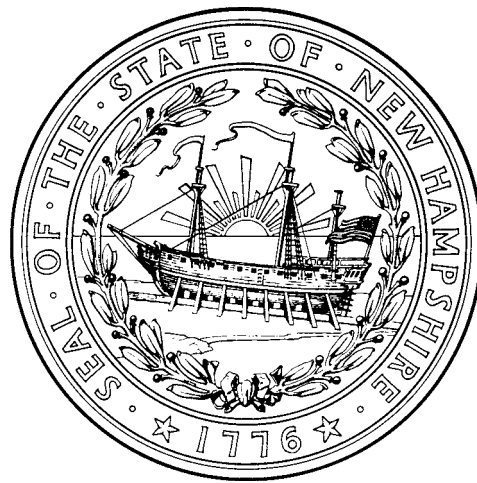


February 12, 2015
Nos. 4-5

STATE OF NEW HAMPSHIRE

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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – JANUARY 29, 2015 SESSION
COMMENCEMENT – FEBRUARY 12, 2015 SESSION**

SENATE JOURNAL 4 *(continued)*

January 29, 2015

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

15-0621

SB 25-FN, relative to epinephrine administered in schools. (D'Allesandro, Dist 20: Education)

15-0702

SB 26-FN, relative to the electric renewable portfolio standard. (Bradley, Dist 3: Energy and Natural Resources)

15-0719

SB 27-FN, relative to the department of corrections industries inventory account. (D'Allesandro, Dist 20: Finance)

15-0724

SB 28-FN, establishing the transitional housing unit maintenance fund and authorizing the commissioner of the department of corrections to make deposits into the fund. (D'Allesandro, Dist 20: Finance)

15-0875

SB 29-FN, relative to fines for motor vehicle offenses. (D'Allesandro, Dist 20: Transportation)

15-0961

SB 31, relative to the controlled drug prescription health and safety program. (Bradley, Dist 3; Lasky, Dist 13; D'Allesandro, Dist 20; Hosmer, Dist 7; Carson, Dist 14; Watters, Dist 4; Forrester, Dist 2; Feltes, Dist 15; Stiles, Dist 24; Abrami, Rock 19; Ford, Graf 3; P. Schmidt, Straf 19: Health and Human Services)

15-0305

SB 34-FN-LOCAL, establishing a voluntary tax disclosure program and a tax amnesty program in the department of revenue administration. (Sanborn, Dist 9; Little, Dist 8; Bradley, Dist 3; Stiles, Dist 24; Birdsell, Dist 19: Ways and Means)

15-0637

SB 40-FN, including a viable fetus in the definition of "another" for the purposes of certain criminal offenses. (Birdsell, Dist 19; Bradley, Dist 3; Carson, Dist 14; Avar, Dist 12; Notter, Hills 21: Judiciary)

15-0458

SB 109-FN, relative to receivership of nursing homes and other residential health care facilities. (Kelly, Dist 10; Watters, Dist 4; Stiles, Dist 24; Reagan, Dist 17; Fuller Clark, Dist 21; Rosenwald, Hills 30: Health and Human Services)

15-0488

SB 112, requiring health insurance policies to cover telemedicine services. (Pierce, Dist 5: Health and Human Services)

15-0614

SB 113-FN-A-LOCAL, relative to video lottery and table gaming. (D'Allesandro, Dist 20; Hosmer, Dist 7; Soucy, Dist 18; Morse, Dist 22; Woodburn, Dist 1; Stiles, Dist 24; Lasky, Dist 13; Gionet, Graf 5; Rogers, Merr 28; Hinch, Hills 21; Azarian, Rock 8; Estevez, Hills 37: Ways and Means)

15-0895

SB 121-FN-LOCAL, relative to definitions used for purposes of current use taxation. (Daniels, Dist 11; Verschueren, Straf 13: Ways and Means)

15-0897

SB 122-FN, relative to requirements for on-premises liquor licenses. (Daniels, Dist 11; Ammon, Hills 40; Biggie, Hills 23: Commerce)

15-0940

SB 127-FN, relative to special conservatorships for Medicaid. (Forrester, Dist 2; Carson, Dist 14; Reagan, Dist 17; Little, Dist 8; Hosmer, Dist 7; Lasky, Dist 13; Hagan, Rock 4; Abrami, Rock 19; Chandler, Carr 1; Sherman, Rock 24; Ladd, Graf 4: Health and Human Services)

15-0950

SB 132-FN, relative to dredging projects conducted by the Pease development authority division of ports and harbors. (Bradley, Dist 3; Fuller Clark, Dist 21; Stiles, Dist 24: Transportation)

15-0968

SB 134-FN, relative to the escheat of United States savings bonds. (Feltes, Dist 15: Ways and Means)

15-0970

SB 135-FN, relative to lead poisoning in children. (Feltes, Dist 15; Pierce, Dist 5; Carson, Dist 14; Bradley, Dist 3; Stiles, Dist 24; Wallner, Merr 10: Health and Human Services)

15-0718

SB 138-FN, relative to claims arising from clinical services provided to the department of corrections. (D'Allesandro, Dist 20; Carson, Dist 14; Boutin, Dist 16; Welch, Rock 13; Pantelakos, Rock 25: Executive Departments and Administration)

15-0723

SB 140-FN, relative to online harassment by prisoners. (D'Allesandro, Dist 20; Carson, Dist 14; Boutin, Dist 16; Welch, Rock 13; Pantelakos, Rock 25: Judiciary)

15-0288

SB 185-FN, extending the New Hampshire health protection program. (Pierce, Dist 5; Feltes, Dist 15: Health and Human Services)

15-0392

SB 190-FN, relative to payment of costs for career and technical education center programs and administration by the department of education, and establishing a tax credit against business profits taxes for donations to such centers. (Watters, Dist 4; Stiles, Dist 24; Little, Dist 8; Fuller Clark, Dist 21; Hosmer, Dist 7; Ladd, Graf 4; Gile, Merr 27; Sprague, Straf 18: Education)

15-0499

SB 193-FN-LOCAL, relative to the duties of the attorney general and county attorneys. (Carson, Dist 14; Cataldo, Dist 6; Birdsell, Dist 19; Hopper, Hills 2; Welch, Rock 13: Judiciary)

15-0586

SB 197-FN, relative to mandatory minimum sentences. (Lasky, Dist 13; Pierce, Dist 5; Pantelakos, Rock 25; J. Frazer, Merr 13: Judiciary)

