relative to a school board vote on the reassignment of a pupil. Ought to Pass, Vote 4-0. Senator Avaré for the committee.

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

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property. Ought to Pass with Amendment, Vote 5-0. Senator Reagan for the committee.

Senate Education
April 21, 2015
2015-1394s
10/05

Amendment to HB 662-FN-LOCAL

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

1 New Chapter; Taxation of Certain Chartered Public School Facilities. Amend RSA by inserting after chapter 79-G the following new chapter:

CHAPTER 79-H TAXATION OF CERTAIN CHARTERED PUBLIC SCHOOL FACILITIES

79-H:1 Declaration of Public Interest. The general court hereby finds it to be in the public interest to authorize municipalities to allow a chartered public school to be able to rent or lease its building or facilities from a property owner which is not exempt from property taxes, and not have the property taxes attributable to the chartered public school facilities be taxed to the owner at the full market value of the facilities.

79-H:2 Adoption of this Chapter. A town or city may adopt the provisions of this chapter by vote of its legislative body using the following procedures:

I. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of the annual town meeting, by the governing body or by petition under RSA 39:3.

II. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation.

III. If a majority of those voting on the question vote "yes," the provisions of this chapter shall take effect within the town or city on the date set by the legislative body, or in the tax year beginning April 1 following its adoption, whichever shall occur first.

IV. A town or city may rescind the provisions of this chapter in the manner described in paragraphs I-III.

79-H:3 Definitions. In this chapter:

I. "Assessing official" means the assessing authority of any town, city, or place.

II. "Board of tax and land appeals" means the board of tax and land appeals established pursuant to the provisions of RSA 71-B:1.

III. "Commissioner" means the commissioner of the department of revenue administration.

IV. "Qualifying chartered public school facility" means the building, or portion thereof, and the land appurtenant thereto, which, pursuant to a rental or lease agreement, is used exclusively as a chartered public school, established and operating under RSA 194-B, and which is rented or leased from an owner who is not exempt from property taxation under RSA 72.

79-H:4 Appraisal of Qualifying Chartered Public School Facilities.

I. The assessing officials in any municipality adopting the provisions of this chapter shall appraise qualifying chartered public school facility property at no more than 10 percent of its market value.

II. No owner of land and buildings renting or leasing to a qualifying chartered public school facility shall be entitled to have the property appraised for any tax year under the provisions of this chapter unless the owner applies to the assessing officials on or before April 15 of said year, on a form approved and provided by the commissioner, to have the property so appraised. Such application shall include a verified copy of the rental or lease agreement containing terms and provisions identifying the specific real property exclusively used by the chartered public school for the purposes of RSA 194-B and payment terms under the rental or lease agreement which assign the tax exemption under this chapter to the benefit of the chartered public school. If any owner satisfies the assessing officials that it was prevented by accident, mistake, or misfortune from filing such application on or before April 15, the assessing officials may receive the application at a later date and appraise the property under this chapter; but no such application shall be received after the local tax rate has been approved by the commissioner for that year.

III. The assessing officials shall notify the applicant on a form provided by the commissioner no later than July 1, or within 15 days if the application is filed after July 1, of their decision to classify or refusal to classify the property under the provisions of this chapter by delivery of such notification to the owner in person or by mailing such notification to the owner's last and usual place of abode.

IV. A list of all qualifying chartered public school facilities assessed under this chapter and their owners in each town or city shall be filed by the respective assessing officials each year. Such list shall be part of the invoice and subject to inspection as provided in RSA 76:7.

V. The commissioner shall include on the inventory blank, required under RSA 74:4, a question concerning whether any changes have been made in the use of a qualifying chartered public school facility. The question shall be written to enable the assessing officials to locate qualifying facilities which may require a change in assessment and to fit the context of the blank.

79-H:5 Appeal to Board of Tax and Land Appeals.

I. If the assessing officials deny in whole or in part any application for assessment of certain property as a qualifying chartered public school facility, the applicant, having complied with the requirements of RSA 79-H:4, II may, on or before 6 months after any such action by the assessing officials, in writing and upon a payment of a \$65 filing fee, apply to such board for a review of the action of the assessing officials.

II. The board of tax and land appeals shall investigate the matter and shall hold a hearing if requested as provided in this section. The board shall make such order thereon as justice requires, and such order shall be enforceable as provided hereafter.

III. Upon receipt of an application under the provisions of paragraph I, the board of tax and land appeals shall give notice in writing to the affected town or city of the receipt of the application by mailing such notice to the town or city clerk thereof by certified mail. Such town or city may request in writing a hearing on such application within 30 days after the mailing of such notice. If a hearing is requested by a town or city, the board shall, not less than 30 days prior to the date of hearing upon such application, give notice of the time and place of such hearing to the applicant and the town or city in writing. Nothing contained herein shall be construed to limit the rights of taxpayers to a hearing before the board of tax and land appeals.

IV. The applicant and the town or city shall be entitled to appear by counsel, may present evidence to the board of tax and land appeals, and may subpoena witnesses. Either party may request that a stenographic record be kept of the hearing. Any investigative report filed by the staff of the board shall be made a part of such record.

V. In such hearing, the board of tax and land appeals shall not be bound by the technical rules of evidence.

VI. Either party aggrieved by the decision of the board of tax and land appeals may appeal pursuant to the provisions of RSA 71-B:12. For the purposes of such appeal, the findings of fact by said board shall be final. Any such appeal shall be limited to questions of law. An election by an applicant to appeal in accordance with this paragraph shall be deemed a waiver of any right to petition the superior court in accordance with RSA 79-H:6.

VII. A copy of an order by the board of tax and land appeals, attested as such by the chairman of the board, if no appeal is taken hereunder, may be filed in the superior court for the county or in the Merrimack county superior court at the option of said board; and, thereafter, such order may be enforced as a final judgment of the superior court.

