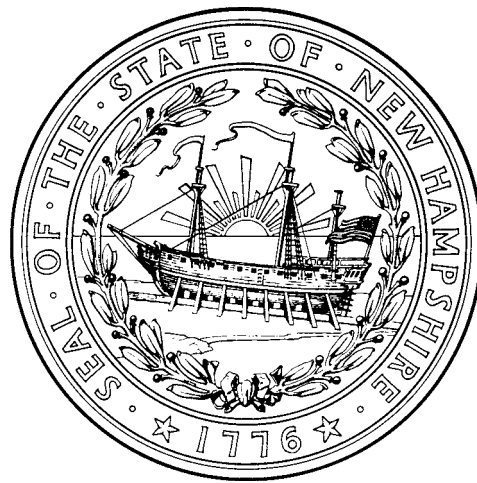


January 7, 2015  
No. 2

# STATE OF NEW HAMPSHIRE

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

**Legislative Proceedings**

## SENATE JOURNAL

**CONVENING DAY – JANUARY 7, 2015 SESSION**

# SENATE JOURNAL 2

*January 7, 2015*

## CONVENING DAY

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

The Reverend Canon Hannah Anderson, guest chaplain to the Senate, offered the following meditation and prayer.

*O God of new beginnings, today you have gathered women and men of great courage and wisdom from the north, the south, the west and the east to this hallowed place of deliberation and decision-making. You have planted them here, on this firm foundation of history, to carry on the spirit of perseverance, of dedication, of justice wrought by the generations of elected officials who have served before them.*

*In this often unsteady and confusing world, give them your vision to see clearly the issues that require wise action. Strengthen their hearts with resolve toward what will benefit those who cry out this day for hope. Open their ears to deep listening and understanding. Knit them together as one body whose purpose is bound to the people by whom they have been entrusted to serve.*

*As they stretch into this new year filled with hope, guide them in the balance between boldness and humility. Watch over them, protect and care for these your public servants, O God, through whom your goodness and justice are made known throughout the state of New Hampshire. In your holy Name I pray. Amen.*

Sen. Forrester led the Pledge of Allegiance.

Sen. Sanborn was excused for the day.

## INTRODUCTION OF GUESTS

Sen. Avard introduced his son, Sgt. Michael A. Avard, Sgt. Nicholas C. Fournier, and Sgt. Zachary N. Carey.

(The Chair recognized Sen. Feltes for three Resolutions.)

SENATOR FELTES: Thank you, Mister President. Mister President, it's my honor and privilege to present three ceremonial Resolutions to residents of Senate District 15 to thank them for their service to our state and country.

Beginning with Sergeant Avard: Be it known that the New Hampshire Senate extends its congratulations to Sergeant Michael A. Avard in recognition of eight years of service in the Funeral Honors Program honoring more than 900 New Hampshire veterans at funeral services, and for ensuring that all New Hampshire Army Veterans receive the Military Honors they are entitled to, and for taking over as a Non-Commissioned Officer in charge and the State Coordinator in 2012. And be it further known that the New Hampshire Senate extends its heartfelt gratitude and thanks for your dedicated service. To Sergeant Avard.

Sergeant Nicholas C. Fournier: In Recognition of five years of service in the Funeral Honors Program, honoring over 450 veterans at funeral services all across New Hampshire, and for being a model soldier, and who is an excellent example of what all U.S. Army Honor Guard members should strive to be. And be it further known that the New Hampshire Senate extends its heartfelt gratitude and thanks for your dedicated service. Sergeant Fournier.

Sergeant Carey: In Recognition of Sergeant Zachary N. Carey for five years of service in the Funeral Honors Program, honoring over 830 veterans at funeral services all across New Hampshire, and for being one of four nationally certified trainers in the state who provide training of the highest standard for members of the U.S. Army Honor Guard. And be it further known that the New Hampshire State Senate extends its heartfelt gratitude and thanks for your dedicated service. Sergeant Carey.

PRESIDENT MORSE: I want to thank Senator Avard and Senator Feltes for their efforts, and to recognize these gentlemen. And, once again, thank you all for participating in this.

Recess. Out of recess.

## HOUSE MESSAGE

The House of Representatives is ready to meet in Joint Convention for the purpose of canvassing the votes for Governor and Executive Council.

## RESOLUTION NO. 6

Sen. Bradley offered the following Resolution:

RESOLVED, that the Senate meet in Joint Convention with the House of Representatives for the purpose of canvassing votes for the Governor and Executive Council. Adopted.

Recess. Out of recess.

## INTRODUCTION OF SENATE BILLS

Sen. Bradley offered the following Resolution:

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

Adopted.