15-0603

SB 198-FN-LOCAL, allowing all voters to vote by absentee ballot. (Pierce, Dist 5; Lasky, Dist 13; Kelly, Dist 10; Watters, Dist 4; J. Belanger, Hills 27; Wall, Straf 6: Public and Municipal Affairs)

15-0949

SB 205-FN, relative to the governor's office and the legislature under the electioneering law. (Forrester, Dist 2; Bradley, Dist 3; Reagan, Dist 17; Boutin, Dist 16; Carson, Dist 14; Avard, Dist 12; Little, Dist 8; Stiles, Dist 24; Cataldo, Dist 6: Judiciary)

15-0634

SB 211-FN, relative to taxation of employee leasing companies under the business enterprise tax. (Carson, Dist 14; Boutin, Dist 16; Daniels, Dist 11; Bradley, Dist 3; Lasky, Dist 13; Soucy, Dist 18; L. Ober, Hills 37; Cilley, Straf 4: Commerce)

15-0690

SB 212-FN, relative to the membership and duties of the juvenile justice advisory board and the Sununu Youth Services Center. (Carson, Dist 14; Boutin, Dist 16; Soucy, Dist 18; D'Allesandro, Dist 20; Pierce, Dist 5; Cataldo, Dist 6; P. Long, Hills 10; Pantelakos, Rock 25; Oligny, Rock 34; K. Rice, Hills 37: Health and Human Services)

15-0859

SB 214-FN, relative to the transfer of skilled nursing facility beds from the Franklin Regional Hospital. (Hosmer, Dist 7; Watters, Dist 4; Forrester, Dist 2: Health and Human Services)

15-0913

SB 219-FN, relative to breastfeeding. (Fuller Clark, Dist 21; Kelly, Dist 10; Bradley, Dist 3; Lasky, Dist 13; Butler, Carr 7; Buco, Carr 2; Umberger, Carr 2: Commerce)

15-0918

SB 220-FN-A, establishing a tax amnesty program and making an appropriation therefor. (Woodburn, Dist 1; D'Allesandro, Dist 20; Shurtleff, Merr 11; Almy, Graf 13: Ways and Means)

15-0934

SB 223-FN, relative to name availability for business organizations. (Woodburn, Dist 1; Sanborn, Dist 9; Daniels, Dist 11; Gagnon, Sull 5; Cilley, Straf 4: Commerce)

15-0936

SB 224-FN-A, making a capital appropriation for the Valley Regional Hospital in Claremont to construct an involuntary commitment mental health facility. (Pierce, Dist 5; O'Hearne, Sull 3; Gagnon, Sull 5; Converse, Sull 4; Cloutier, Sull 10: Capital Budget)

15-0939

SB 226-FN, requiring certain notice from pharmacy benefit managers. (Soucy, Dist 18; Stiles, Dist 24; Rosenwald, Hills 30: Health and Human Services)

15-0917

SB 233-FN-A, relative to state revenue and expenditures for fiscal year 2015. (Woodburn, Dist 1; D'Allesandro, Dist 20: Finance)

15-1003

SB 234, relative to police details on public ways. (Bradley, Dist 3; Kurk, Hills 2: Transportation)

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 5

February 12, 2015

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

The Reverend Michael Wilson, chaplain to the Senate, offered the following meditative thoughts and prayer.

Almighty God, we humbly ask that You bless the members of the New Hampshire State Senate, their families, and their staff. Grant to them good health, discernment in their deliberations, and the strength needed to do the work of the people. Grant to them good judgment in bringing forth legislation and enacting bills that are beneficial for the residents of the State of New Hampshire. Guide them in their actions, direct them along the right path, and watch over them always and protect them. Grant to them safe passage from their homes as they travel to Concord in these snow-filled days in order to come together and to perform their duties and return them back to their home safely at the end of the day. We also ask for prayers of healing for Howard Stiles, the husband of Senator Stiles; for Pat D'Allesandro, the wife of Senator D'Allesandro; and for Tommy Wright, the brother of our Senate Clerk, Tammy Wright. We ask this in Your Holy Name. Amen.

Sen. Pierce led the Pledge of Allegiance.

Sen. D'Allesandro was excused for the day.

INTRODUCTION OF GUESTS

Sen. Feltes introduced the 4th grade class of St. John Regional School of Concord visiting in the balcony.

Sen. Soucy introduced Mount Zion Christian Schools of Manchester visiting in the balcony.

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

SENATOR PIERCE: Thank you, Mister President, and colleagues. I was listening to the words of our Chaplin talking about the snowy days here in New Hampshire, and that's why I bring this Resolution to you. A constituent of mine, Beverly McKinley, runs a group, Silent Warriors, that provides the basic necessities of life for many of the homeless in the Upper Valley—many who have taken to sleeping in the woods at night; so tents, sleeping bags, food, a lot of things. And, this Resolution is the Senate's acknowledgment of that. So, with your leave, Mister President, I'll read the Resolution:

A Resolution honoring the Silent Warriors, providing support for the Upper Valley's homeless citizens.

Whereas thousands of people across New Hampshire, including hundreds of children, are without a place to call home each night, many even taking to camping in the woods, and others without dependable shelter during the most extreme conditions [here in] New Hampshire.

Whereas the organization "Silent Warriors" was established in 2013 to begin providing year-round support for the many homeless men, women and children in the Upper Valley who do not have access to adequate food, clothing, healthcare or other basic necessities; and

Whereas the winter months put an added strain on resources for the homeless and the [group] Silent Warriors provides these citizens with sleeping bags, tents, tarps, head lamps, cook stoves...cold weather high protein food, socks, coats, hats, scarves and gloves, in order to help mitigate the harsh effects...without shelter during the winter in New Hampshire; and

Whereas the Silent Warriors urge remembrance for those who have died [to these harsh conditions] and highlight their commitment to preventing such deaths in the future by restoring access to basic necessities and more importantly individual dignity;

Whereas the group Silent Warriors strives to create awareness for the homeless in New Hampshire in [the] hopes that the state will serve as a model for respecting the dignity of our homeless citizens; and

Whereas the Silent Warriors encourages advocacy and welcomes donations to be used to purchase items addressing the immediate needs of our homeless citizens and in the hope [that] to one day provide space for these citizens to include showers, washers and dryers, a warming shelter, and access to all items to help them survive in [these conditions].