79-H:6 Appeal to Superior Court. If the assessing officials deny in whole or in part any application for assessment of the property or portion thereof as a qualifying chartered public school facility, the applicant, having complied with the requirements of RSA 79-H:4, II may, within 6 months after notice of denial, apply by petition to the superior court of the county, which shall make such order thereon as justice requires. Any appeal to the superior court under this section shall be in lieu of an appeal to the board of tax and land appeals pursuant to RSA 79-H:5.

79-H:7 Enforcement. All taxes levied pursuant to assessments under this chapter which are not paid when due shall be collected in the same manner as provided in RSA 80.

79-H:8 Disposition of Revenues. All money received by the tax collector pursuant to the provisions of this chapter shall be for the use of the town or city.

2 New Paragraph; Taxpayer Inventory Blank. Amend RSA 74:4 by inserting after paragraph VII the following new paragraph:

VIII. The blank shall require owners of property rented or leased to a qualifying chartered public school facility under RSA 79-H to indicate whether any changes in use of the qualifying chartered public school facility have been made.

3 Appraisal of Taxable Property. Amend RSA 75:1 to read as follows:

75:1 How Appraised. The selectmen shall appraise open space land pursuant to RSA 79-A:5, open space land with conservation restrictions pursuant to RSA 79-B:3, land with discretionary easements pursuant to RSA 79-C:7, residences on commercial or industrial zoned land pursuant to RSA 75:11, earth and excavations pursuant to RSA 72-B, land classified as land under qualifying farm structures pursuant to RSA 79-F, buildings and land appraised under RSA 79-G as qualifying historic buildings, ***qualifying chartered public school property appraised under RSA 79-H***, residential rental property subject to a housing covenant under the low-income housing tax credit program pursuant to RSA 75:1-a, renewable generation facility property subject to a voluntary payment in lieu of taxes agreement under RSA 72:74 as determined under said agreement, and all other taxable property at its market value. Market value means the property's full and true value as the same would be appraised in payment of a just debt due from a solvent debtor. The selectmen shall receive and consider all evidence that may be submitted to them relative to the value of property, the value of which cannot be determined by personal examination.

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

2015-1394s

AMENDED ANALYSIS

This bill allows a town or city to adopt a property tax exemption for the portion of buildings and land rented or leased to a chartered public school facility by an owner who is not exempt from property taxation.

Recess. Out of recess.

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

Sen. Soucy is in opposition to the committee amendment on HB 662-FN-L.

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

A roll call was requested by Sen. Sanborn, seconded by Sen. Bradley.

The following Senators voted Yes: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Little, Sanborn, Kelly, Daniels, Avard, Lasky, Carson, Feltes, Boutin, Reagan, Birdsell, Fuller Clark, Prescott, Stiles, Morse.

The following Senators voted No: Soucy, D'Allesandro.

Yeas: 22 - Nays: 2

Adopted, bill ordered to Third Reading.

ENERGY AND NATURAL RESOURCES

HB 153, relative to the telecommunications planning and development advisory committee. Ought to Pass with Amendment, Vote 4-0. Senator Feltes for the committee.

Energy and Natural Resources
April 15, 2015
2015-1345s
06/04

Amendment to HB 153

Amend the introductory paragraph of RSA 12-A:46, II(k) as inserted by section 1 of the bill by replacing it with the following:

~~[(h)]~~**(k)** The following persons nominated by the commissioner of resources and economic development and appointed by the governor and council, ***unless otherwise specified***:

Amend RSA 12-A:46, II(k)(2) and (3) as inserted by section 1 of the bill by replacing them with the following:

(2) One member representing large business telecommunications customers, ***appointed by the senate president***;

(3) One member representing small business telecommunications customers, ***appointed by the speaker of the house of representatives***;

Amend RSA 12-A:46, IV as inserted by section 2 of the bill by inserting after subparagraph (h) the following new subparagraph:

(i) Identifying barriers to enrollment in the Lifeline Telephone Assistance program and supporting collaboration and outreach methods that increase enrollment in the program.

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.

HB 200, allowing homestead food operations exempt from licensure to sell homestead food products at retail food stores. Ought to Pass, Vote 4-0. Senator Feltes for the committee.

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

HB 201, relative to the acquisition of property rights at Back Lake dam in the town of Pittsburg, Lake Armington dam in the town of Piermont, Cass Pond dam in the town of Epsom, and Chesham Pond dam in the town of Harrisville by the department of environmental services. Ought to Pass, Vote 4-0. Senator Feltes for the committee.

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

HB 205-L, relative to lending practices of energy efficiency and clean energy districts. Ought to Pass, Vote 4-0. Senator Fuller Clark for the committee.

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

HB 272, designating the Ham Branch River watershed in Easton as a protected river, and exempting portions of the Ham Branch River watershed from the shoreland water quality protection act. Inexpedient to Legislate, Vote 4-0. Senator Fuller Clark for the committee.

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

HB 281, defining "exotic aquatic species of wildlife" and relative to the duties of the exotic aquatic weeds and species committee. Ought to Pass with Amendment, Vote 4-0. Senator Little for the committee.

Energy and Natural Resources
April 15, 2015
2015-1346s
06/04

Amendment to HB 281

Amend RSA 487:16, I-a(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Are not naturally occurring in New Hampshire or have not become established in New Hampshire as a result of an intentional introduction program by a state agency.

Amend RSA 487:30, III(b), (c), and (d) as inserted by section 3 of the bill by replacing them with the following:

(b) Aid the department *of environmental services* in the control and eradication of milfoil.

(c) *Study the best management practices used in other states to prevent the introduction of, and to research, monitor, control, and eradicate exotic aquatic weeds and wildlife.*

(d) *Recommend to the department of fish and game a program for research, monitoring, control, or eradication if an invasive exotic aquatic species of wildlife is discovered in the state.*

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.

HB 336, relative to seasons for hunting by crossbow. Ought to Pass, Vote 4-0. Senator Bradley for the committee.

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

HB 354, relative to the closing of clam, oyster, and other bivalve areas for restoration. Ought to Pass, Vote 4-0. Senator Fuller Clark for the committee.

