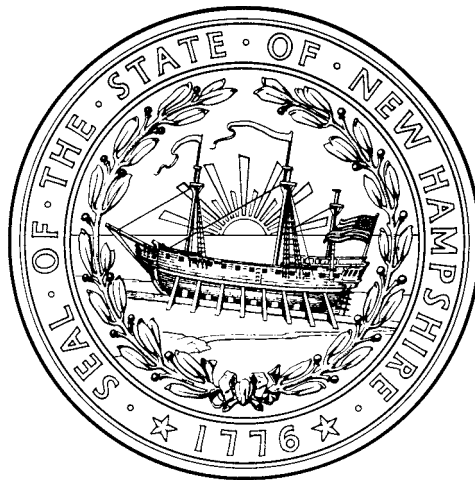


**March 19, 2015
Nos. 8-9**

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 – MARCH 12, 2015 SESSION
COMMENCEMENT – MARCH 19, 2015 SESSION**

SENATE JOURNAL 8 *(continued)*

March 12, 2015

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

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

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

HB 122, relative to advertising of liquor or beverages.

HB 124, relative to the implementation of new college and career readiness standards.

HB 141, relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.

HB 150, establishing a commission to study the legalization, regulation, and taxation of marijuana.

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

HB 169, relative to table stakes poker.

HB 171, relative to rebating.

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-FN, relative to sales of alcoholic beverages by manufacturers.

HB 180, relative to the definition of “price or consideration” under the real estate transfer tax and relative to the exception for transfers by devise under such tax.

HB 184, relative to travel insurance.

HB 195, relative to continuing care communities.

HB 198, relative to retention requirements for certain motor vehicle records.

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

HB 212, relative to revocation of fish and game licenses of persons convicted of sexual assault while hunting, trapping, or fishing.

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions.

HB 223-FN, relative to external review under the managed care law.

HB 236, relative to child support and allowable child care expenses.

HB 255-FN, relative to petitioning for annulment of a class B misdemeanor offense.

HB 270, granting immunity from criminal prosecution to a person who reports a drug related emergency.

HB 276, providing that school districts shall not be required to adopt the common core standards.

HB 279, establishing a commission to study the economic impact of the arts and culture in New Hampshire.

HB 285, relative to discussion with legal counsel under the right-to-know law.

HB 286, relative to permits issued by building inspectors.

HB 287, allowing citizens to record by audio or video a traffic stop by law enforcement officers.

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system.

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

HB 309, permitting landlords to remove tenants' property in certain circumstances.

HB 322, relative to protection of personally identifiable data by the department of education.

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

HB 328, relative to delivery of absentee ballots.

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

HB 346, relative to criminal history records checks for school employees and volunteers.

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

HB 353, relative to the governance of condominium unit owners' associations.

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

HB 361, establishing a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

HB 363, relative to Lyme disease awareness.

HB 380, relative to investigations of child day care agencies.

HB 381-FN, allowing a liquor manufacturer to be issued an on-premises license.

HB 383, relative to the immunization/vaccination registry.

HB 408, making a technical correction relative to fees for chiropractors.

HB 411, prohibiting the payment of subminimum wages to persons with disabilities.

HB 418, relative to waiver of rights to inherited property.

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

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

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

HB 424, relative to the accessibility of assessment materials.

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

HB 427, relative to the definition of the New Hampshire fire code.

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

HB 441, relative to financial affidavits submitted in hearings regarding child support, property settlement, and alimony.

HB 449, relative to the duration of child support.

HB 455-FN, relative to the board of managers of the New Hampshire veterans' home.

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee.

HB 460, establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges.

HB 472, relative to the parole board and parole board procedures.

HB 473, relative to the smoking policy at the New Hampshire veterans' home.

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

HB 479, relative to uninsured or hit-and-run motor vehicle coverage.

HB 480, relative to policies for property and casualty insurance.

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 491, relative to immunity for school personnel using reasonable force to protect a minor.

HB 494, relative to industrial hemp as a controlled substance.

HB 495, relative to referral fees for settlement services.

HB 498, relative to notification of radon and arsenic testing.

HB 506, clarifying the conditions under which motor vehicle information may be used.

HB 507, relative to teacher personally identifiable data.

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association.

HB 510, establishing a commission to study the regulation of pawnbrokers, secondhand dealers, and junk or scrap metal dealers.

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

HB 519, establishing a committee to study department of education policies affecting dyslexic students.

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

HB 521, relative to the size of the pool of the workers' compensation appeals board.

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

HB 547, relative to the valuation of poles and conduits owned by telephone utilities.

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

HB 555, relative to participation of chartered public school students in school district co-curricular activities.

HB 560-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses.

HB 578-FN, relative to state board of education compliance with unfunded federal education mandates.

HB 584-FN, making various changes to laws relating to motor vehicles and vessels.

HB 597-FN, relative to penalties for indecent exposure and lewdness.

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

HB 603, relative to student exemption from statewide assessment.

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

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

HB 618-FN, relative to penalties for the possession of marijuana.

HB 628-FN, relative to indemnification of health care facilities under certain circumstances.

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

HB 648-FN, requiring detention until arraignment for persons arrested for violation of protective orders.

HB 658-FN, prohibiting collective bargaining agreements that require employees to join a labor union.

HB 664-FN, consolidating existing oil pollution funds.

HB 666-FN, relative to licensing of money transmitters.

HB 681-FN-A, increasing the marriage license fees.

HCR 2, applying to Congress to hold a convention for amendments.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

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

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 equality protection act.

HB 292, expanding the good Samaritan law to engineers and architects.

HB 323, relative to the administration of the statewide assessment program.

HB 336, relative to seasons for hunting by crossbow.

HB 391-FN, applying the E911 surcharge to prepaid cellular telephones.

HB 403-FN, repealing the law relative to providing certain parameters for access to reproductive health care facilities.

HB 450, relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation.

HB 492, relative to military and historic reenactments and commemorations.

HB 563-FN, relative to funding for chartered public school pupils.

HB 564-FN, relative to prior authorization for certain prescription drugs.

HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.

HB 606-FN-L, relative to costs for public records filed electronically.

HB 613, relative to governmental records exempted under the right-to-know law.

HB 614-FN, implementing goals of the state 10-year energy strategy.

INTRODUCTION OF HOUSE 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

HB 146, relative to the board of dental examiners. (Executive Departments and Administration)

HB 147, relative to the homestead exemption amount. (Ways and Means)

HB 148, limiting the authority of delegates to Article V conventions. (Rules, Enrolled Bills and Internal Affairs)

HB 153, relative to the telecommunications planning and development advisory committee. (Energy and Natural Resources)

HB 155, relative to municipal contracts for police chief. (Public and Municipal Affairs)

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

HB 166-L, relative to records storage by municipalities. (Public and Municipal Affairs)

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

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

HB 190, establishing a statutory commission to study the standards for collaborative pharmacy practice. (Health and Human Services)

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. (Energy and Natural Resources)

HB 217-FN, relative to fees for reinstatement of licenses, registrations, and certifications established by the pharmacy board. (Executive Departments and Administration)

HB 219-FN, relative to the use of electronic benefit transfer (EBT) cards. (Health and Human Services)

HB 233, relative to local approval of mining activity. (Energy and Natural Resources)

HB 254, relative to exceptions to restrictions on boating. (Public and Municipal Affairs)

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

HB 259, relative to the reporting date of the economic development strategy and plan. (Executive Departments and Administration)

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

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

HB 271, relative to possession and administration of an opioid antagonist for opioid-related overdoses. (Health and Human Services)

HB 275, relative to the encroachment of a town cemetery on state-owned land. (Public and Municipal Affairs)

HB 281, defining “exotic aquatic species of wildlife” and relative to the duties of the exotic aquatic weeds and species committee. (Energy and Natural Resources)