Now therefore be it resolved that Senate of the State of New Hampshire recognizes the Silent Warriors' unyielding and generous support of the Upper Valley's homeless citizens, and urges media organization[s] and individuals from across the state to join with the Silent Warriors and similar organizations in raising awareness of this critical issue.

Signed Senator David Pierce; Senate President, Chuck Morse; and attested to by Tammy Wright, Clerk of the Senate.

(The Chair recognized Beverly McKinley.)

BEVERLY MCKINLEY: Thank you very much. It's a pleasure to be here. It all started with collecting two sleeping bags and giving them to our local shelter and, at that point, I found a need that wasn't being provided. Unfortunately, there isn't a place where you can just walk in and get a sleeping bag or a tent when you've discovered, after going through the system, that there is no place for you to live with a roof over your head, and the only choice is to be homeless in the woods. And so, unfortunately, my organization is well used, but I'm very grateful that there is stuff that I can provide them with and help keep them a little warmer and, at least, give them a shelter over their head, especially with the weather the way it's been. So, thank you.

(The Chair recognized Sen. Bradley for an Introduction.)

SENATOR BRADLEY: Thank you very much. I'd like to introduce a guest: my good friend, Jim Lombard, and his daughter, Elizabeth. Jim is one of my hiking companions, and had the great honor of hiking with him across the "Bonds" when he completed his 48 in the winter. Thank you, Mister President.

SUSPENSION OF THE RULES

Senator Bradley moved that Senate Rule 7-1 Deadlines (a), (b), and (c) be so far suspended as to allow drafting of a Senate Bill after the deadlines. Adopted by the necessary 2/3 vote.

INTRODUCTION OF PAGES

Sen. Soucy introduced Matthew Lepore and Nicole Synder from Campbell High School, serving as Senate Pages for the day.

SPECIAL ORDER

Without objection, the following bills were special ordered to Thursday, February 19, 2015.

CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 46, relative to public safety radio interoperability.

SB 66, naming the lobby of the legislative office building after former speaker of the house George Roberts.

REGULAR CALENDAR

COMMERCE

SB 156-FN, prohibiting discrimination against employees who are victims of domestic violence, sexual assault, or stalking.

FN REPORT FOR FEBRUARY 12, 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:

COMMERCE

SB 93-FN-A, relative to the alcohol percentage used to classify beverages.

SB 106-FN, restricting the sale or possession of synthetic drugs.

ENERGY AND NATURAL RESOURCES

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

JUDICIARY

SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver.

PUBLIC AND MUNICIPAL AFFAIRS

SB 20-FN-L, relative to historic burial ground.

WAYS AND MEANS

SB 120-FN, relative to the amount of wagers and applicants for secondary game operator licenses.

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

ENERGY AND NATURAL RESOURCES

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

TRANSPORTATION

SB 160, relative to duplicate vessel registration certificates.

WAYS AND MEANS

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

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS

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

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

COMMERCE

SB 18, prohibiting the use of PVC piping as a flue material for venting combustion gases. Re-refer to committee, Vote 5-0. Senator Prescott for the committee.

This bill would prohibit using PVC piping as a flue material for venting combustion gases. The Committee supports allowing more time so that this issue can be fully vetted by the Building Code Review Board prior to any legislative action.

SB 36, making oral contraceptives available without a prescription. Inexpedient to Legislate, Vote 5-0. Senator Pierce for the committee.

This bill would allow pharmacies to dispense oral contraceptives to persons 18 years of age or older without a prescription. The Committee believes this is an issue for the Food and Drug Administration to address once a manufacturer of oral contraceptives applies for over the counter status. Given that no manufacturers have applied for such status, this bill is unnecessary at this time.

EDUCATION

SB 71, relative to the administration of glucagon injections for children in schools. Ought to Pass, Vote 5-0. Senator Stiles for the committee.

This bill allows glucagon injections to be provided to students in emergency situations by school employees that were designated by the parents or guardian of those particular students.

SB 149, relative to nonpublic sessions under the right-to-know law. Ought to Pass with Amendment, Vote 5-0. Senator Stiles for the committee.

This bill allows a school board to consider certain student or pupil contracts in nonpublic session under the right-to-know law under certain circumstances. The committee amendment would make a proposed contract and supporting information available to the public prior to a school board voting on the contract.

Senate Education
February 4, 2015
2015-0179s
01/09

Amendment to SB 149

Amend RSA 91-A:3, II(k) as inserted by section 1 of the bill by replacing it with the following:

(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.

SB 151-FN, requiring inclusion of home educated pupils in the definition of average daily membership in attendance. Ought to Pass, Vote 5-0. Senator Kelly for the committee.

This bill allows school districts to count home educated pupils for the purpose of calculating the average daily membership in attendance. The intent of this bill is to extend opportunities for home school students, and accurately reimburse school districts who educate home school students. Currently, home school students can participate in both scholastic and extracurricular activities but they are not counted and school districts are not reimbursed for their costs.

SB 166, relative to facilitated individualized education program meetings. Ought to Pass, Vote 5-0. Senator Stiles for the committee.

This bill removes facilitated individualized education program meetings as a form of alternative dispute resolution available in cases involving children receiving special education services. This request came from the Parent Information Center and the bill seeks to streamline mediation processes and bolster record keeping.

ENERGY AND NATURAL RESOURCES

SB 181, relative to registration fees for hunter education programs of the fish and game department. Ought to Pass, Vote 5-0. Senator Little for the committee.

This bill allows the Department of Fish and Game to establish a registration fee for a hunter education program, which would be paid by the applicant. The registration fee would be non-refundable and would not exceed ten dollars. At the request of the Department, this bill may help to prevent individuals from registering for such programs and subsequently not attending.

SB 182, relative to the sale of freshwater fishing bait. Ought to Pass, Vote 5-0. Senator Feltes for the committee.

This bill updates our fish and game law to cover aquatic invertebrates, which includes crayfish, and provides rule making authority to fish and game concerning the same.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 68, relative to requirements for multiple line telephone systems. Inexpedient to Legislate, Vote 5-0. Senator Reagan for the committee.

This bill places certain requirements on multiple telephone line system owners/operators to ensure that the accurate geographic location of a 911 caller can be determined. The committee members felt this legislation was not necessary.

SB 73, relative to documentation of age to purchase alcoholic beverages. Ought to Pass with Amendment, Vote 5-0. Senator Soucy for the committee.