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

HB 362, relative to the reliability of the electric grid. Ought to Pass, Vote 4-0. Senator Feltes for the committee.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 109-FN-L, relative to the testing of backflow devices. Ought to Pass, Vote 4-0. Senator Reagan for the committee.

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

HB 119, establishing the John G. Winant Memorial Commission. Ought to Pass, Vote 4-0. Senator Soucy for the committee.

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

HB 162, transferring authority for explosives and fireworks rules from the director of state police to the commissioner of safety. Ought to Pass, Vote 4-0. Senator Carson for the committee.

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

FINANCE

HB 333, establishing a process for review and reporting of dedicated funds. Ought to Pass with Amendment, Vote 4-0. Senator Reagan for the committee.

Senate Finance

April 22, 2015

2015-1404s

05/10

Amendment to HB 333

Amend RSA 6:12-j, V(d) as inserted by section 1 of the bill by deleting subparagraph (5).

Amend RSA 6:12-j as inserted by section 1 of the bill by inserting after paragraph VI the following new paragraph:

VII. This section shall not apply to trusts as defined in RSA 6:12, III(f).

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.

HB 607, relative to fees for carrying a concealed firearm. Ought to Pass, Vote 5-0. Senator Little for the committee.

Sen. Soucy offered a floor amendment.

Sen. Soucy, Dist. 18

April 8, 2015

2015-1283s

04/09

Floor Amendment to HB 607

Amend RSA 159:6, I as inserted by section 1 of the bill by replacing it with the following:

I. The selectmen of a town or the mayor or chief of police of a city or some full-time police officer designated by them respectively, upon application of any resident of such town or city, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, and that the applicant is a suitable person to be licensed. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued. The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for 4 years. When required, license renewal shall take place within the month of the fourth anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the *exclusive* use of the law enforcement department of the town or city granting said licenses[;] ***or, if the town or city granting the license does not have its own law enforcement department, the fee shall be for the use of the town or city granting the license.*** The fee for licenses granted to out-of-state residents shall be \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

2015-1283s

AMENDED ANALYSIS

This bill provides that fees for issuing a concealed carry license shall be for the exclusive use of the law enforcement department of the town or city granting the license or, if the town or city granting the license does not have its own law enforcement department, the fee shall be for the use of the town or city granting the license.

The question is on the adoption of the Floor Amendment. Failed.

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

HB 658-FN, prohibiting collective bargaining agreements that require employees to join a labor union. Ought to Pass, Vote 4-1. Senator Little for the committee.

Sen. Little moved to Lay on the Table HB 658-FN. Adopted.

Sens. Avard, Daniels, and Sanborn are in opposition to the motion to Table HB 658-FN.

HEALTH AND HUMAN SERVICES

HB 136, prohibiting tanning facilities from tanning persons under 18 years of age. Inexpedient to Legislate, Vote 4-1. Senator Avard for the committee.

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

Sen. Daniels is in favor of the motion of Inexpedient to Legislate on HB 136.

Sen. Kelly moved Ought to Pass.

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

Sen. Morse is in opposition to the motion of Ought to Pass on HB 136.

HB 151, establishing a committee to study end-of-life decisions. Ought to Pass, Vote 4-1. Senator Fuller Clark for the committee.

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

Sen. Birdsell is in opposition to the motion of Ought to Pass on HB 151.

HB 195, relative to continuing care communities. Re-refer to committee, Vote 4-0. Senator Sanborn for the committee.

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

HB 422-FN, relative to certification of death certificates by physician assistants. Ought to Pass, Vote 4-0. Senator Avarad for the committee.

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

PUBLIC AND MUNICIPAL AFFAIRS

HB 155, relative to municipal contracts for police chief. Ought to Pass, Vote 4-1. Senator Lasky for the committee.

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

HB 227, relative to eminent domain on public lands. Inexpedient to Legislate, Vote 4-1. Senator Boutin for the committee.

Sen. Avarad is in opposition to the motion of Inexpedient to Legislate on HB 227.

Sen. Little moved to Lay on the Table HB 227. Adopted.

Sen. Avarad is in opposition to the motion to Table HB 227.

HB 363, relative to Lyme disease awareness. Ought to Pass, Vote 4-0. Senator Lasky for the committee.

Sen. Daniels offered a floor amendment.

Sen. Daniels, Dist. 11

April 22, 2015

2015-1408s

01/08

Floor Amendment to HB 363

Amend the bill by replacing section 4 with the following:

4 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 motion of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.

HB 503, relative to presidential primary ballots. Ought to Pass, Vote 4-0. Senator Birdsell for the committee.

Recess. Out of recess.

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

A roll call was requested by Sen. Birdsell, seconded by Sen. Bradley.

The following Senators voted Yes: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Little, Sanborn, Kelly, Daniels, Avard, Lasky, Carson, Feltes, Boutin, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Prescott, Stiles, Morse.

The following Senators voted No: (None)

Yeas: 24 - Nays: 0

Adopted, bill ordered to Third Reading.

RULES, ENROLLED BILLS AND INTERNAL AFFAIRS

HB 148, limiting the authority of delegates to Article V conventions. Ought to Pass, Vote 4-1. Senator Prescott for the committee.

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

HB 423, designating the bobcat as the New Hampshire state wildcat. Ought to Pass, Vote 5-0. Senator Prescott for the committee.

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

Recess. Out of recess.

TRANSPORTATION

HB 258-FN-L, relative to fees for preparing motor vehicle registration documents. Ought to Pass with Amendment, Vote 4-1. Senator Birdsell for the committee.