HB 330, establishing an oversight commission for medical cost transparency. (Health and Human Services)

HB 331, relative to absences among selectmen on election day. (Public and Municipal Affairs)

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

HB 344, relative to membership on advisory boards for municipal economic development and revitalization districts and relative to the financing plan of such districts. (Ways and Means)

HB 362, relative to the reliability of the electric grid. (Energy and Natural Resources)

HB 364, relative to renewal fees administered by the office of professional licensing. (Executive Departments and Administration)

HB 395-FN, relative to electronic toll collection. (Transportation)

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. (Rules, Enrolled Bills and Internal Affairs)

HB 416-L, relative to compensation for members of the Coos county convention. (Rules, Enrolled Bills and Internal Affairs)

HB 451, relative to local approval of mining permits. (Energy and Natural Resources)

HB 464, establishing the traditional commercial and recreational fishing protection act, prohibiting political subdivisions from interfering with commercial and recreational operations. (Energy and Natural Resources)

HB 493, relative to minimum voting booths for city or town elections. (Public and Municipal Affairs)

HB 502, relative to petitions for verification of checklists. (Public and Municipal Affairs)

HB 503, relative to presidential primary ballots. (Public and Municipal Affairs)

HB 526, relative to transfers of appropriations in Carroll county. (Rules, Enrolled Bills and Internal Affairs)

HB 529, relative to party conventions. (Public and Municipal Affairs)

HB 545, relative to eligibility for office. (Public and Municipal Affairs)

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

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 9

March 19, 2015

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

The Reverend Hannah Anderson, chaplain to the Senate, offered the following meditative thoughts and prayer.

Gracious God, you have blessed us with this world, and entrusted it to our care Not just today, but for all of time you have counted on us, turned to us, rooted for us to bring your abiding love and compassion, mercy, and justice to the forefront of all we do and say. This morning I thank you, oh God, for calling these men and women as Senators who bear a particular, essential role in guiding and protecting the freedoms inherent to all human beings: those with power and those most vulnerable, those whose names they know, and those who remain nameless. This day as they begin their deliberations, remind them of their call to serve the greatest good. Knit them together in trust and collegueship across any lines of difference or opinion. Guide them with your wisdom, patience, perseverance, and respect. So that at the end of this day, this one day, they may know the peace of a job well done, a people cared for, your vision upheld, a blessing rendered. Amen.

Sen. Little led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

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

SENATOR WATTERS: Thank you, Mister President. I want to invite the Specialist, Patrick Combs, for a Resolution. No need to be nervous.

The New Hampshire Senate. A Resolution. Be it known that the New Hampshire Senate extends its congratulations to SPC Patrick D. Combs in recognition of five years of service in the Funeral Honors Program, honoring over 930 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 Senate extends its heartfelt gratitude and thanks for your dedicated service.

Thank you, Specialist.

(The Chair recognized Sen. Watters.)

SENATOR WATTERS: Thank you, Mister President. I also want to introduce Specialist Joseph Green of Dover, New Hampshire, who is here with us today.

(The Chair recognized Sen. Avard.)

SENATOR AVARD: Thank you, Mister President. I want to introduce my son, Sergeant Michael Avard, from right here in Nashua-Concord, right? At any rate, my son.

(The Chair recognized Sen. Fuller Clark.)

SENATOR FULLER CLARK: Yes, and I would like to introduce Sergeant Cameron Holt-corti from Portsmouth.

PRESIDENT MORSE: Well, thank you all for your service, and you're welcome to stay, unless you have other things you'd like to do much better than the Senate floor.

Sen. Stiles introduced North Hampton School of North Hampton visiting in the balcony.

Sen. Watters introduced Portsmouth Christian Academy of Dover visiting in the balcony.

INTRODUCTION OF PAGES

Sen. Daniels introduced Amanda Alcox and Samantha Lees of Milford High School serving as Senate Pages for the day.

ANNOUNCEMENT

PRESIDENT MORSE: I would like to take a moment to recognize Senator Molly Kelly for being elected as a 2015 State Director with the Women In Government organization. She was elected to the position by fellow state legislative colleagues for her leadership and dedication to serving the state of New Hampshire. Through this organization, Senator Kelly will share her experiences serving in the New Hampshire legislature with other women across the country, and will also work to set policy priorities for the organization. Congratulations, Senator Molly Kelly.

SPECIAL ORDER

Without objection, the following bill was Special Ordered to the end of the calendar.

ENERGY AND NATURAL RESOURCES

SB 170, requiring the public utilities commission to ensure ratepayer protections with electric power suppliers.

SPECIAL ORDER

Without objection, the following bill was Special Ordered to Thursday, March 26, 2015:

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 123, relative to warnings prior to the imposition of civil fines assessed by certain state agencies.

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 to third Reading.

CONSENT CALENDAR REPORTS

COMMERCE

SB 186, reestablishing the commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund. Ought to Pass with Amendment, Vote 5-0. Senator Soucy for the committee.

This bill, as amended by the committee, reestablishes the commission to study soft tissue injuries for purposes of workers' compensation and to study the feasibility of developing a first responder's critical injury fund. This commission was established last year but due to late appointment of members the commission was unable to complete its work and would like an opportunity to do so.

This bill also extends the first responder's critical injury benefit to make awards of additional workers' compensation upon warrant by the governor with approval by the executive council for group II retirement system members who suffer certain medical conditions until June 30, 2017.

Commerce

March 11, 2015

2015-0818s

01/06

Amendment to SB 186-FN

Amend the bill by inserting after section 3 the following and renumbering the original sections 4 and 5 to read as 5 and 6, respectively:

4 First Responder's Critical Injury Fund Extended. Amend RSA 281-A:32-a, II to read as follows:

II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. No payments shall be made after July 1, [2016] **2017**. Benefits paid under this section for all claimants shall not exceed \$500,000.

SB 254, establishing a committee to study the provision of services to the public through peer-to-peer or sharing economy businesses. Ought to Pass with Amendment, Vote 5-0. Senator Pierce for the committee.

This bill establishes a committee to study the provision of services to the public by peer-to-peer businesses.

The committee will study the adequacy of services and safety to the public through peer-to-peer or

sharing economy businesses such as Uber, Airbnb, and other nonregulated, new-economy businesses. The committee will look into whether appropriate safeguards are provided by these services and if regulations and oversight measures should be established by the state and how other states and municipalities are addressing this issue.

Commerce
March 11, 2015
2015-0820s
06/04

Amendment to SB 254

Amend the bill by replacing section 2 with the following:

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) Four 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.

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.

SB 255, establishing a low-wage service worker task force. Ought to Pass, Vote 5-0. Senator Soucy for the committee.

This bill will establish a low-wage worker task force. The task force will study: The growth and nature of the low-wage service sector as compared to the growth of other sectors in NH. The demographics and rate of poverty of workers in low-wage industries. The impact of low-wage jobs on children, families, and communities. The cost of state services used by low-wage workers and the effects of low-wage jobs on the local economy.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 85, establishing a statutory commission to study post-retirement employment of New Hampshire retirement system retirees. Inexpedient to Legislate, Vote 5-0. Senator Carson for the committee.

This bill would establish a statutory commission to specifically look at the 32-hour rule within the retirement system. The Committee felt this legislation would best be reviewed by the upcoming Bicentennial Commission.

HEALTH AND HUMAN SERVICES

SB 112, requiring health insurance policies to cover telemedicine services. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill requires the Medicaid managed care program to cover telemedicine services. The amendment further specifies the definition of telemedicine, and fixes minor drafting errors.

Health and Human Services
March 11, 2015
2015-0822s
01/06

Amendment to SB 112

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

AN ACT requiring the Medicaid managed care program to cover telemedicine services.