This bill modifies the statute governing documentation acceptable to purchase alcohol by adding the District of Columbia and U.S. territories. The amendment makes consistent the statute which governs tobacco for the same purpose of documentation and changes the effective date to upon passage. This legislation was a request by the NH Liquor Commission.

Senate Executive Departments and Administration

January 28, 2015

2015-0102s

03/10

Amendment to SB 73

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

AN ACT relative to documentation of age to purchase alcoholic beverages and tobacco products.

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

2 Proof of Age. Amend RSA 126-K:3, I(a) to read as follows:

(a) A motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, ***the District of Columbia, a United States territory, or a*** province of Canada, which bears the date of birth, name, address, and picture of the individual.

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

2015-0102s

AMENDED ANALYSIS

This bill modifies the statute governing documentation of age to purchase alcoholic beverages and tobacco products.

This bill was requested by the liquor commission.

SB 91, relative to appointment of counsel for indigent defendants. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill makes a technical correction to the law relative to appointment of counsel for indigent defendants and was a request by the Judicial Branch. The bill changes the language from Commissioner of Administrative Services to the court.

SB 96, establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards. Ought to Pass with Amendment, Vote 5-0. Senator Reagan for the committee.

This bill, requested by the Department of Justice, establishes a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards. The amendment reduces the senators assigned to the commission from two to one.

Senate Executive Departments and Administration

January 23, 2015

2015-0061s

09/01

Amendment to SB 96

Amend RSA 99-D:10, II(a)(1) as inserted by section 1 of the bill by replacing it with the following:

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

JUDICIARY

SB 11, recodifying the Uniform Interstate Family Support Act. Ought to Pass, Vote 5-0. Senator Pierce for the committee.

This bill provides a needed update to the universal and uniform rules for the enforcement of family support orders and is a Uniform Act. This update enables enforcement of child support orders that come from out-of-state as well as other countries.

TRANSPORTATION

SB 172, relative to the size limitations of off highway recreational vehicles. Ought to Pass with Amendment, Vote 5-0. Senator Feltes for the committee.

This bill increases the weight and size limitations of off-highway recreational vehicles, which includes all terrain vehicles and utility terrain vehicles. The committee amended the bill to make references to weight in terms of "unladen dry weight" consistent throughout and changed the effective date for most provisions of the bill to "upon passage".

Senate Transportation

February 3, 2015

2015-0175s

10/04

Amendment to SB 172

Amend RSA 215-A:43, IV as inserted by section 3 of the bill by replacing it with the following:

IV. No person shall operate an OHRV wider than 50 inches or over 1000 pounds on any state-owned trails, except that no person shall operate an OHRV wider than [62] **65** inches or over [1,700] **2,000** pounds **unladen dry weight** on:

Amend RSA 215-A:43, VII(c) as inserted by section 4 of the bill by replacing it with the following:

(c) A person may operate an OHRV within Jericho Mountain state park which weighs up to [1,700] **2,000** pounds **unladen dry weight** and is no wider than 65 inches on specifically designated trails within Jericho Mountain state park, provided that, in addition, the bureau of trails may permit operation of wider or heavier 4-wheel drive motor vehicles, as referenced in the Jericho Mountain state park master development plan, registered as OHRVs, at specific times and on specific trails.

Amend RSA 215-A:43, VII(c) as inserted by section 5 of the bill by replacing it with the following:

(c) A person may operate an OHRV within Jericho Mountain state park which weighs up to [1,700] **2,000** pounds **unladen dry weight** and is no wider than 65 inches on specifically designated trails within Jericho Mountain state park.

Amend the bill by replacing section 6 with the following:

6 Effective Date.

I. Section 5 of this act shall take effect January 1, 2016 at 12:01 a.m.

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

SB 173, establishing a committee to study the feasibility of a club assistance program for all terrain vehicles and trail bikes. Ought to Pass with Amendment, Vote 5-0. Senator Watters for the committee.

This bill establishes a committee to study the feasibility of a club assistance program for off highway recreational vehicles. The program would emulate what NH snowmobile clubs currently practice by paying membership dues in lieu of user fees or vice versa as these are non-profit organizations in need of funds to maintain their trails. The committee amended the bill to replace ATVs and trail bikes with Off Highway Recreational Vehicles (OHRVs) throughout, reduced the Senate membership to one Senator, and further specify who the established committee may seek input from.

Senate Transportation

February 3, 2015

2015-0177s

10/01

Amendment to SB 173

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

AN ACT establishing a committee to study the feasibility of a club assistance program for off highway recreational vehicles.

Amend the bill by replacing sections 1-3 with the following:

1 Committee Established. There is established a committee to study the feasibility of a club assistance program for off highway recreational vehicles (OHRVs).

2 Membership and Compensation.

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

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

(b) Two 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:

I. Review the effectiveness of the existing registration structure for OHRVs, with consideration of:

(a) Establishing a club assistance program that encourages all OHRV riders to either join an OHRV club or pay into the grant-in-aid program to help maintain the state's trail system.

(b) Statistics of sales and registrations of OHRVs.

(c) Rights and responsibilities of state agencies, manufacturers, sales organizations, and OHRV clubs.

II. Seek input from concerned individuals, organizations, and state agencies such as, but not limited to:

(a) The department of resources and economic development, divisions of forest and lands, parks and recreation, and travel and tourism.

(b) The fish and game department.

(c) The New Hampshire Off Highway Vehicle Association.

(d) Local OHRV clubs.

(e) OHRV dealers and their trade association, the NHADA.

(f) A private landowner with a state trail on his or her property.

(g) The general public, and other organizations with a public interest.

2015-0177s

AMENDED ANALYSIS

This bill establishes a committee to study the feasibility of a club assistance program for off highway recreational vehicles.

SB 231, relative to the month of inspection for municipal fleets. Ought to Pass with Amendment, Vote 5-0. Senator Stiles for the committee.

This bill allows the director of the division of motor vehicles to set a one-time inspection date for municipal fleet vehicles, making the inspection timeframe for these large fleets much more manageable. The committee amended the bill to clarify the required time frame in which these vehicles may be inspected.

Senate Transportation

February 4, 2015

2015-0182s

08/04

Amendment to SB 231

Amend the bill by replacing section 1 with the following:

1 Annual Inspection; Municipal Fleets. In order to set a new schedule for municipal fleet inspections, the director of the division of motor vehicles is authorized, one-time, to require municipal fleet vehicles to be inspected in the new month regardless of the month of the previous inspection.