## First and Second Reading and Referral

15-0156

**SB 11**, recodifying the Uniform Interstate Family Support Act. (Reagan, Dist 17: Judiciary)

15-0390

**SB 12**, relative to jurisdiction over surrogacy cases under RSA 168-B. (Bradley, Dist 3: Judiciary)

15-0311

**SB 14**, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants. (Carson, Dist 14; Lasky, Dist 13; Cataldo, Dist 6; Rowe, Hills 22; M. Smith, Straf 6: Judiciary)

15-0387

**SB 16**, relative to the requirement for observers of water skiers. (Bradley, Dist 3; McConkey, Carr 3: Transportation)

15-0884

**SB 17**, relative to training of certain board officers of nonprofit corporations. (Carson, Dist 14; Cataldo, Dist 6; M. Griffin, Rock 7; Danielson, Hills 7: Public and Municipal Affairs)

15-0886

**SB 18**, prohibiting the use of PVC piping as a flue material for venting combustion gases. (Carson, Dist 14: Commerce)

15-0871

**SB 19**, relative to the payment of restitution among and between co-defendants. (Bradley, Dist 3: Judiciary)

## AMENDMENT TO SENATE RULES

Sen. Bradley moved to amend Senate Rule 3-26 and Senate Rule 7-1, with the amendments provided here today.

**Amendment to Senate Rule 3-26**

Amend Senate Rule 3-26 by replacing with the following:

**3-26 Types of Resolutions Allowed** - The only resolutions that may be introduced into the Senate are: resolutions seeking an advisory opinion of the supreme court under the New Hampshire Constitution; joint resolutions sponsored by the Joint Legislative Committee on Administrative Rules; resolutions ratifying amendments to the U.S. Constitution; resolutions proposing amendment of the New Hampshire Constitution; procedural and rules resolutions prepared by the Clerk; ***concurrent resolutions for the purpose of joint rules; joint resolutions for the purpose of continuing resolutions; and concurrent resolutions to declare the office of Governor vacant by Pt. II, Art. 49-a. All other resolutions shall require a***

*vote of two-thirds of members present and voting to be introduced for consideration by the body pursuant to Senate Rule 6-6. The vote on the question of whether to introduce the resolution for consideration by the body is non-debatable.*

Amend Senate Rule 7-1 by inserting after (c) the following:

#### **7-1 Deadlines**

(d) Monday, February 23, 2015 – Friday, February 27, 2015: SENATE BREAK.

(e) Thursday, March 05, 2015 – Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.

(f) Thursday, March 26, 2015 – CROSSOVER – Deadline to ACT on all Senate bills.

(g) Thursday, May 14, 2015 – Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.

(h) Thursday, June 04, 2015 – Deadline to ACT on all House bills.

(i) Thursday, June 11, 2015 – Deadline to FORM Committees of Conference.

(j) Thursday, June 18, 2015 – Deadline to SIGN Committee of Conference Reports.

(k) Thursday, June 25, 2015 – Deadline to ACT on Committee of Conference Reports.

Adopted.

Sen. Pierce offered an amendment.

#### **Amendment to Senate Rule 3-26**

Amend Senate Rule 3-26 by replacing with the following:

**3-26 Types of Resolutions Allowed** - The only resolutions that may be introduced into the Senate are: resolutions seeking an advisory opinion of the supreme court under the New Hampshire Constitution; joint resolutions sponsored by the Joint Legislative Committee on Administrative Rules; resolutions ratifying amendments to the U.S. Constitution; resolutions proposing amendment of the New Hampshire Constitution; procedural and rules resolutions prepared by the Clerk; *concurrent resolutions for the purpose of joint rules; joint resolutions for the purpose of continuing resolutions; concurrent resolutions to declare the office of Governor vacant by Pt. II, Art. 49-a; and resolutions passed by the House and referred to the Senate for consideration. All other resolutions shall require a vote of two-thirds of members present and voting to be introduced for consideration by the body pursuant to Senate Rule 6-6. The vote on the question of whether to introduce the resolution for consideration by the body is non-debatable.*

Failed.

#### **MOTION TO ADJOURN FROM EARLY SESSION**

Sen. Bradley moved that the Senate now adjourn from the Early Session, that the business of the Late Session be in order at the present time; and that when we adjourn, we adjourn to Thursday, January 8, 2015 at 11:15 A.M.

Adopted. Adjournment from the Early Session.

#### **LATE SESSION ANNOUNCEMENTS**

(The Chair recognized Sen. D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Mister President, I'd like to take a point of personal privilege. Thank you. Mister President, prior to the holidays we lost a former Senate President, David Lee Nixon. David Nixon was president of this body in 1973 and 1974. At that time, Mister President, I served in the House of Representatives. Dave was a great friend, a great lawyer, but more important, a great humanitarian. A man who gave, and gave, and gave. He did more pro-bono work than anybody I know in this state. There was never a case that Dave Nixon would not take. When it came to charitable giving, Dave Nixon was there on every occasion—republican or democrat. He was the kind of human being that we

all should emulate. Dave Nixon was my friend, he was my colleague when we were in these bodies together in 1973, and he will be remembered for the great work that he did as a human being. We should all emulate Dave Nixon. He was a family man had a large family, sons and daughters who have gone on to do good things in life. But I must say, Dave Nixon suffered tremendously at the end of his life he suffered, but he endured that suffering and never gave up, never gave up his desire to serve people. Until his dying day he was in that office every morning to serve people of the state of New Hampshire. Dave Nixon was my friend, Dave Nixon was my colleague, Dave Nixon was a person that none of us should ever forget. Thank you, Mister President.

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

#### ADJOURNMENT FROM LATE SESSION

Sen. Bradley moved that the Senate adjourn to Thursday, January 8, 2015 at 11:15 A.M.

Adopted. The Senate is adjourned to Thursday, January 8, 2015 at 11:15 A.M.