Senate Transportation

April 7, 2015

2015-1267s

03/05

Amendment to HB 258-FN-LOCAL

Amend the bill by replacing section 1 with the following:

1 Vehicle Registration; Town Clerk Fee. Amend RSA 261:152 to read as follows:

261:152 Preparation of Documents. Permits shall be in the form prescribed by the director and shall be issued with such duplicates as ~~he~~ **the director** shall determine. The town clerk shall prepare forms for permits and applications for registration of vehicles as required by RSA 261:52. Said forms shall be prepared by typewriter **or printer**. Distribution of such documents shall be made as determined by the director. For preparation of the forms hereunder the town clerk shall receive a fee of ~~[\$1]~~ **\$2** for each application. The fee shall be paid by the applicant for registration and shall be in addition to any other fees required hereunder. The term "town clerk" as used in this section shall include the person in a city who has been designated by the city government to issue such documents.

2015-1267s

AMENDED ANALYSIS

This bill increases the fee that the town clerk receives for preparing motor vehicle registration forms and allows the forms to be prepared by printer.

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

Sen. Sanborn is in opposition to the committee amendment on HB 258-FN-L.

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

A roll call was requested by Sen. Sanborn, seconded by Sen. Forrester.

The following Senators voted Yes: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Little, Kelly, Lasky, Feltes, Boutin, Reagan, Soucy, D'Allesandro, Fuller Clark, Stiles.

The following Senators voted No: Sanborn, Daniels, Avard, Carson, Birdsell, Prescott, Morse.

Yeas: 17 - Nays: 7

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

HB 559-FN, relative to vehicle registration by entities doing business in New Hampshire. Ought to Pass, Vote 5-0. Senator Watters for the committee.

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

Sen. Sanborn is in opposition to the motion of Ought to Pass on HB 559-FN.

WAYS AND MEANS

HB 147, relative to the homestead exemption amount. Ought to Pass, Vote 4-0. Senator D'Allesandro for the committee.

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

HB 169, relative to table stakes poker. Re-refer to committee, Vote 4-0. Senator Sanborn for the committee.

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

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

The following Senators voted Yes: Forrester, Watters, Pierce, Cataldo, Little, Kelly, Carson, Reagan, D'Allesandro, Fuller Clark, Prescott, Stiles, Morse.

The following Senators voted No: Woodburn, Bradley, Hosmer, Sanborn, Daniels, Avard, Lasky, Feltes, Boutin, Soucy, Birdsell.

Yeas: 13 - Nays: 11

Adopted.

HB 187, relative to information sharing for enforcement of the tobacco tax and relative to the biennial adjustment of the filing threshold for the business enterprise tax. Ought to Pass with Amendment, Vote 5-0. Senator D'Allesandro for the committee.

Senate Ways and Means

April 14, 2015

2015-1325s

09/08

Amendment to HB 187

Amend RSA 21-J:14, V(d)(9) as inserted by section 1 of the bill by replacing it with the following:

(9) An officer or employee of the division of enforcement of the liquor commission, pursuant to an agreement for exchange of information between the department and the division of enforcement, for the purposes of, and only to the extent necessary for, the administration and enforcement of RSA 78:26. Officers or employees of the division of enforcement having any confidential and privileged department information obtained from the department pursuant to the exchange agreement authorized under this subparagraph shall be subject to the provisions of this section.

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.

HB 192, relative to the valuation of utility property. Re-refer to committee, Vote 5-0. Senator D'Allesandro for the committee.

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

Sen. Pierce is in opposition to the motion of Re-refer to Committee on HB 192.

HB 193, relative to utility assessments for the use of village district roads. Ought to Pass, Vote 4-0. 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.

HB 344, relative to membership on advisory boards for municipal economic development and revitalization districts and relative to the financing plan of such districts. Ought to Pass with Amendment, Vote 4-0. Senator Sanborn for the committee.

Senate Ways and Means
April 14, 2015
2015-1320s
06/03

Amendment to HB 344

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

AN ACT relative to tax increment financing plans of municipal economic development and revitalization districts.

Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.

2015-1320s

AMENDED ANALYSIS

This bill permits the legislative body of a municipality to increase or decrease appropriations in a tax increment financing plan.

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.

HB 547, relative to the valuation of poles and conduits owned by telephone utilities. Ought to Pass with Amendment, Vote 5-0. Senator D'Allesandro for the committee.

Senate Ways and Means
April 21, 2015
2015-1395s
10/05

Amendment to HB 547

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

AN ACT requiring the assessing standards board to make recommendations on the valuation of telecommunications poles and conduits and the assessment of utility property.

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

1 Assessing Standards Board; Valuation of Telecommunications Poles and Conduits; Application of Utility Property Assessments.

I. The assessing standards board established in RSA 21-J:14-f shall study and recommend, for purposes of local property tax assessments, how best to appraise as real estate the value of all structures, poles, towers, and conduits employed in the transmission of telecommunication, cable, or commercial mobile radio services, as those terms are used in RSA 72:8-a.

II. The assessing standards board established in RSA 21-J:14-f shall study and recommend standards and appropriate legislation as necessary for the use of the value of utility property determined by the commissioner of revenue administration under RSA 83-F:3 in any application for abatement of tax under RSA 76:16 or any appeal thereof under RSA 76:16-a or RSA 76:17.

III. The board shall make its recommendations in an interim report filed with the house and senate ways and means committees on or before December 1, 2015 and in a final report to such committees on or before December 1, 2016.

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

2015-1395s

AMENDED ANALYSIS

This bill requires the assessing standards board to study and recommend how best to assess the value of telecommunication poles and conduits for purposes of local property taxation and the use of the value of utility property determined under the state utility property tax in an abatement of property taxes.

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.

HB 550-FN, relative to administration of the tobacco tax. Ought to Pass with Amendment, Vote 4-1. Senator D'Allesandro for the committee.

Senate Ways and Means
April 14, 2015
2015-1321s
06/09

Amendment to HB 550-FN

Amend RSA 78:1, III as inserted by section 1 of the bill by replacing it with the following:

III. "Manufacturer" means any person engaged in the business of importing, exporting, producing, or manufacturing tobacco products.

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 the Committee on Finance (Rule 4-5).

HB 599, relative to the economic revitalization zone tax credit program. Ought to Pass with Amendment, Vote 4-0. Senator Sanborn for the committee.