2015-0182s

AMENDED ANALYSIS

This bill allows the director of the division of motor vehicles to set a one-time inspection date for municipal fleet vehicles.

This bill was a request of the department of safety.

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

REGULAR CALENDAR REPORTS

COMMERCE

SB 24, relative to blanket accident and health insurance. Inexpedient to Legislate, Vote 5-0. Senator Pierce for the committee.

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

SB 93-FN-A, relative to the alcohol percentage used to classify beverages. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Commerce

February 5, 2015

2015-0231s

10/05

Amendment to SB 93-FN-A

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

AN ACT relative to the definition of beverage.

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

1 Beverage. Amend RSA 175:1, VIII to read as follows:

VIII. "Beverage" means any beer, wine, similar fermented malt or vinous liquors and fruit juices, and any other liquid intended for human consumption as a beverage having an alcoholic content of not less than 1/2 of one percent by volume and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit and specialty beer as defined in RSA 175:1, LXIV-a. The commission may approve any *fermented malt beverage* **or** cider greater than 6 percent.

2 Effective Date. This act shall take effect January 1, 2016.

2015-0231s

AMENDED ANALYSIS

This bill modifies the definition of beverage.

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

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

SB 106-FN, restricting the sale or possession of synthetic drugs. Ought to Pass with Amendment, Vote 5-0. Senator Pierce for the committee.

Commerce
February 5, 2015
2015-0230s
10/05

Amendment to SB 106-FN

Amend RSA 179:63 as inserted by section 3 of the bill by replacing it with the following:

179:63 Sale or Distribution of Synthetic Drugs. Any licensee who sells or distributes any substance containing a synthetic drug shall be guilty of a violation. Any licensee who violates this section shall be subject to the provisions of RSA 179:57, except that the maximum fine for each violation of this section shall be \$1,000, plus penalty assessment. "Synthetic drug" shall have the same meaning as defined in RSA 359-O:2.

Amend the introductory paragraph of RSA 359-O:2, IV as inserted by section 6 of the bill by replacing it with the following:

IV. "Synthetic drug" means any substance within the following structural classes:

Amend RSA 359-O:2, IV(j) as inserted by section 6 of the bill by replacing it with the following:

(j) Any substance which includes, but is not limited to the following:

- (1) QUCHIC/BB-22.
- (2) STS-135.
- (3) APICA/SDB-001.
- (4) ADBICA.
- (5) ADB-FUBINACA.
- (6) AB-001.
- (7) SDB-006.
- (8) EG-018.
- (9) CB-13.
- (10) 5-chloro-UR-144.
- (11) FUB-PB-22.

Amend RSA 359-O:5, I as inserted by section 6 of the bill by replacing it with the following:

I. Any person or business who violates any provision of this chapter shall be assessed a fine of \$500, plus penalty assessment. Each day a violation occurs shall constitute a separate offense.

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

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

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

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

The following Senators voted No: (None)

Yeas: 23 - Nays: 0

Adopted, bill ordered to Third Reading.

Sen. D'Allesandro is excused.

EDUCATION

CACR 3, Relating to public education. Providing that the general court shall define standards and funding for public education. Inexpedient to Legislate, Vote 4-1. Senator Reagan for the committee.

The question is on the adoption of the committee recommendation of Inexpedient to Legislate. Adopted by the necessary 3/5 vote.

Sens. Bradley, Forrester, Morse, Prescott, and Stiles, are in opposition to the motion of Inexpedient to Legislate on CACR 3.

SB 69, establishing a commission to study social impact bond funding for early childhood education for at-risk students. Ought to Pass, Vote 4-1. 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.

SB 81, relative to the powers of the state board of education. 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.

SB 82, relative to the authority of the commissioner of the department of education. Inexpedient to Legislate, Vote 4-1. Senator Kelly for the committee.

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

Recess. Out of recess.

SPECIAL ORDER

Without objection, the following bill was special ordered to Thursday, February 19, 2015.

HEALTH AND HUMAN SERVICES

SB 67, establishing a committee to study opioid misuse in New Hampshire.

SB 101, prohibiting the state from requiring implementation of common core standards. Inexpedient to Legislate, Vote 3-2. Senator Kelly for the committee.

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

Sen. Bradley is in opposition to the motion of Inexpedient to Legislate on SB 101.

Sen. Bradley moved Ought to Pass.

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

Recess. Out of recess.

Sen. Soucy withdrew her request for a roll call.

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

Sens. Avar, Birdsell, Boutin, Bradley, Carson, Daniels, Little, Morse, Prescott, Reagan, and Sanborn are in favor of the motion of Ought to Pass on SB 101.

Sens. Feltes, Lasky, Pierce, Soucy, and Watters are in opposition to the motion of Ought to Pass on SB 101.

ENERGY AND NATURAL RESOURCES

SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities. Ought to Pass with Amendment, Vote 5-0. Senator Fuller Clark for the committee.

Energy and Natural Resources

February 4, 2015

2015-0192s

04/06

Amendment to SB 60

Amend RSA 374-F:4-a, II as inserted by section 1 of the bill by inserting after subparagraph (j) the following new subparagraphs:

(k) One member of the public with knowledge of environmental issues, appointed by the governor.

(l) One member of a ratepayers organization, appointed by the executive director of the New England Ratepayers Association.

Amend RSA 374-F:4-a, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairperson of the senate energy and natural resources committee, the chairperson of the house science, technology and energy committee, the chairmen of the public utilities commission, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015.

Amend RSA 374-F:4-a as inserted by section 1 of the bill by inserting after paragraph VI the following new paragraph:

VII. Nothing in this section shall preclude the public utilities commission from acting on a decoupling proposal as part of a proceeding before the commission.

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.

Sen. Feltes asserts Rule 6-25 on SB 60.

SB 196-FN-A-L, appropriating funds to the department of environmental services for the purpose of funding eligible water supply land protection costs under the state aid grant program. 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. Adopted.

Sen. Bradley moved to Lay on the Table SB 196-FN-A-L.

The question is on the motion to Lay on the Table SB 196-FN-A-L. Adopted.

SB 208, establishing a committee to study limiting the sulfur content of liquid fuels. Ought to Pass with Amendment, Vote 5-0. Senator Little for the committee.