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Medicaid Managed Care Program; Definition Added. Amend RSA 126-A:5, XIX(c) by inserting after subparagraph (4) the following new subparagraph:

(5) "Telemedicine" means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment, but does not include the use of audio-only telephone or facsimile.

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

2 New Subparagraph; Medicaid Managed Care Program; Telemedicine. Amend RSA 126-A:5, XIX by inserting after subparagraph (d) the following new subparagraph:

(e) Coverage under this paragraph shall include the use of telemedicine for covered services provided within the scope of practice of a physician or other health care provider as a method of delivery of medical care by which an individual shall receive medical services from a health care provider without in-person contact with the provider. Nothing in this subparagraph shall be construed to prohibit a managed care vendor from providing coverage for only those services that are medically necessary and subject to all other the terms and conditions of the coverage.

2015-0822s

AMENDED ANALYSIS

This bill requires the Medicaid managed care program to cover telemedicine services.

SB 187, allowing a patient to designate a caregiver upon entry to a medical facility. Ought to Pass with Amendment, Vote 5-0. Senator Fuller Clark for the committee.

This important legislation allows a patient or patient's legally designated health care decision maker to designate a caregiver upon entry to a hospital. Under this bill as amended, the hospital shall instruct the caregiver relative to the after-care of a patient. The Commissioner of the Department of Health and Human Services is granted rulemaking authority upon discharge of this bill.

Health and Human Services

March 11, 2015

2015-0836s

01/06

Amendment to SB 187

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

1 Statement of Intent; Findings.

I. The general court hereby finds:

(a) At any given time, a large number of New Hampshire citizens provide varying degrees of unreimbursed care to adults with limitations in daily activities. Caregivers are often members of the individual's immediate family, but friends and other community members also serve as caregivers. While most caregivers are asked to assist an individual with basic activities of daily living, such as mobility, eating, and dressing, many are expected to perform complex tasks on a daily basis such as administering multiple medications, providing wound care, and operating medical equipment.

(b) Despite the vast importance of caregivers in the individual's day-to-day care, many caregivers find it difficult to communicate with hospital staff who are knowledgeable about the patient's condition and anticipated care needs following the hospital discharge. The federal Centers for Medicare & Medicaid Services (CMS) estimates that \$17,000,000,000 in Medicare funds is spent each year on unnecessary hospital readmissions. Additionally, hospitals desire to avoid the imposition of new readmission penalties under the federal Patient Protection and Affordable Care Act (ACA).

(c) To successfully address the challenges of an increasing population of older adults and others living with chronic conditions and who have significant needs for long-term services and supports, the state must support effective methods that enable caregivers to support their loved ones at home and in the community, following a hospital admission.

II. Therefore, it is the intent of this act to enable caregivers and family and friends to provide competent post-hospital care to their loved ones, at minimal cost to the taxpayers of New Hampshire.

2 New Subdivision; Caregiver Advise, Record and Enable (CARE) Act. Amend RSA 151 by inserting after section 41 the following new subdivision:

Caregiver Advise, Record and Enable (CARE) Act

151:42 Definitions. In this subdivision:

I. "After-care" means any assistance provided by a caregiver to a patient under this chapter after the patient's discharge from a hospital. Such assistance includes, but is not limited to, assisting with basic activities of daily living (ADLs), instrumental activities of daily living (IADLs), or carrying out medical/nursing tasks, such as managing wound care, assisting in administering medications, and operating medical equipment.

II. "Caregiver" means any individual duly designated as a caregiver by a patient under this chapter who provides after-care assistance to a patient living in his or her residence. A designated caregiver includes, but is not limited to, a relative, partner, friend, or neighbor who has a significant relationship with the patient.

III. "Discharge" means a patient's exit or release from a hospital to the patient's residence following a hospital stay.

IV. "Entry" means a patient's entrance into a hospital for the purposes of medical care.

V. "Hospital" means a facility licensed under this chapter.

VI. "Legally designated health care decision maker" means a durable power of attorney for health care, a surrogate decision maker, or a guardian with specific authority granted by the probate court.

VII. "Residence" means a dwelling that the patient considers to be his or her home. A "residence" shall not include any licensed rehabilitation facility, hospital, nursing home, assisted living facility, or group home.

151:43 Opportunity to Designate a Caregiver.

I. A hospital shall provide each patient or, if applicable, the patient's legally designated health care decision maker with at least one opportunity to designate at least one caregiver following the patient's entry into a hospital, prior to the patient's discharge or transfer to another facility, in a timeframe that is consistent with the discharge planning process.

(a) If the patient is unconscious or otherwise incapacitated upon his or her entry into a hospital, the hospital shall provide such patient or his or her legally designated health care decision maker with an opportunity to designate a caregiver within 24 hours following the patient's recovery of his or her consciousness or capacity.

(b) If the patient or the patient's legally designated health care decision maker declines to designate a caregiver, the hospital shall promptly document this in the patient's medical record, and the hospital shall be deemed to have complied with the provisions of RSA 151:43.

(c) If the patient or the patient's legally designated health care decision maker designates an individual as a caregiver:

(1) The hospital shall promptly request the written consent of the patient or the patient's legally designated health care decision maker to release medical information to the patient's designated caregiver following the hospital's established procedures for releasing personal health information and in compliance with all federal and state laws. If the patient or the patient's legally designated health care decision maker declines to consent to release medical information to the patient's designated caregiver, the hospital shall not be required to provide notice to the caregiver under RSA 151:44 or provide information contained in the patient's discharge plan under RSA 151:45.

(2) The hospital shall record the patient's designation of caregiver, the relationship of the designated caregiver to the patient, and the name, telephone number, and address of the patient's designated caregiver in the patient's medical record.

(d) A patient may elect to change his or her designated caregiver at any time, and the hospital shall record this change in the patient's medical record.

II. A designation of a caregiver by a patient or a patient's legally designated health care decision maker under this section shall not obligate any individual to perform any after-care tasks for any patient.

III. This section shall not be construed to require a patient or a patient's legally designated health care decision maker to designate any individual as a caregiver.

151:44 Notice to Designated Caregiver. A hospital shall notify the patient's designated caregiver of the patient's discharge or transfer to another hospital or facility as soon as possible, and in any event, upon issuance of a discharge order by the physician or APRN responsible for the patient's transfer to another facility.

151:45 Instruction to Designated Caregiver, Rulemaking.

I. As soon as possible, the hospital shall consult with the designated caregiver and the patient regarding the caregiver's capabilities and limitations and issue a discharge plan that describes a patient's after-care needs at his or her residence. At minimum, a discharge plan shall include:

(a) The name and contact information of the caregiver;

(b) A description of all after-care tasks necessary to maintain the patient's ability to reside at home, taking into account the capabilities and limitations of the caregiver; and

(c) Contact information for any health care, community resources, and long-term services and supports necessary to successfully carry out the patient's discharge plan.

II. The hospital issuing the discharge plan shall provide caregivers with instruction in all after-care tasks described in the discharge plan.

(a) At minimum, such instruction shall include:

(1) A live demonstration of the tasks performed by a hospital employee authorized to perform the after-care task, provided in a culturally competent manner and in accordance with the hospital's requirements to provide language access services under state and federal law.

(2) An opportunity for the caregiver to ask questions about the after-care tasks.

(3) Answers to the caregiver's questions provided in a culturally competent manner and in accordance with the hospital's requirements to provide language access services under state and federal law.

(b) Any instruction required under this paragraph shall be documented in the patient's medical record, including, at minimum, the date, time, and contents of the instruction.

III. The commissioner of the department of health and human services shall adopt rules, pursuant to RSA 541-A, relative to:

(a) Procedures to designate and change a caregiver under RSA 151:43.

(b) Other matters necessary to effectuate the scope of this subdivision.