Senate Ways and Means
April 21, 2015
2015-1399s
09/08

Amendment to HB 599

Amend RSA 162-N:4, I(a) as inserted by section 4 of the bill by replacing it with the following:

(a) Quality and quantity of full-time jobs to be created.

Amend RSA 162-N:6, II as inserted by section 4 of the bill by replacing it with the following:

II. The sum of the following:

(a) 4 percent of the salary for each new **full-time** job created in the calendar year with a wage less than or equal to 1.75 times the then current state minimum wage.

(b) 5 percent of the salary for each new **full-time** job created in the calendar year with a wage greater than 1.75 times the then current state minimum wage and less than or equal to 2.5 times the then current state minimum wage.

(c) 6 percent of the salary for each new **full-time** job created in the calendar year with a wage greater than 2.5 times the then current state minimum wage.

(d) 4 percent of the lesser of the following:

(1) The actual cost incurred in the calendar year of creating a new facility or renovating an existing facility, and expenditures for machinery, equipment, or other materials, except inventory.

(2) \$20,000 for each new **full-time** job created in the calendar year.

Amend RSA 162-N:1, II as inserted by section 8 of the bill by replacing it with the following:

II. "Full-time job" means a job that is at least 35 hours per week and is a permanent, year-round position.

2015-1399s

AMENDED ANALYSIS

This bill changes eligibility requirements for economic revitalization zones and requires each zone to be reevaluated every 5 years to determine if the zone still meets eligibility criteria. The bill specifies that only full-time jobs are counted for purposes of calculating the business tax credits received by the zone. The bill also authorizes the commissioner of the department of resources and economic development to establish rules for evaluating the effectiveness of an economic revitalization zone tax credit program

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.

HB 664-FN, consolidating existing oil pollution funds. Ought to Pass, Vote 4-0. Senator D'Allesandro for the committee.

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

PRESIDENT MORSE: We are at the conclusion of the regular calendar and will take up the bills that were removed from the consent calendar.

HB 353, relative to the governance of condominium unit owners' associations. Ought to Pass with Amendment, Vote 5-0. Senator Cataldo for the committee.

This bill revises statutes governing the contents of condominium bylaws, meetings of the unit owners' association, and the authority of the board of directors of unit owners' associations. This bill is a request of the committee to study the laws relating to condominium and homeowners' associations. The committee amendment adds the language previously passed by SB 57 so that these similar issues can be addressed by one bill.

Commerce
April 15, 2015
2015-1344s
05/10

Amendment to HB 353

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

AN ACT relative to the membership and governance of condominium unit owners' associations.

Amend RSA 356-B:35, II as inserted by section 1 of the bill by replacing it with the following:

II. The bylaws shall provide the means by which the association shall elect a board of directors. The bylaws shall specify the powers and responsibilities of the same and the number and terms of its members. The bylaws may delegate to such board, among other things, any of the powers and responsibilities assigned by this chapter to the unit owners' association. The bylaws shall also specify which, if any, of its powers and responsibilities the unit owners' association or its board may delegate to a managing agent. The board of directors shall have a fiduciary relationship to members of the unit owners' association.

Amend RSA 356-B:40 as inserted by section 2 of the bill by inserting after paragraph II the following new paragraphs:

II-a. No person who has been convicted of any felony in this state or in a United States district or territorial court, or who has been convicted of any offense in another jurisdiction that would be considered a felony if committed in this state, is eligible to serve as an officer or board member unless such felon's civil rights have been restored for at least 5 years as of the date on which such person seeks election as an officer or board member.

II-b. An officer shall not directly receive any salary or compensation from the association for the performance of duties as an officer or board member and shall not in any other way benefit financially from service to the association.

II-c. If annually approved by a 2/3 majority of the voting interests present at a properly called meeting of the association, the association may waive the requirements of paragraphs II-a and II-b.

Amend the bill by replacing section 3 with the following:

3 Insurance; Reference Change; Insurance or Bond Required. Amend RSA 356-B:43, II to read as follows:

II. The unit owners' association shall maintain insurance or a fidelity bond for all persons who control or disburse funds for the association. The insurance policy or fidelity bond shall cover the maximum funds that will be in the custody of the association or its management agent at any one time. In this subparagraph, the term "persons who control or disburse funds of the association" includes, but is not limited to, persons authorized to sign checks on behalf of the association, and the president, secretary, and treasurer of the association. The association shall bear the cost of such insurance or bond.

II-a. When any policy of insurance has been obtained by or on behalf of the unit owners' association, written notice of the obtainment thereof and of any subsequent changes therein or termination thereof shall be promptly furnished to each unit owner by the officer required to send notices of meetings of the unit owners' association. Such notices shall be sent in accordance with ~~[the provisions of the last sentence of RSA 356-B:37]~~ **RSA 356-B:37-a.**

2015-1344s

AMENDED ANALYSIS

This bill:

I. Revises statutes governing the contents of condominium bylaws, meetings of the unit owners' association, and the authority of the condominium board.

II. Establishes a fiduciary relationship between board members and members of the unit owners' association.

III. Prohibits a person who has been convicted of a felony from serving as a board member and prohibits compensation of board members.

IV. Requires the unit owners' association to maintain insurance or a fidelity bond for all persons who control or disburse funds of the association.

Sen. Bradley moved Re-refer to Committee.

The question is on the motion of Re-refer to Committee. Adopted.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 364, relative to renewal fees administered by the office of professional licensing. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill with amendment authorizes the office of professional licensing to establish a June 30 billing and license cycle, and a 2-year license cycle for hearing aid dealers, practitioners of body art, podiatrists, funeral directors and embalmers, and optometrists for each profession administered by the office.