Energy and Natural Resources

January 28, 2015

2015-0104s

06/03

Amendment to SB 208

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

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

Amend the bill by replacing section 4 with the following:

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 senate 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.

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

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

SB 222-FN, relative to harassment of hunting, fishing, or trapping. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Energy and Natural Resources
 February 4, 2015
 2015-0197s
 10/04

Amendment to SB 222-FN

Amend RSA 207:57, I as inserted by section 1 of the bill by replacing it with the following:

I. No person shall purposely obstruct or impede the participation of any individual in the lawful activity of hunting, fishing or trapping ~~[while that individual is in a designated hunting area on public lands]~~. No person shall ~~[enter or remain in a designated hunting area on any state lands with the intent to]~~ purposely obstruct or impede the participation of any individual in the lawful activity of hunting, fishing or trapping. ***No person shall purposely engage in an activity that will tend to disturb wild animals, with intent to prevent their lawful taking. No person shall use a drone or UAV with the intent to conduct video surveillance of private citizens who are lawfully hunting, fishing, or trapping without obtaining the written consent of the persons being surveilled prior to conducting the surveillance.***

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

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

SB 229-FN-A, appropriating funds to the department of environmental services for the purpose of restoring and protecting waters of the southeast watershed in accordance with EPA guidelines. Ought to Pass with Amendment, Vote 5-0. Senator Fuller Clark for the committee.

Energy and Natural Resources
 January 28, 2015
 2015-0103s
 06/01

Amendment to SB 229-FN-A

Amend paragraph II as inserted by section 1 of the bill by replacing it with the following:

II. The department, with the consent of the governor and council, shall pay the moneys in paragraph I to the southeast watershed alliance contingent upon the municipalities located in the watershed raising the equal matching amount.

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. Fuller Clark moved to Lay on the Table SB 229-FN-A.

The question is on the motion to Lay on the Table SB 229-FN-A. Adopted.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 65, adding a judicial branch employee member to the deferred compensation commission. Ought to Pass, Vote 4-1. Senator Woodburn for the committee.

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

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances. Re-refer to committee, Vote 4-1. Senator Carson for the committee.

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

Recess. Out of recess.

FINANCE

SB 5, relative to transfers into the revenue stabilization reserve account. Ought to Pass, Vote 4-2. Senator Forrester for the committee.

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

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

The following Senators voted Yes: Forrester, Bradley, Cataldo, Little, Sanborn, Daniels, Avard, Carson, Boutin, Reagan, Birdsell, Prescott, Stiles, Morse.

The following Senators voted No: Woodburn, Watters, Pierce, Hosmer, Kelly, Lasky, Feltes, Soucy, Fuller Clark.

Yeas: 14 - Nays: 9

Adopted, bill ordered to Third Reading.

Sen. D'Allesandro is excused.

SB 13, relative to the disposition of dedicated funds. Ought to Pass, Vote 6-0. Senator Reagan for the committee.

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

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

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

The following Senators voted No: Woodburn, Watters, Kelly, Feltes, Soucy.

Yeas: 18 - Nays: 5

Adopted, bill ordered to Third Reading.

Sen. D'Allesandro is excused.

SB 61-FN-A, relative to funding for the New Hampshire agricultural lands program. Re-refer to committee, Vote 6-0. Senator Forrester for the committee.

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

SB 90, relative to the judicial branch budget. Ought to Pass, Vote 6-0. Senator Hosmer for the committee.

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

SB 180, relative to the innovation business job growth program. Inexpedient to Legislate, Vote 6-0. Senator Forrester for the committee.

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

HEALTH AND HUMAN SERVICES

SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and health care quality issues. Ought to Pass, Vote 2-0. 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.

SB 84, relative to the definition of "telemedicine." Ought to Pass, Vote 2-0. Senator Sanborn for the committee.

Sen. Sanborn moved to Lay on the Table SB 84.

The question is on the motion to Lay on the Table SB 84. Adopted.

INTRODUCTION OF GUESTS

Sen. Pierce introduced Chief Peter Bartlett, the Police Chief of the town of Hooksett, and Police Chief David Goldstein from the city of Franklin; members of the New Hampshire Association of Chiefs of Police.

JUDICIARY

SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver. Ought to Pass, Vote 3-1. Senator Carson for the committee.

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

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

The following Senators voted Yes: Forrester, Bradley, Cataldo, Little, Sanborn, Daniels, Avard, Carson, Boutin, Reagan, Birdsell, Prescott, Stiles, Morse.

The following Senators voted No: Woodburn, Watters, Pierce, Hosmer, Kelly, Lasky, Feltes, Soucy, Fuller Clark.

Yeas: 14 - Nays: 9

Adopted, bill ordered to Third Reading.

Sen. D'Allesandro is excused.

Recess. Out of recess.

HOUSE MESSAGE

The House of Representatives is ready to meet with the honorable Senate in Joint Convention for the purpose of hearing the Budget Address by her Excellency, Governor Margaret Wood Hassan.

RESOLUTION NO. 8

Sen. Bradley offered the following Resolution:

RESOLVED, that the Senate is ready to meet with the Honorable House of Representatives in Joint Convention for the purpose of hearing the Budget Address by her Excellency, Governor Margaret Wood Hassan. Adopted.

Recess for Joint Convention. Out of recess.

PUBLIC AND MUNICIPAL AFFAIRS

SB 15-FN, requiring owners of companion animals to leash such animals in the presence of a service dog. Inexpedient to Legislate, Vote 4-0. Senator Kelly for the committee.

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

SB 17, relative to training of certain board officers of nonprofit corporations. Inexpedient to Legislate, Vote 3-1. Senator Boutin for the committee.

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

SB 20-FN-L, relative to historic burial grounds. Ought to Pass with Amendment, Vote 4-0. Senator Birdsell for the committee.

Public and Municipal Affairs

January 28, 2015

2015-0106s

06/01

Amendment to SB 20-FN-LOCAL

Amend the bill by deleting section 1 and renumbering the original sections 2 through 4 to read as 1 through 3, respectively.

Amend RSA 227-C:12-c, II as inserted by section 1 of the bill by inserting after subparagraph (k) the following new subparagraphs:

(l) A member of the New Hampshire State Organization Daughters of the American Revolution, appointed by the state regent of that organization.

(m) A member of the New Hampshire Funeral Directors Association, appointed by the president of that association.