151:46 Applicability; Limitations; Discharge or Transfer of Patient Unaffected.

I. Nothing in this subdivision shall be construed to create a private right of action against a hospital, a hospital employee, duly authorized agent of the hospital, or to otherwise supersede or replace existing rights or remedies under any other provision of law.

II. Nothing in this subdivision shall be construed to interfere with the rights of an agent operating under a valid advance directive under RSA 137-J.

III. Nothing in this subdivision shall delay medical care, or the discharge of a patient, or the transfer of a patient from a hospital to another facility

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

2015-0836s

AMENDED ANALYSIS

This bill allows a patient or a patient's legally designated health care decision maker to designate a caregiver upon entry to a hospital. Under this bill the hospital shall instruct the caregiver or legally designated health care decision maker relative to the after-care of a patient. The commissioner of the department of health and human services is granted rulemaking authority for the purposes of the bill.

JUDICIARY

SB 19, relative to the payment of restitution among and between co-defendants. Ought to Pass with Amendment, Vote 5-0. Senator Daniels for the committee.

This bill deals with the payment of restitution to victims and makes the system more fair. The amendment merely changes that any excess moneys shall go to the already established Abandoned Property section in RSA 471-C instead of the Victims Assistance Fund. This change was included as a recommendation of the Association of Criminal Defense Lawyers.

Senate Judiciary
 March 10, 2015
 2015-0811s
 10/05

Amendment to SB 19

Amend RSA 651:63-a as inserted by section 1 of the bill by replacing it with the following:

651:63-a Payment of Restitution Among and Between Co-Defendants. The department of corrections shall collect restitution from co-defendants in an action who are ordered to pay restitution until the total amount of restitution is paid in full. The restitution for each defendant shall be joint and several. However, the restitution shall be proportioned among the defendants based on the number ordered to pay restitution so that if a defendant pays an amount in excess of his or her proportion, the department of corrections shall reimburse the defendant the amount of the overpayment from payments made by the co-defendants who are required to pay their proportions of the restitution. Payment to a defendant shall occur only after the victim is paid in full. A defendant shall be responsible for informing the department of any change of address. If any reimbursement to a defendant is returned to the department, the defendant shall be deemed to have waived his or her right to the reimbursement and the commissioner of the department of corrections shall pay the balance to the state treasurer to be held as abandoned property pursuant to RSA 471-C.

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

Ought to Pass, Vote 5-0.

Senator Pierce for the committee.

This bill corrects statutory language to reflect the current configuration of the Hampton and Exeter District Divisions of the Circuit Court.

PUBLIC AND MUNICIPAL AFFAIRS

SB 148, relative to the shellfish inspection program. Ought to Pass, Vote 5-0. Senator Boutin for the committee.

This bill is at the request of the Department of Health and Human Services and makes certain changes in the shellfish inspection program to conform to federal law. The Committee believes it is essential that we ensure our fishermen are able to continue selling shellfish products across state lines.

TRANSPORTATION

SB 252, establishing a committee to study a number plate commemorating Laconia Motorcycle Week. Ought to Pass, Vote 5-0. Senator Birdsall for the committee.

This bill establishes a committee to study a number plate commemorating Laconia Motorcycle Week. This legislation will act as the first step toward observing this great tradition and the positive contributions it has provided our state for nearly 92 years; an accomplishment the committee was proud to support.

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

REGULAR CALENDAR REPORTS

COMMERCE

SB 45, relative to opioid treatment agreements under workers' compensation law.

Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Commerce
 March 11, 2015
 2015-0819s
 01/08

Amendment to SB 45

Amend the bill by replacing section 1 with the following:

1 New Sections; Workers' Compensation; Opioid Treatment Agreement Required. Amend RSA 281-A by inserting after section 23-b the following new sections:

281-A:23-c Opioid Treatment Agreement.

I. Benefits under this chapter shall not be paid for the use of opioids for more than 90 days within any 6-month period unless the treating health care provider and patient enter into an opioid treatment agreement. The agreement shall include, but not be limited to:

- (a) The medical basis for the use of opioids.
- (b) A statement of the risks and potential side effects of long-term use of opioids.
- (c) The employee's agreement to seek opioids only from the health care provider with whom the agreement is made and to not share the medication with others.
- (d) The name of the single pharmacy at which the prescription will be filled.
- (e) The employee's agreement to forego controlled substances not included in the pain management agreement.
- (f) Permission for the health care provider to conduct random drug tests to verify the proper use of the prescription.
- (g) A statement of the consequences of violating the agreement, including that if the patient breaches the agreement, the physician may stop prescribing the pain-control medicines or terminate the physician-patient relationship.
- (h) Any other provisions to which the employee and the health care provider agree.

II. In this section, "opioid" means a medication prescribed by a health care provider for the relief of pain, including but not limited to hydrocodone, oxycodone, morphine, and codeine.

III. The employer or the employer's insurance carrier shall pay the cost of any drug testing necessary under the provisions of the opioid treatment agreement.

IV. The commissioner shall adopt an opioid treatment agreement form pursuant to RSA 281-A:60, I(a).

281-A:23-d Pharmacy Benefits Management Programs.

I. An employer, employer's insurance carrier, or self-insurer which is subject to the provisions of this chapter may satisfy the requirements and provisions of RSA 281-A:23 with respect to the employee's rights to medicine under that section by providing a pharmacy benefits management program which has been approved by the commissioner.

II. A pharmacy benefits management program shall not be approved unless the commissioner finds that:

- (a) The program provides for educating the injured employee about the proper use of the network to obtain medicines.
- (b) The program is sufficiently comprehensive with respect to geography, and has live assistance available by phone and the Internet at all times.
- (c) The program allows the injured employee to obtain medicines outside the program if the necessary medicine cannot be provided within the program, or if emergency circumstances prohibit the use of the program, or in such other circumstances as the commissioner may find.
- (d) The program includes a process for determining professional qualifications of pharmacies in the program.
- (e) The program provides for acceptable quality assurance measures.
- (f) The program is accredited by the Utilization Review Accreditation Committee (URAC) organization or an equivalent organization.
- (g) The program does not require the injured worker to obtain medicines by mail, except at the employee's option.
- (h) The program provides that a first fill of medicine prescribed at initial treatment made through the program is at no cost to the injured employee.

III. In addition to approval by the commissioner as required under paragraph II, approval of a pharmacy benefits management program shall require an affirmative vote of ratification of such approval by the advisory council on workers' compensation, established under RSA 281-A:62, in the same manner as approval of managed care programs under RSA 281-A:23-a. Such approval shall expire in 5 years and be subject to re-approval.

IV. Every pharmacy benefits management program shall be subject to the same oversight

2015-0819s

AMENDED ANALYSIS

This bill requires an injured worker and his or her treating health care provider to enter into an opioid treatment agreement outlining the procedures for opioid use under workers' compensation.

This bill also authorizes an employer, employer's insurance carrier, or self-insurer to satisfy an injured employee's rights to medicine under workers' compensation law by establishing a pharmacy benefit program under certain circumstances.

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

Sen. Bradley offered a floor amendment.

Sen. Bradley, Dist. 3

March 16, 2015

2015-0924s

01/04

Floor Amendment to SB 45

Amend the bill by replacing section 1 with the following:

1 New Section; Workers' Compensation; Opioid Treatment Agreement Required. Amend RSA 281-A by inserting after section 23-b the following new section:

281-A:23-c Opioid Treatment Agreement.