Senate Executive Departments and Administration

April 8, 2015

2015-1272s

05/10

Amendment to HB 364

Amend the bill by replacing section 7 with the following:

7 Funeral Directors and Embalmers; License and Renewal Fee. Amend RSA 325:12-a to read as follows:

325:12-a Fees. The fee for an initial ~~[annual]~~ **2-year** license and for renewal of ~~[an annual]~~ **a** license issued under this chapter shall be: ~~[\$55]~~ **\$110** for embalmers ~~[and apprentices]~~ and ~~[\$150]~~ **\$300** for funeral directors. The board shall establish fees for examination of applicants, **for apprentices**, for funeral home inspections, and for transcribing and transferring records and other services.

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.

Sen. Carson moved to Lay on the Table HB 364. Adopted.

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes. Ought to Pass, Vote 5-0. Senator Woodburn for the committee.

This legislation authorizes an institution of higher education to grow industrial hemp for research purposes, with the support of the New Hampshire Department of Agriculture, Markets, and Foods. This research also requires the study of economics of industrial hemp, including markets and processing.

Sen. Boutin offered a floor amendment.

Sen. Boutin, Dist. 16

April 22, 2015

2015-1413s

08/04

Amendment to HB 421

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

AN ACT authorizing the university of New Hampshire to grow industrial hemp for research purposes and proclaiming September 25 as Ataxia Awareness Day.

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

2 New Section; Ataxia Awareness Day. Amend RSA 4 by inserting after section 13-t the following new section:

4:13-u Ataxia Awareness Day. The governor shall annually proclaim September 25 as Ataxia Awareness Day and shall urge cities and towns throughout the state to observe this day in an appropriate manner in recognition of the thousands of citizens of this state affected by hereditary and sporadic ataxia, and the need for public awareness, research, and support for victims and their families.

2015-1413s

AMENDED ANALYSIS

This bill authorizes any institution of higher education to grow industrial hemp for research purposes.

This bill requires the governor to annually proclaim September 25 as Ataxia Awareness Day.

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

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

RULES, ENROLLED BILLS AND INTERNAL AFFAIRS

HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivision. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

This bill establishes a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivision and establishes a separate committee to study honorary legislation. The committee believes these are both important topics that deserve examination, so that the legislature may be appropriately informed on these matters for potential future legislation.

Rules, Enrolled Bills and Internal Affairs

April 16, 2015

2015-1355s

09/06

Amendment to HB 407

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

AN ACT establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions and establishing a committee to study honorary legislation.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the classifications of military vehicles and equipment and determine which classifications the state and its political subdivision may purchase or continue to own.

Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 7:

6 Committee Established.

I. There is established a committee to study honorary legislation.

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

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

IV. The committee shall study the general court's procedures for consideration of honorary legislation, including:

- (a) Naming of state facilities in honor of individuals;
- (b) Declaration of certain calendar days, weeks, months, and years to commemorate historic events or support certain causes; and
- (c) Declaration of state emblems.

V. The committee shall consider criteria to qualify honorary legislation for consideration by the general court, procedures for introduction of such legislation, and thresholds to allow consideration of proposals not meeting those criteria.

VI. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

VII. The committee shall report its findings and any recommendations for proposed legislation or changes to house and senate rules to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

2015-1355s

AMENDED ANALYSIS

This bill establishes a committee to study classifications of military vehicles and equipment and make recommendations as to which classes the state and its political subdivisions may purchase or continue to own.

This bill also establishes a committee to study honorary legislation.

The Chair ruled Committee Amendment 1355s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Committee Amendment 1355s to HB 407. Adopted by the necessary 2/3 vote.

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.

Without objection, the Clerk shall read the first complete house message and thereafter only the title of each bill shall be read.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants.

Senator Carson moved concurrence. Adopted.

SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries.

Senator Birdsell moved concurrence. Adopted.

SB 70, relative to the processing of lobster tails.

Senator Birdsell moved concurrence. Adopted.

SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements.

Senator Birdsell moved nonconcurrence and requested a Committee of Conference. Adopted.

The President appointed Senators Birdsell, Boutin, and Laksy.

SB 98, relative to third party review required by the planning board.

Senator Birdsell moved concurrence. Adopted.

SB 148, relative to the shellfish inspection program.

Senator Birdsell moved concurrence. Adopted.

SB 80, relative to the state trails plan and establishing a committee on rail trails.

Senator Stiles moved concurrence. 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

LIST OF RULE 6-25'S FOR THE DAY

Sen. Feltes: HB 604.

ANNOUNCEMENTS

(The Chair recognized Sen. Watters.)

SENATOR WATTERS: Thank you, Mister President. I request unanimous consent for a statement? We've all been shaken by the news of the devastating earthquake that hit Nepal last weekend, and the shock has been felt deeply in New Hampshire's Nepalese and Nepali Bhutanese Communities. As of this morning 5,500 are confirmed dead with many villages still cut off from communication amid the tragic loss of life, sacred sites, and property. There are still miraculous moments of hope, such as the teenager rescued this morning from the rubble of Katmandu. Community members in New Hampshire thank everyone for their prayers, messages, and donations to relief organizations. The Community made this statement: "We have found a welcoming home in New Hampshire where we are free to practice our religions and live by our culture while also becoming hardworking citizens and contributing members of the community." I was relieved to hear from my constituent, Umesh Koirala, that his family members in Nepal are safe. But, many families in New Hampshire are grieving or awaiting news. In New Hampshire there was an outpouring of support and prayers last night at a vigil organized by **Tilak Niroula** of the Bhutanese Community of New Hampshire and Hooksett. There will be another opportunity for consolation and for celebration of Community at the 2529 Buddha Jayanti, or birthday celebration, at El Patron, 253 Wilson Street in Manchester on Sunday from 3:00 to 8:00. It will bring together Bhutanese Americans, Indian Americans, and Nepali Americans from around the country who have been separated for years, and will teach the youth about our culture and be a source of strengthening for our elders. This event will also help new Americans find meaningful integration in the main stream community. May these children of the Buddha find comfort in a time of sorrow, and on the Buddha's birthday: global peace, emotional well-being, brotherhood, and spiritual enlightenment. May our prayers be extended to all who are grieving and suffering as a result of the earthquake. Thank you, Mister President.