(n) A member of a cemetery commission or a cemetery trustee, appointed by the governor.

Amend RSA 22-C:12-c, IV as inserted by section 1 of the bill by inserting after subparagraph (d) the following new subparagraph:

(e) Concerning notice to potentially interested parties for proposals that affect burial grounds, and the adoption of a "public good" standard.

Amend RSA 227-C:12-c, V as inserted by section 1 of the bill by replacing it with the following:

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

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

Sen. Watters offered a floor amendment.

Sen. Watters, Dist. 4
February 6, 2015
2015-0249s
06/03

Floor Amendment to SB 20-FN-LOCAL

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

AN ACT establishing a commission on historic burial grounds and cemeteries,

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

1 New Subdivision; Historic Burying Grounds. Amend RSA 227-C by inserting after section 12 the following new subdivision:

Commission on Historic Burying Grounds

227-C:12-a Commission Established.

I. There is established a commission on historic burying grounds and cemeteries.

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

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

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

(c) One member of a historic district commission, appointed by the governor.

(d) One member of a local historical society, appointed by the governor.

(e) The chairperson of the New Hampshire Preservation Alliance, or designee.

(f) The chairperson of the New Hampshire Historical Society, or designee.

(g) The commissioner of department of cultural resources, or designee.

(h) The director of division of historic resources, or designee.

(i) One representative of the New Hampshire commission on Native American affairs, appointed by that commission.

(j) The executive director of the New Hampshire Municipal Association, or designee.

(k) The president of New Hampshire Old Graveyard Association, or designee.

(l) A member of the New Hampshire State Organization Daughters of the American Revolution, appointed by the state regent of that organization.

(m) A member of the New Hampshire Funeral Directors Association, appointed by the president of that association.

(n) A member of a cemetery commission or a cemetery trustee, appointed by the governor.

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

IV. The commission shall make recommendations:

(a) On the documentation and preservation of the state's historic burying grounds and cemeteries.

(b) On the establishment and criteria for a New Hampshire state register of historic burying grounds and cemeteries, including their markers, walls, gates, and other associated and identifying features and artifacts that are meaningful to the history, historic landscape, cultural, religious, craft, and architectural traditions of the state.

(c) Concerning the protection of property owners, and owners of contiguous or surrounding properties, with respect to a listed property.

(d) On the persons permitted to nominate a state historic burying ground or cemetery for a state register in accordance with RSA 289.

(e) Concerning notice to potentially interested parties for proposals that affect burial grounds, and the adoption of a "public good" standard.

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

VI. The commission 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 November 1, 2016.

2 Repeal. RSA 227-C:12-a, relative to historic burying grounds and cemeteries, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2016.

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

2015-0249s

AMENDED ANALYSIS

This bill also establishes the commission on historic burial grounds and cemeteries.

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.

SB 70, relative to the processing of lobster tails. Ought to Pass, Vote 4-0. Senator Stiles for the committee.

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

SB 79, relative to appointment of inspectors of election. Ought to Pass with Amendment, Vote 4-0. Senator Boutin for the committee.

Public and Municipal Affairs

January 28, 2015

2015-0107s

03/06

Amendment to SB 79

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

Amend the bill by replacing section 2 with the following:

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

2015-0107s

AMENDED ANALYSIS

This bill allows the moderator to appoint inspectors pro tempore if an insufficient number of inspectors have been appointed by the parties and selectmen.

Sen. Boutin moved to Lay on the Table SB 79.

The question is on the motion to Lay on the Table SB 79. Adopted.

SB 98, relative to third party review required by the planning board. Ought to Pass with Amendment, Vote 4-0. Senator Birdsell for the committee.

Public and Municipal Affairs
 February 4, 2015
 2015-0201s
 03/08

Amendment to SB 98

Amend the bill by replacing section 1 with the following:

1 Third Party Review. Amend RSA 676:4-b, I to read as follows:

I. A planning board reviewing a subdivision plat, site plan, or other land use application may require the applicant to reimburse the board for expenses reasonably incurred by obtaining third party review and consultation during the review process, provided that the review and consultation does not substantially replicate a review and consultation obtained by the zoning board of adjustment. ***The applicant may with good cause request the planning board choose a different third party consultant. The planning board shall exercise reasonable discretion to determine whether the request is warranted. When such a request is granted by the planning board, the 65-day period for the board's action on an application stated in RSA 676:4, I(c)(1) shall be extended 45 days to provide the board adequate time to identify a different consultant.***

2015-0201s

AMENDED ANALYSIS

This bill allows an applicant to request that the planning board choose a different third party consultant. The question is on the adoption of the Committee Amendment. Adopted.

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

SB 141, relative to powers of the zoning board of adjustment. Ought to Pass, Vote 4-0. Senator Boutin for the committee.

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

SB 143, relative to defining phased development. Ought to Pass, Vote 4-0. Senator Boutin for the committee.

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

TRANSPORTATION

SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority. Ought to Pass with Amendment, Vote 5-0. Senator Daniels for the committee.

Senate Transportation
 February 5, 2015
 2015-0225s
 06/01

Amendment to SB 63

Amend RSA 238-A:4, I as inserted by section 1 of the bill by replacing it with the following:

I. The governing body of the authority shall be a board of directors. The board of directors shall receive input from the public and from the authority advisory board established under paragraph IV. The board of directors shall have the following 7 members:

(a) The commissioner of the department of transportation, or designee.

(b) The commissioner of the department of resources and economic development, or designee.

(c) An individual knowledgeable in the operations and construction of railroads, appointed by the governor and approved by the council.

(d) An individual knowledgeable in labor and human relations, appointed by the governor and approved by the council.

- (e) A member of the authority advisory board elected by the board.
- (f) A business owner, appointed by the governor and approved by the council.
- (g) A public member, appointed by the governor and approved by the council.