I. Benefits under this chapter shall not be paid for the use of opioids for more than 90 days within any 6-month period unless the treating health care provider and patient enter into an opioid treatment agreement. The agreement shall include, but not be limited to:

- (a) The medical basis for the use of opioids.
- (b) A statement of the risks and potential side effects of long-term use of opioids.
- (c) The employee's agreement to seek opioids only from the health care provider with whom the agreement is made and to not share the medication with others.
- (d) The name of the single pharmacy at which the prescription will be filled.
- (e) The employee's agreement to forego controlled substances not included in the pain management agreement.
- (f) Permission for the health care provider to conduct random drug tests to verify the proper use of the prescription.
- (g) A statement of the consequences of violating the agreement, including that if the patient breaches the agreement, the physician may stop prescribing the pain-control medicines or terminate the physician-patient relationship.
- (h) Any other provisions to which the employee and the health care provider agree.

II. In this section, "opioid" means a medication prescribed by a health care provider for the relief of pain, including but not limited to hydrocodone, oxycodone, morphine, and codeine.

III. The employer or the employer's insurance carrier shall pay the cost of any drug testing necessary under the provisions of the opioid treatment agreement.

IV. The commissioner shall adopt an opioid treatment agreement form pursuant to RSA 281-A:60, I(a).

2015-0924s

AMENDED ANALYSIS

This bill requires an injured worker and his or her treating health care provider to enter into an opioid treatment agreement outlining the procedures for opioid use under workers' compensation.

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 137, relative to cost-sharing parity for oral anti-cancer therapies. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Commerce

March 11, 2015

2015-0821s

01/04

Amendment to SB 137

Amend RSA 415:6-t as inserted by section 1 of the bill by replacing it with the following:

415:6-t Oral Anti-Cancer Therapies.

I. No insurer that issues or renews any individual policy, plan, or contract of accident or health insurance providing benefits for anti-cancer medications that are injected or intravenously administered by a health care provider and patient administered anti-cancer medications, including but not limited to those orally administered or self-injected, shall require a higher copayment, deductible, or coinsurance amount for patient administered anti-cancer medication than it requires for injected or intravenously administered anti-cancer medications, regardless of the formulation or benefit category determination by the policy or plan.

II. An insurer shall not comply with paragraph I by:

(a) Increasing the copayment, deductible, or coinsurance amount required for injected or intravenously administered anti-cancer medication that are covered under the policy or plan.

(b) Reclassifying benefits with respect to anti-cancer medications.

III. In this section, "anti-cancer medication" means drugs and biologics that are used to kill, slow, or prevent the growth of cancerous cells.

Amend RSA 415:18-y as inserted by section 2 of the bill by replacing it with the following:

415:18-y Oral Anti-Cancer Therapies.

I. No insurer that issues or renews any policy of group or blanket accident or health insurance providing benefits for anti-cancer medications that are injected or intravenously administered by a health care provider and patient administered anti-cancer medications, including but not limited to those orally administered or self-injected, shall require a higher copayment, deductible, or coinsurance amount for patient administered anti-cancer medication than it requires for injected or intravenously administered anti-cancer medications, regardless of the formulation or benefit category determination by the policy or plan.

II. An insurer shall not comply with paragraph I by:

(a) Increasing the copayment, deductible, or coinsurance amount required for injected or intravenously administered anti-cancer medication that are covered under the policy or plan.

(b) Reclassifying benefits with respect to anti-cancer medications.

III. In this section, "anti-cancer medication" means drugs and biologics that are used to kill, slow, or prevent the growth of cancerous cells.

Amend paragraph II of section 7 of the bill by replacing it with the following:

II. The remainder of this act shall take effect January 1, 2016.

2015-0821s

AMENDED ANALYSIS

This bill prohibits insurers providing benefits that cover expenses for intravenously administered, injected, and oral anti-cancer therapies from requiring an insured to pay a higher copayment, deductible, or coinsurance than for anti-cancer medications injected or intravenously administered by a health care provider.

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

Sen. Sanborn asserts Rule 6-25 on SB 137.

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

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

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

The following Senators voted No: (None)

Yeas: 23 - Nays: 0

Adopted, bill ordered to Third Reading.

Sen. Sanborn asserts Rule 6-25 on SB 137.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 164, relative to the independent investment committee in the New Hampshire retirement system. Inexpedient to Legislate, Vote 3-2. Senator Carson for the committee.

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

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

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, D'Allesandro, Fuller Clark.

Yeas: 14 - Nays: 10

Adopted.

SB 264, relative to tipped employees. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

Senate Executive Departments and Administration

March 11, 2015

2015-0833s

06/09

Amendment to SB 264

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

1 Minimum Hourly Rate; Tipped Employees. Amend the introductory paragraph of RSA 279:21 to read as follows:

279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than that set forth in the federal minimum wage law, as amended.

Tipped employees of a restaurant, hotel, motel, inn or cabin, **or ballroom** who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than 45 percent of the applicable minimum wage. If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum wage for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby shall be subject to the following exceptions:

2 New Paragraph; Minimum Wage Law; Definitions; Ballroom. Amend RSA 279:1 by inserting after paragraph XV the following new paragraph:

XVI. "Ballroom" means an indoor facility which has seating accommodations for at least 500 patrons, provides live entertainment, and is licensed by the New Hampshire liquor commission under RSA 178:22, V(c).

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

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.

FINANCE

SB 1-FN-A, reducing the rate of the business profits tax. Ought to Pass, Vote 4-2. Senator Little 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. Bradley, seconded by Sen. Forrester.

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, D'Allesandro, Fuller Clark.

Yeas: 14 - Nays: 10

Adopted.

Sen. Bradley moved to Lay on the Table SB 1-FN-A. Adopted.

SB 2-FN-A, reducing the rate of the business enterprise tax. Ought to Pass, Vote 4-2. Senator Little 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. 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, D'Allesandro, Fuller Clark.

Yeas: 14 - Nays: 10

Adopted.

Sen. Bradley moved to Lay on the Table SB 2-FN-A. Adopted.

SB 104-FN, relative to licensure of research organizations by the pharmacy board. Inexpedient to Legislate, Vote 3-2. Senator Little for the committee.

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

Sen. Little moved Ought to Pass.

Sen. Pierce offered a floor amendment.

Sen. Pierce, Dist. 5

March 18, 2015

2015-1012s

10/04

Floor Amendment to SB 104-FN

Amend the bill by replacing section 2 with the following and renumbering the existing sections 3-5 to read as 4-6, respectively:

2 New Paragraph; Rulemaking; Research Organizations. Amend RSA 318:5-a by inserting after paragraph IV-a the following new paragraph:

IV-b. The standards for licensure of research organizations.

3 Rulemaking; Research Organization. Amend RSA 318:5-a, VII to read as follows:

VII. The establishment of all fees and fines required under this chapter, including application fees for nonresidents. ***Fees for licensure of research organizations shall not be greater than the fees charged for registering pharmacies;***

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.

SB 114-FN, enabling a driver's license applicant to request that his or her license indicate that he or she has a medically recognized disorder. Inexpedient to Legislate, Vote 5-1. Senator Hosmer for the committee.

Sen. Bradley moved to Lay on the Table SB 114-FN. Adopted.

SB 125-FN, relative to certification and licensure for mold assessment or remediation services. Ought to Pass with Amendment, Vote 5-0. Senator Little for the committee.

Senate Finance
March 10, 2015
2015-0808s
08/01

Amendment to SB 125-FN

Amend RSA 310-C:2, I as inserted by section 2 of the bill by replacing it with the following:

I. No person shall perform residential mold remediation services for remuneration unless that person possesses a valid national third party certification for mold remediation and a valid mold remediation license for the state of New Hampshire or such person is working under the direct supervision of a person possessing a valid national third party certification for mold remediation and a valid mold remediation license for the state of New Hampshire.

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. Daniels and Avaré are in opposition to the motion of Ought to Pass with Amendment on SB 125-FN.

SB 132-FN, relative to dredging projects conducted by the Pease development authority division of ports and harbors. 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.

SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund. Ought to Pass with Amendment, Vote 3-2. Senator Reagan for the committee.