(The Chair recognized Sen. Feltes.)

SENATOR FELTES: Thank you, Mister President. Mister President, I just rise to echo what Senator Watters said, and just note that, you know, in Concord, alone, there's over 1,000 Bhutanese refugees that live in Concord. And, I went to the vigil last night and spoke to many of our friends and neighbors in Concord, many of whom haven't even heard from their friends and family, yet, over in Nepal. So, it's a wonderful community, and our thoughts and prayers go out to the community, to the folks in Nepal, and...thank you, Mister President.

PRESIDENT MORSE: Senator D'Allesandro, would you join me?

(The Chair recognized Sen. D'Allesandro for a Resolution.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Mister President, the State of New Hampshire, the State's Senate offers this Resolution:

Michael W. Downing, Sr.

For his service and dedication to the State of New Hampshire

WHEREAS, Michael W. Downing Sr., a lifelong resident of Salem, New Hampshire, was unyielding in his commitments in public service for his local community; and

WHEREAS, Michael began his career as part of the Army on the 82nd Military Police Company, and [the] 82nd Airborne, and later served as a police officer in Salem and as a State Trooper in the State of New Hampshire; and

WHEREAS, he will be remembered for his work in the New Hampshire House of Representatives, [the] Senate, and most recently as Rockingham County Sheriff; and

WHEREAS, Michael gave back to his community in many ways and was a humble leader who supported organizations including the Salemhaven Nursing and Rehabilitation Center, [the] Silverthorne Adult Day Care, and Isaiah 58 which helped the homeless among countless others; and

WHEREAS, Michael's love for his family was well-known and he was forever devoted to his wife Heidi, his five children: Jennifer, Jessica, Kaitlin, Kelsey and Michael, and his six grandchildren: Charlotte, Bella, Jacob, Logan, TJ, and Max; and

WHEREAS, Michael's work impacted the state of New Hampshire in numerous and unforgettable ways, and he will be sorrowfully missed by friends, family, and all who knew him.

Now, therefore, be it resolved that the New Hampshire [State] Senate recognizes Sheriff Michael Downing's honorable dedication to bettering our state and local communities throughout his [life] and extends its sincerest gratitude for his service.

Signed by all 24 State Senators, attested to by the Clerk of the Senate, Tammy Wright.

Mister President, we both knew Michael Downing very well. Michael Downing sat beside me in this chamber for 4 years. When I talk about relationships, and when I talk about great people, I talk about Mike Downing. He was more than just a Senator, he was a brother to me, he was a friend to me, he was a confidant to me. But, more importantly, he was a mentor in this context: he taught me how to be a better person. And, that's what life's really all about. Thank you, Mister President.

PRESIDENT MORSE: I'll give this a try. Just a week ago today, we said goodbye to a friend and a colleague who worked alongside many of us in this Chamber. And for anyone who knew him, I know we can all agree that Sheriff Michael Downing embodied what is meant to be a true public servant in the State of New Hampshire. He was also a close personal friend. We were both elected to Senate District 22, and over the years I can tell you that today, our community is truly feeling the loss from an admirable man.

Last fall, he was elected to serve a third term as Sheriff for Rockingham County – a job that he was dedicated to doing throughout his illness. This role for Mike came after a long history of leading the way in the community. He is remembered for his work with the Salemhaven Nursing Home and Silverthorne Adult Day Care, and Isaiah 58 – serving the homeless. But Mike served in the Army in the 82nd. He also served as a Trooper. He was also a trustee of the American AMVETS Post 2, a member of the Knights of Columbus, the Rockingham County Law Enforcement Association, and the Pelham Fish and Game Club. Needless to say, he was a well-liked and well respected man with a true love of his community. Not to mention the fact he was always busy.

For his inspiring service to our town and our state, he was also recently honored with the prestigious John P. Ganley Community Service award. He took his contributions to the community all in stride, saying it's important for people to give back in any way they can. Mike's quotes: "I did it because it's the right thing to do. Growing up in a small town, you realize how important it is for the citizens of the community to get involved." It was truly an honor to help present the Ganley award to Mike last month, particularly because he was truly deserving of the recognition. I am thankful that we had the opportunity to not only celebrate his work and his life in a way that he could see and appreciate. I can imagine it was especially meaningful to him to see so many friends supporting him in an audience that day. But, above all, Mike was a dedicated family man. He had a loving wife, five children, and six grandchildren, all of whom meant the world to him. They all played a huge part in his life, which made his time away from them even more generous.

It is always difficult to lose a loved one, and a friend, but losing a man like Mike, impacts the whole community. But the Salem community, Rockingham County, and the state of New Hampshire have benefitted from Mike's dedication, and it's an honor to have known him, and to have served with him. I hope we can all continue to share our thoughts and prayers with Mike's family as we remember him, and the many ways his service has affected us. The Governor flew the flag over the state of New Hampshire last week at half mast. Senator D'Allesandro and I are going to deliver the Resolution and the flag to Heidi when it's appropriate. I thank you for listening to me.

(The Chair recognized Sen. Prescott.)

SENATOR PRESCOTT: If I could, I would like to have a moment of personal privilege, please. Thank you. Today New Hampshire lost a great man from a great generation. Robert Warren was with his wife of 50 years, Candy Warren, as he passed into the arms of a loving God. Born August 2nd, 1923, he was 91 years old. A graduate of Concord High School. Right after Pearl Harbor he joined the Navy and was enlisted from 1942-1946 on the USS Ringgold, a naval destroyer. After the war he worked for Merrimack Farmers, and he worked on wells. He was my father's and my mother's second hire. So, he was like a second father to me. I worked with Robert Warren, and I was taught to call him Mister Warren. And he used to tell me stories of my dad, of his time in the Navy. He was a mentor, a friend, a godly rowdy man. He was rowdy from the Navy, but a godly man. He told me once in 1957 when he met my dad he said he never saw clearer, brighter, greener eyes when he started to work for my father. He worked for my father for 37 years. Very important to so many people. He left four children. And, as I said, it would be 51 years married this June.