Amend RSA 238-A:4, V as inserted by section 1 of the bill by replacing it with the following:

V. The authority advisory board shall have the following members:

- (a) The mayor of the city of Berlin, or designee.
- (b) The mayor of the city of Claremont, or designee.
- (c) The mayor of the city of Concord, or designee.
- (d) The mayor of the city of Dover, or designee.
- (e) The mayor of the city of Franklin or designee.
- (f) The mayor of the city of Manchester or designee.
- (g) The mayor of the city of Nashua, or designee.
- (h) The mayor of the city of Somersworth, or designee.
- (i) A designee of the town of Bedford town council.
- (j) A designee of the town of Durham town council, or the university of New Hampshire.
- (k) A designee of the town of Exeter board of selectmen.
- (l) A designee of the town of Merrimack town council.
- (m) A designee of the town of Plaistow board of selectmen.
- (n) A designee from each of the 9 regional planning commissions.
- (o) The chairperson of the Manchester-Boston regional airport board, or designee.
- (p) A member of the New Hampshire College and University Council, appointed by the president of that organization.
- (q) Three public members appointed by the governor and approved by the council, each for a term of 2 years.

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

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

SB 160, relative to duplicate vessel registration certificates. 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 the Committee on Finance (Rule 4-5).

WAYS AND MEANS

SB 120, relative to the amount of wagers and applicants for secondary game operator licenses. Ought to Pass with Amendment, Vote 5-0. Senator Feltes for the committee.

Senate Ways and Means
February 5, 2015
2015-0224s
06/03

Amendment to SB 120-FN

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

AN ACT relative to applicants for secondary game operator licenses.

Amend the bill by deleting section 1 and renumbering the original sections 2 and 3 to read as 1 and 2, respectively.

Amend RSA 287-D:10, VII as inserted by section 1 of the bill by replacing it with the following:

VII. Upon receipt of an application under this section, and at the request of the applicant, the commission may issue a provisional license, valid for up to 90 days, under rules adopted by the commission under RSA 541-A. If the commission denies the license, the provisional license shall expire upon the applicant's receipt of such denial. If the applicant requests a provisional license under this paragraph, he or she shall submit a fee of \$10 to the commission, in addition to the application fee for the license, at the time of such request.

2015-0224s

AMENDED ANALYSIS

This bill allows the racing and charitable gaming commission to issue provisional secondary game operator licenses.

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

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

SB 144, relative to carry-over cover-all bingo. Ought to Pass, Vote 5-0. Senator Sanborn for the committee.

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

Sen. Sanborn moved to Lay on the Table SB 144.

The question is on the motion to Lay on the Table SB 144. Adopted.

SB 154, authorizing the department of safety to set fees for motorcycle rider education programs. Ought to Pass, Vote 3-2. Senator D'Allesandro for the committee.

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

Sens. Daniels and Prescott are in opposition to the motion of Ought to Pass on SB 154.

SB 174, relative to charitable games of chance. Inexpedient to Legislate, Vote 3-2. Senator Feltes for the committee.

The question is on the adoption of the committee recommendation of Inexpedient to Legislate. 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: SB 60.

ANNOUNCEMENTS

(The Chair recognized Sen. Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I just want to offer praise up to the New Hampshire Snowmobile Association. This past weekend they had their 42nd annual Ride-In which raised over \$93,000 for Camp Sno-Mo, a camp for disabled and chronically ill children great event in the North Country...glad to have all this snow and make all this money for sick kids. Thank you.

(The Chair recognized Sen. Cataldo.)

SENATOR CATALDO: Thank you, Mister President. Mister President, my Senate colleagues, it was a most difficult time yesterday: we were called together to mourn the loss of a friend, a veteran, and a State Senator, George Lovejoy. Twenty-two years ago Senator Lovejoy sat in this same seat that I'm sitting in today representing Senate District 6. It wasn't the duration of his service, he was here to be heard and to serve. George fought to uphold the conservative values and principles of low taxes, low spending, and

personal responsibility. All that knew George shared the memory of his sincerity, his character, and his passion for the state of New Hampshire. Thank you, Mister President. And may Senator George Lovejoy rest in peace.

PRESIDENT MORSE: Well, before we close today, I want to take a few minutes to recognize a very impressive and noteworthy achievement. I think all of you know by now that our dear colleague from District 3 loves a good challenge. Some would say that serving in the New Hampshire Senate could be enough of a challenge, or that reforming the State's retirement system, passing a balanced budget, or reforming health care could be more than enough of a challenge for all of us to undertake. Not for our dear friend Senator Bradley.

Now we all know Senator Bradley is an avid hiker. As if taking on those issues in the legislature were not challenging enough, Senator Bradley sought to complete the grid in his spare time. I want everyone to know that I have continually supported Senator Bradley in this even when that means cancelling meetings at the last minute, being asked to take a phone call when he gets to the top of the mountain because it was a good day to go hiking. I joke about this, but his accomplishment is no joke. For those of you who do not live to go hike on a mountain, what completing the grid means to Senator Bradley is that he hiked 48 4,000 foot mountains in every month of the year, including the winter. For all the math people in the room that's $48 \text{ peaks} \times 12 \text{ months} = 576 \text{ hikes}$. Last month, Senator Bradley became the 49th person to finish the grid where he competed by hiking Mount Madison and Mount Adams. Please join me in congratulating my colleague and my friend.

(The Chair recognized Sen. Bradley.)

SENATOR BRADLEY: Thank you very much, Mister President. I would just say it'll be taken in the spirit it's given if any of you tell me, 'Bradley, go take a hike!'

(The Chair recognized Sen. Boutin.)

SENATOR BOUTIN: Yes, I just want to ask that your very eloquent comments, here, be entered into the permanent *Journal*.

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)

LATE SESSION

Third Reading and Final Passage

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

SB 11, recodifying the Uniform Interstate Family Support Act.

SB 13, relative to the disposition of dedicated funds.

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

SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and health care quality issues.

SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities.

SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority.

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

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

SB 70, relative to the processing of lobster tails.

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

SB 73, relative to documentation of age to purchase alcoholic beverages and tobacco products.

SB 90, relative to the judicial branch budget.

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

SB 93-FN-A, relative to the definition of beverage.

SB 96, establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards.

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

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

SB 106-FN, restricting the sale or possession of synthetic drugs.

SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver.

SB 120-FN, relative to applicants for secondary game operator licenses.

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

SB 143, relative to defining phased development.

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

SB 166, relative to facilitated individualized education program meetings.

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

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

SENATOR BRADLEY: Again, thank you all very much. It meant a lot to me to do it, and Senator Morse did put up with quite a bit once in a while. I'll just tell this one story I know we're all ready to go but he was in Florida and I was on the summit of Mt. White Face and we were talking while I was walking down an ice field, and I thought I was going to not only lose my cell phone, but maybe a lot more, and he was... 'I'm on the beach with a drink.' Thank you, Mister President.

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.