Senate Finance
March 10, 2015
2015-0805s
06/04

Amendment to SB 155-FN-A

Amend RSA 359-O:2 as inserted by section 1 of the bill by replacing it with the following:

359-O:2 FRM Recovery Fund Established.

I. There is hereby established the FRM recovery fund. The fund shall be nonlapsing and continually appropriated to the committee. The fund shall consist of moneys appropriated by the general court.

II. After deducting administrative costs, the fund shall be used for awarding recovery assistance pursuant to this chapter.

III. The total amount in the fund less costs of administration shall be distributed on a pro rata basis to qualifying claimants annually on December 31 until all such claims are satisfied.

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.

Sens. Morse and Forrester are in opposition to the motion of Ought to Pass with Amendment on SB 155-FN-A.

SB 195-FN, relative to the continuation of instruction in cursive handwriting and memorization of multiplication tables. Inexpedient to Legislate, Vote 3-1. Senator Reagan for the committee.

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

Sen. Stiles moved Ought to Pass.

Sen. Stiles offered a floor amendment.

Sen. Stiles, Dist. 24

March 16, 2015

2015-0922s

04/08

Floor Amendment to SB 195-FN

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

AN ACT encouraging instruction in cursive handwriting and memorization of multiplication tables.

Amend the bill by replacing section 1 with the following:

1 New Section; School Boards; Instruction in Cursive Handwriting and Memorization of Multiplication Tables.

Amend RSA 189 by inserting after section 11-b the following new section:

189:11-c Cursive Handwriting and Memorization of Multiplication Tables. The school board of each school district is encouraged to provide instruction in cursive handwriting and memorization of multiplication tables.

2015-0922s

AMENDED ANALYSIS

This bill encourages schools to provide instruction in cursive handwriting and the memorization of multiplication tables.

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.

Recess. Out of recess.

SPECIAL ORDER

Without objection the following bill was Special Ordered to the end of the regular calendar:

HEALTH AND HUMAN SERVICES

SB 105, revising the indoor smoking act.

HEALTH AND HUMAN SERVICES

SB 130, relative to participation in the immunization registry. Re-refer to committee, Vote 5-0. Senator Kelly for the committee.

Sen. Kelly moved to Lay on the Table SB 130. Adopted.

SB 162, prohibiting smoking in motor vehicles when a passenger under the age of 18 is in the vehicle. Inexpedient to Legislate, Vote 3-2. Senator Sanborn for the committee.

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

Sen. Forrester is in favor of the motion of Inexpedient to Legislate on SB 162.

JUDICIARY

CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government. Ought to Pass with Amendment, Vote 5-0. Senator Daniels for the committee.

Senate Judiciary

March 10, 2015

2015-0810s

06/01

Amendment to CACR 5

Amend the resolution by replacing paragraph I with the following:

I. That article 8 of the first part of the constitution be amended to read as follows:

[Art.] 8. [Accountability of Magistrates and Officers; Public's Right to Know.] All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive. To that end, the public's right of access to governmental proceedings and records shall not be unreasonably restricted. ***The public also has a right to an orderly, lawful, and accountable government. Therefore, any taxpayer in the jurisdiction of a taxing district shall have standing to petition the superior court to declare whether the taxing district has engaged in conduct in violation of a law, ordinance or constitutional provision. In such a case, a taxpayer shall not have to demonstrate that his or her personal rights were impaired or prejudiced beyond his or her status as a taxpayer.***

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending Article 8 of the first part of the constitution to read as follows:

[Art.] 8. [Accountability of Magistrates and Officers; Public's Right to Know.] All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive. To that end, the public's right of access to governmental proceedings and records shall not be unreasonably restricted. The public also has a right to an orderly, lawful, and accountable government. Therefore, any taxpayer in the jurisdiction of a taxing district shall have standing to petition the superior court to declare whether the taxing district has engaged in conduct in violation of a law, ordinance or constitutional provision. In such a case, a taxpayer shall not have to demonstrate that his or her personal rights were impaired or prejudiced beyond his or her status as a taxpayer."

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

Recess. Out of recess.

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

A roll call was requested.

The following Senators voted Yes: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Little, Sanborn, Kelly, Daniels, Avar, 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 by necessary 3/5 vote. Resolution ordered to Third Reading.

SB 184, adopting the Uniform Marital Property Act. Re-refer to committee, Vote 3-2. Senator Cataldo for the committee.

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

PUBLIC AND MUNICIPAL AFFAIRS

SB 241, relative to authorization for the town of Rindge to make capital expenditures from a trust fund. Ought to Pass with Amendment, Vote 4-1. Senator Stiles for the committee.

Public and Municipal Affairs

March 11, 2015

2015-0830s

10/04

Amendment to SB 241

Amend the bill by replacing section 1 with the following:

1 Town of Rindge; Trust Fund; Use of Principal; Vote Required. Amend 1957, 370:4 to read as follows:

370:4 Use of Principal. All or any part of the principal of said trust fund may be used and expended for a capital expenditure or capital improvement or the acquisition of property upon a vote at a town meeting by ballot of at least ~~[two-thirds]~~ **3/5** of the votes cast~~[, if the number of ballots cast shall be at least equal in number to one-half of the number of legal voters borne on the check-list of the town at the annual or biennial election next preceding the meeting at which such vote is taken].~~

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.

WAYS AND MEANS

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program. Ought to Pass, Vote 5-0. Senator Boutin 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. 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.

ENERGY AND NATURAL RESOURCES

SB 170, requiring the public utilities commission to ensure ratepayer protections with electric power suppliers. Ought to Pass with Amendment, Vote 4-1. Senator Fuller Clark for the committee.

Energy and Natural Resources

March 4, 2015

2015-0731s

06/03

Amendment to SB 170

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

1 New Section; Electric Utility Restructuring; Ratepayer Protections. Amend RSA 374-F by inserting after section 4 the following new section:

374-F:4-a Ratepayer Protection.

I. Within 60 days of the effective date of this section, the commission shall initiate a proceeding to develop rules to allow residential customers to choose how they receive bill notices from competitive electric suppliers and to implement the provisions of this section.

II. Within 120 days of the effective date of this section, the commission shall redesign its website to enable customers to compare pricing policies and charges and to require competitive electric suppliers to input such information. Such information shall be input no less frequently than once per month, unless there is no change in such information. Such redesign shall:

(a) Reflect the best practices of similar commission websites in other states and develop a process for removal of a competitive electric supplier's listings from such Internet website based on protocols established by the commission to ensure compliance with this section and to address customer complaints.

(b) Emphasize:

(1) Uniformity in the way competitive electric suppliers provide information for each category on the commission's website.

(2) Ease of use by customers.

(3) Ease of selecting and purchasing a specific contract from a competitive electric supplier shown on the commission's website.

(c) Include separate input boxes for the following information:

(1) A link to the provider's web page.

(2) Contract durations.

- (3) Whether the contract has variable or fixed rates, or both, and when such rates apply.
- (4) Cancellation charges.
- (5) Rates.
- (6) Other relevant information.

III. On or before July 1, 2017, and every 2 years thereafter, the commission shall review its website and ensure that the site remains an efficient tool for the comparison of pricing policies and charges among competitive electric suppliers.

IV. Unless the contract specifies a month-to-month variable rate, no competitive electric supplier shall charge a residential customer a variable rate, including during a contract term or following the expiration of a contract, without first providing written notification in a form approved by the commission of the nature of such variable rate 45 days prior to the commencement of the variable rate. The residential customer shall select the method of written notification at the time the contract is signed. Such customer shall have the option to change the method of notification at any time during the contract.

V. Competitive electric suppliers shall retain records of any of the notices required in this section for a period of not less than 2 years and shall make such records available to the commission upon its request.