One of the stories he told me of is when he came off a night watch on his destroyer. Of course, when you come off the night watch you're in bright lights with dark darkness, and the ladders that are this steep coming off the bridge. And so he would just grab the handles, or the rails, kick his feet out, and slide all the way down never touching the step, hit the deck and go get into his bunk. But this time his feet went square on to the officer of the watch, onto his chest, never saw him, drove him down into the deck, and the officer says, "Don't hit me! Don't hit me!" And he went straight to his bunk, never got caught.

Another story he said was he was on leave in Pearl Harbor, and he was about to miss the last launch back to his ship and be AWOL. So, he was running down the dock, the plank, and he ran, and he was at least 20 feet away from the launch, but he jumped right for the launch, right into the water, in his dress whites in the oil, and they turned around and picked him up and brought him back to the ship.

It's been my honor to work with Mister Warren; be mentored by him; love him and be loved by him. One of the greatest men I've known. A great man from the greatest generation. Thank you, Mister Warren. And, thank you, Mister President.

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)

LATE SESSION

Third Reading and Final Passage

HB 108-FN, relative to sealing nonpublic session minutes.

HB 109-FN-L, relative to the testing of backflow devices.

HB 118, relative to vehicular assault.

HB 119, establishing the John G. Winant Memorial Commission.

HB 121, making a technical correction to the negligent driving statute.

HB 130, relative to the use of blue lights on emergency vehicles.

HB 136, prohibiting tanning facilities from tanning persons under 18 years of age.

HB 142, relative to student social media policies by educational institutions and nonpublic sessions under the right-to-know law, and establishing a commission to study social impact bond funding for early childhood education for at-risk students

HB 146, relative to the board of dental examiners.

HB 147, relative to the homestead exemption amount.

HB 148, limiting the authority of delegates to Article V conventions.

HB 149, relative to qualifications for the office of county commissioner.

HB 151, establishing a committee to study end-of-life decisions.

HB 153, relative to the telecommunications planning and development advisory committee.

HB 155, relative to municipal contracts for police chief.

HB 158, requiring the managing agent to return the records of a condominium association upon the request of the association.

HB 162, transferring authority for explosives and fireworks rules from the director of state police to the commissioner of safety.

HB 178, relative to exclusions from seasonal highway weight limit regulations.

HB 184, relative to travel insurance.

HB 187, relative to information sharing for enforcement of the tobacco tax and relative to the biennial adjustment of the filing threshold for the business enterprise tax.

HB 190, establishing a statutory commission to study the standards for collaborative pharmacy practice.

HB 193, relative to utility assessments for the use of village district roads.

HB 200, allowing homestead food operations exempt from licensure to sell homestead food products at retail food stores.

HB 201, relative to the acquisition of property rights at Back Lake dam in the town of Pittsburg, Lake Armington dam in the town of Piermont, Cass Pond dam in the town of Epsom, and Chesham Pond dam in the town of Harrisville by the department of environmental services.

HB 205-L, relative to lending practices of energy efficiency and clean energy districts.

HB 254, relative to exceptions to restrictions on boating.

HB 281, defining “exotic aquatic species of wildlife” and relative to the duties of the exotic aquatic weeds and species committee.

HB 308, relative to the supervision of a real estate office and the duties of a facilitator under the real estate practice act.

HB 326, relative to the board of registration of medical technicians.

HB 333, establishing a process for review and reporting of dedicated funds.

HB 336, relative to seasons for hunting by crossbow.

HB 344, relative to tax increment financing plans of municipal economic development and revitalization districts.

HB 354, relative to the closing of clam, oyster, and other bivalve areas for restoration.

HB 358, relative to driver’s license information obtained by pawnbrokers and secondhand dealers.

HB 362, relative to the reliability of the electric grid.

HB 363, relative to Lyme disease awareness.

HB 395-FN, relative to electronic toll collection.

HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions and establishing a committee to study honorary legislation.

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes and proclaiming September 25 as Ataxia Awareness Day.

HB 422-FN, relative to certification of death certificates by physician assistants.

HB 423, designating the bobcat as the New Hampshire state wildcat.

HB 425, relative to procedures for the adoption of agency rules under the administrative procedures act.

HB 478, relative to rulemaking for market conduct record retention and production.

HB 481, relative to commercial insurance.

HB 482, relative to the insurance claims adjuster definition.

HB 484, relative to medication administration by licensed nursing assistants and relative to exemptions from regulation for certain nursing care and attendant care services.

HB 492, relative to military and historic re-enactments and commemorations.

HB 493, relative to minimum voting booths for city, town, school district, and village district elections.

HB 497, relative to interference with a cemetery burial plot.

HB 503, relative to presidential primary ballots.

HB 519, establishing a committee to study policies which it determines are necessary for dyslexic students.

HB 520, establishing privacy protections for student online personal information.

HB 522, making certain changes in the law governing toxic substances in the workplace to comply with federal law.

HB 523, relative to the jurisdiction of the penalty appeal board.

HB 526, relative to transfers of appropriations in Carroll county.

HB 531, establishing a committee to study short-term rentals by homeowners and owners of residential properties.

HB 545, relative to eligibility for office.

HB 547, requiring the assessing standards board to make recommendations on the valuation of telecommunications poles and conduits and the assessment of utility property.

HB 559-FN, relative to vehicle registration by entities doing business in New Hampshire.

HB 599, relative to the economic revitalization zone tax credit program.

HB 604, relative to the use of mixed use school busses by special education pupils.

HB 607, relative to fees for carrying a concealed firearm.

HB 610, relative to a school board vote on the reassignment of a pupil.

HB 621-FN, establishing fines for violations of the "wide berth" laws.

HB 644-FN, relative to regulation of small loans, title loans, and payday loans.

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property.

HB 664-FN, consolidating existing oil pollution funds.

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.