2 Competitive Electricity Supplier Requirements. Amend RSA 374-F:7, III to read as follows:

III. The commission is authorized to assess fines against, ***order rescission of contracts with, order restitution from,*** revoke the registration of, and prohibit from doing business in the state, any competitive electricity supplier, ***including any aggregator or broker, which is found to have engaged in any unfair or deceptive acts or practices in the marketing, sale, or solicitation of electricity supply or related services,*** violates the requirements of this section or any other provision of this title applicable to competitive electricity suppliers ***or violates any rule adopted by the commission pursuant to paragraph I and RSA 374-F:4-a.***

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

2105-0731s

AMENDED ANALYSIS

This bill requires the public utilities commission to:

I. Redesign the commission's website.

II. Develop a summary of the terms and conditions of an electric generation service contract for residential customers.

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

Sen. Feltes asserts Rule 6-25 on SB 170.

Sen. Prescott offered a floor amendment.

Sen. Prescott, Dist. 23

Sen. Bradley, Dist 3

March 18, 2015

2015-1056s

06/05

Floor Amendment to SB 170

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

AN ACT requiring the public utilities commission to ensure ratepayer protections with electric power suppliers and extending the time for the site evaluation committee to adopt certain rules.

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

1 New Section; Electric Utility Restructuring; Ratepayer Protections. Amend RSA 374-F by inserting after section 4 the following new section:

374-F:4-a Ratepayer Protection.

I. Within 60 days of the effective date of this section, the commission shall initiate a proceeding to develop rules to allow residential and small commercial customers to choose how they receive bill notices from competitive electric suppliers and to implement the provisions of this section.

II. Within 120 days of the effective date of this section, the commission shall redesign its website to enable residential and small commercial customers to compare standard pricing policies and charges and to require competitive electric suppliers to input such information. Such information shall be input no less frequently than once per month, unless there is no change in such information. Such redesign shall:

(a) Reflect the best practices of similar commission websites in other states and develop a process for removal of a competitive electric supplier's listings from such Internet website based on protocols established by the commission to ensure compliance with this section and to address customer complaints.

(b) Emphasize:

(1) Uniformity in the way competitive electric suppliers provide information for each category on the commission's website.

(2) Ease of use by customers.

(3) Ease of selecting and purchasing a specific contract from a competitive electric supplier shown on the commission's website.

(c) Include separate input boxes for the following information:

(1) A link to the provider's web page.

(2) Contract durations.

(3) Whether the contract has variable or fixed rates, or both, and when such rates apply.

(4) Cancellation charges.

(5) Rates.

(6) Other relevant information.

III. On or before July 1, 2017, and every 2 years thereafter, the commission shall review its website and ensure that the site remains an efficient tool for the comparison of pricing policies and charges among competitive electric suppliers.

IV. Unless the contract specifies a month-to-month variable rate, no competitive electric supplier shall charge a residential customer a variable rate, including during a contract term or following the expiration of a contract, without first providing written notification in a form approved by the commission of the nature of such variable rate 45 days prior to the commencement of the variable rate. The residential customer shall select the method of written notification at the time the contract is signed. Such customer shall have the option to change the method of notification at any time during the contract.

V. Competitive electric suppliers shall retain records of any of the notices required in this section for a period of not less than 2 years and shall make such records available to the commission upon its request.

2 Competitive Electricity Supplier Requirements. RSA 374-F:7, III is repealed and reenacted to read as follows:

III. The commission may assess fines against, revoke the registration of, order the rescission of contracts with residential customers of, order restitution to the residential customers of, and prohibit from doing business in the state any competitive electricity supplier, including any aggregator or broker, which:

(a) Is found to have engaged in any unfair or deceptive acts or practices in the marketing, sale, or solicitation of electricity supply or related services;

(b) Violates the requirements of this section or any other provision of this title applicable to competitive electricity suppliers; or

(c) Violates any rule adopted by the commission pursuant to paragraph V and RSA 374-F:4-a.

3 Energy Facility Evaluation Siting, Construction and Operation; Rules. Amend RSA 162-H:10, VII to read as follows:

VII. As soon as practicable but no later than ~~[July 1]~~ **November 1**, 2015, the committee shall adopt rules, pursuant to RSA 541-A, relative to the organization, practices, and procedures of the committee and criteria for the siting of energy facilities, including specific criteria to be applied in determining if the requirements of RSA 162-H:16, IV have been met by the applicant for a certificate of site and facility. Prior to the adoption of such rules, the office of energy and planning shall hire and manage one or more consultants to conduct a public stakeholder process to develop recommended regulatory criteria, which may include consideration of issues identified in attachment C of the 2008 final report of the state energy policy commission, as well as others that may be identified during the stakeholder process.

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

2015-1056s

AMENDED ANALYSIS

This bill requires the public utilities commission to:

I. Redesign the commission's website.

II. Develop a summary of the terms and conditions of an electric generation service contract for residential customers.

III. Extends the time for the site evaluation committee to adopt rules relative to criteria for the siting of energy facilities.

The Chair ruled Floor Amendment 1056s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Floor Amendment 1056s to SB 170. Adopted by the necessary 2/3 vote.

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

Sen. Feltes asserts Rule 6-25 on SB 170.

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 170.

HEALTH AND HUMAN SERVICES

SB 105, revising the indoor smoking act. Inexpedient to Legislate, Vote 3-2. 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 SB 105.

Sen. Carson moved Ought to Pass.

Sen. Carson offered a floor amendment.

Sen. Carson, Dist. 14

Sen. Pierce, Dist. 5

March 19, 2015

2015-1061s

01/04

Floor Amendment to SB 105

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

AN ACT relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act.

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

1 Youth Access to Tobacco Products; Child Resistant Packaging; Definitions. Amend RSA 126-K:2, I to read as follows:

I. ***"Child-resistant packaging" means any nicotine liquid container that is sold at retail in this state that satisfies the child-resistant effectiveness standards set forth in 16 C.F.R. section 1700.15(b), as in effect on the effective date of this paragraph, when tested in accordance with the method described in 16 C.F.R. section 1700.20, as in effect on the effective date of this paragraph.***

I-a. “Cigarette” means any roll for smoking made wholly or in part of tobacco, and wrapped in any material except tobacco.

2 New Paragraph; Youth Access to Tobacco Products; Definitions. Amend RSA 126-K:2 by inserting after paragraph V the following new paragraph:

V-a. “Nicotine liquid container” means a bottle or other container of nicotine liquid or other substance containing nicotine that is sold, marketed, or intended for use in a vapor product. “Nicotine liquid container” shall not include liquid nicotine in a cartridge that is sold, marketed, or intended for use in an electronic nicotine delivery system or electronic system, provided that such cartridge is prefilled and sealed by the manufacturer, and not intended to be opened by the consumer.

3 New Subdivision; Youth Access to Tobacco Products; Child Resistant Packaging. Amend RSA 126-K by inserting after section 19 the following new subdivision:

Child-Resistant Packaging

126-K:20 Child- Resistant Packaging.

I. No person shall manufacture, sell, or otherwise introduce in New Hampshire any nicotine liquid container unless that container constitutes child-resistant packaging.

II. Any person that engages in retail sales of nicotine liquid containers in violation of this subdivision is guilty of a class A misdemeanor.

4 Applicability. The provisions of RSA 126-K:20 as inserted by section 3 of this act shall be null, void and of no force and effect, upon the effective date of the final regulation issued by the United States Food and Drug Administration or from any other federal agency, where such regulation mandates child-resistant effectiveness standards for liquid nicotine containers as certified by the commissioner of the department of health and human services to the secretary of state and the director of legislative services.

5 Committee Established. There is established a committee to study revising the indoor smoking act.

6 Membership and Compensation.

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

(a) Two members of the senate who shall be members of the senate health and human services committee, appointed by the president of the senate.

(b) Three members of the house of representatives who shall be members of the house health, human services and elderly affairs committee, 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.

7 Duties.

I. The committee shall study revising the indoor smoking act including, but not limited to, adding e-cigarettes to the scope of the indoor smoking act and aligning current state law and regulations to current scientific and evidence-based research and findings to promote the protection of New Hampshire’s citizens from the deleterious effects of second-hand smoke in places accessible to the public. The committee shall study any other issue that the committee deems relevant to its objective.

II. The committee shall solicit the advice or testimony of the department of health and human services, division of public health services and any organization or individual with information or expertise relevant to its study.

8 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 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.

9 Report. 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 November 1, 2015.

10 Effective Date.

I. Sections 1-4 of this act shall take effect January 1, 2016.

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

2015-1061s

AMENDED ANALYSIS

This bill requires child-resistant packaging of certain products containing nicotine.

This bill also establishes a study committee to study revising the indoor smoking act.

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.

MOTION TO REMOVE FROM THE TABLE

Sen. Bradley moved to remove SB 67 from the table. Adopted.

HEALTH AND HUMAN SERVICES

SB 67, establishing a committee to study opioid misuse in New Hampshire. Re-refer to Committee, Vote 2-0. Senator Sanborn for the committee.

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

Sen. Carson moved Ought to Pass.

Sen. Carson offered a floor amendment.

Sen. Carson, Dist. 14

March 18, 2015

2015-1034s

09/01

Floor Amendment to SB 67

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

AN ACT establishing a commission to study opioid misuse in New Hampshire.

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

1 Statement of Purpose and Findings.

I. The general court finds that the use and misuse of prescription pain drugs and opioids has become a significant problem in our state and the general court is charged with working to solve this devastating problem.

II. Therefore, the general court hereby establishes a commission to study ways to reduce opioid use through education, increase enforcement, stronger punitive penalties for those convicted of illegal drug distribution and concurrently support patient access to and use of appropriate pain treatments, including non-opioid and abuse deterrent formulation opioid therapies.

2 New Subdivision; Commission to Study Opioid Misuse in New Hampshire. Amend RSA 126-A by inserting after section 67 the following new subdivision:

Commission to Study Opioid Misuse in New Hampshire

126-A:68 Commission Established. There is established a commission to study opioid misuse in New Hampshire.

I.(a) The members of the commission shall be as follows:

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

(2) Four members of the house of representatives, one member shall be from the house health, human services, and elderly affairs committee, one member shall be from the house criminal justice and public safety committee, and one member shall be from the house education committee, appointed by the speaker of the house of representatives.

(3) The commissioner of the department of corrections, or designee.

(4) The commissioner of the department of education, or designee.

- (5) The commissioner of the department of safety, or designee.
- (6) The attorney general, or designee.
- (7) The president of the New Hampshire Association of Chiefs of Police, or designee.
- (8) The administrator of the bureau of drug and alcohol services, department of health and human services, or designee.
- (9) The director of the bureau of behavioral health, department of health and human services, or designee.
- (10) One member appointed by the New Hampshire Association of Chiefs of Police.
- (11) A representative of the New Hampshire Hospital Association, appointed by the association.
- (12) A representative of a drug court, appointed by the chief justice of the supreme court.
- (13) A representative of the National Alliance on Mental Illness, appointed by the alliance.
- (14) A representative of the Partnership for a Drug Free New Hampshire, appointed by that organization.
- (15) A New Hampshire judge, appointed by the chief justice of the supreme court.
- (16) One member appointed by the New Hampshire School Boards Association.
- (17) A representative of New Futures, appointed by the organization.
- (18) One member appointed by the Hudson Merrimack River Medical Services.

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

II.(a) The commission shall study opioid misuse and substance abuse and treatment in New Hampshire. The commission's study shall include, but not be limited to, ways to support patient access to and use of appropriate pain treatments, treatment of substance abuse and addiction to opioids and other drugs, including non-opioid and abuse deterrent formulation opioid therapies. The commission shall also make recommendation on enhanced penalties for persons convicted of drug dealing and distribution. The commission shall also consider and review prescription drug use and abuse in the workers' compensation system and consider mandatory drug testing after continual use of an opioid drug if used for more than 90 days. The commission shall also consider requiring that anyone on long-term use of opioids enter into an opioid treatment agreement with the prescribing health care provider.

(b) The commission shall solicit information from health care providers, drug addiction counselors, patients, and any other person or entity the commission deems relevant to its study.

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

IV. 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, 2015.

3 Repeal. RSA 126-A:68, relative to a commission to study opioid misuse in New Hampshire, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect November 1, 2015.

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

2015-1034s

AMENDED ANALYSIS

This bill establishes a commission to study opioid misuse in New Hampshire.

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.

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 170.

Sen. Sanborn: SB 137.

ANNOUNCEMENTS

(The Chair recognized Sen. D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Mister President, a point of personal privilege, please? On St. Patrick's day, at an event in Salem, New Hampshire, Senator Morse and I attended this event. One of our former colleagues, Michael Downing, received the Ganley award; an award for civic engagement, civic responsibility and commitment to his community. I think Senator Prescott was also at that event. Michael Downing sat in a chair next to me both in the House of Representatives and in the Senate. He is truly, truly a great American. Mike is a terrific family man; he's a terrific public servant, and he really does outstanding work. I think the crowd at the event clearly was responsive to Mike for receiving the award; that very evidence of his commitment to public service. Mike Downing is a really, really super guy. As I said, served in both bodies, is now the current Sheriff of Rockingham County. He was there with his father, a former New Hampshire State Senator, Bill Downing, who served in this body in the early 1970's and was a state employee after that. But, indeed, Mike was surrounded by his family. And it was a great tribute for Mike, but it was a great tribute for us—and I mean Senator Morse, myself, Senator Prescott to be there, to share, to share in this. You know, as I've said on a number of times before this body, there are times when you get an award, but it's long after you're gone. It's nice to see somebody get it when they're there to receive it, and they can enjoy it, their family can enjoy it, and we could enjoy being there, and being a participant in this great event. Thank you, Mister President.

(The Chair recognized Sen. Little.)

SENATOR LITTLE: Personal privilege, please? I would like to echo Senator D'Allesandro's comments about Senator Downing. I would like to add, I'm wearing a special tie today. This is a breast cancer awareness tie, and it's the only one I could think to put on. A personal friend of mine, Lauren Carney, is at Dartmouth Hitchcock Medical Center right now having surgery to remove a brain tumor, and I wanted to remember her and think about her. And I just wanted my thoughts, and prayers, and wishes for her successful surgery, and a speedy recovery in the record. Thank you.

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

LATE SESSION

Third Reading and Final Passage

CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

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

SB 45, relative to opioid treatment agreements under workers' compensation law.

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

SB 104-FN, relative to licensure of research organizations by the pharmacy board.

SB 105, relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act.

SB 112, requiring the Medicaid managed care program to cover telemedicine services

SB 125-FN, relative to certification and licensure for mold assessment or remediation services.

SB 132-FN, relative to dredging projects conducted by the Pease development authority division of ports and harbors.

SB 137, relative to cost-sharing parity for oral anti-cancer therapies.

SB 148, relative to the shellfish inspection program.

SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

SB 170, requiring the public utilities commission to ensure ratepayer protections with electric power suppliers and extending the time for the site evaluation committee to adopt certain rules.

SB 186, reestablishing the commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund.

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

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

SB 241, relative to authorization for the town of Rindge to make capital expenditures from a trust fund.

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

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

SB 254, establishing a committee to study the provision of services to the public through peer-to-peer or sharing economy businesses.

SB 255, establishing a low-wage service worker task force.

SB 264, relative to tipped employees.

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program.

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.