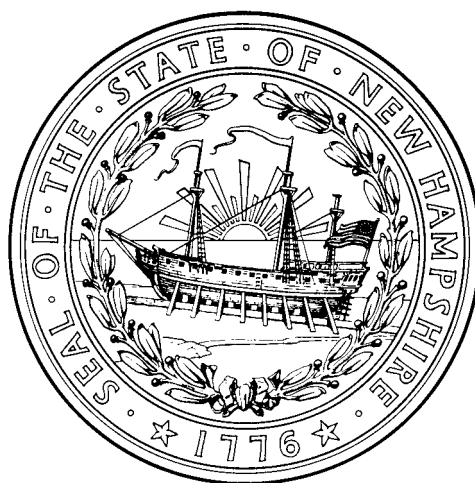


**March 31, 2016
Nos. 10-11**

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MARCH 24, 2016 SESSION
COMMENCEMENT – MARCH 31, 2016 SESSION**

SENATE JOURNAL 10 *(continued)*

March 24, 2016

INTRODUCTION OF LEGISLATION

Senator Bradley offered the following Resolution:

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

First and Second Reading and Referral

HB 280-FN, (New Title) authorizing multi-use decal plates, multi-use veterans decal plates, and relative to special motorcycle number plates for disabled veterans. (Transportation)

HB 602-FN, relative to the use of drones. (Judiciary)

HB 626-FN-A, (New Title) authorizing energy infrastructure development and designating energy infrastructure corridors and requiring the department of transportation to adopt an updated and revised utility accommodation manual. (Energy and Natural Resources)

HB 636-FN, relative to forfeiture of property. (Judiciary)

HB 1130, (New Title) relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service. (Education)

HB 1144-LOCAL, relative to notice for sessions of correction of the check list. (Public and Municipal Affairs)

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders. (Judiciary)

HB 1182-FN, (New Title) establishing a committee to study fees for sales of wine by manufacturers. (Commerce)

HB 1229, prohibiting the inclusion of statewide assessment results in a student's transcript without consent. (Education)

HB 1231, relative to school district policy regarding objectionable course material. (Education)

HB 1292, relative to the use of abandoned agricultural property. (Executive Departments and Administration)

HB 1298, relative to damage to private property. (Judiciary)

HB 1300, relative to the content of patriotic exercises in public schools. (Education)

HB 1338, relative to student exemption from the statewide assessment. (Education)

HB 1404-FN, relative to certain director positions in the insurance department. (Executive Departments and Administration)

HB 1497, relative to the limits on disclosure of information used on college entrance exams. (Education)

HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor. (Finance)

HB 1531, permitting the legislature to open the state house on weekends. (Executive Departments and Administration)

HB 1553-FN, transferring the administration of the telecommunications accounting unit. (Executive Departments and Administration)

HB 1584-FN, (New Title) relative to the discharge of a person committed for nonpayment of a fine. (Judiciary)

HB 1590-FN-A-LOCAL, relative to the regulation and taxation of short-term rental businesses. (Ways and Means)

HB 1594-FN, relative to emergency medical services. (Executive Departments and Administration)

HB 1637-FN, relative to school attendance in towns with no public schools. (Education)

HB 1644-FN, (New Title) relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education. (Education)

HB 1655-FN, (Second New Title) relative to the municipal registration fee for an agricultural/industrial utility vehicle. (Transportation)

HB 1660-FN-LOCAL, relative to eminent domain for gas pipelines and relative to assessment of the land use change tax for eminent domain takings for energy infrastructure. (Energy and Natural Resources)

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation. (Health and Human Services)

HB 1681-FN, (New Title) relative to hypodermic syringes and needles containing residual amounts of controlled drugs. (Judiciary)

HB 1685-FN, (New Title) relative to mortgage bankers, brokers, and servicers. (Commerce)

HB 1695-FN, (Second New Title) relative to a health system public data resource plan for New Hampshire and establishing a special fund and relative to cost effectiveness of programs implemented within state agencies. (Health and Human Services)

March 18, 2016
2016-1100-EBA
04/01

Enrolled Bill Amendment to SB 110-FN

The Committee on Enrolled Bills to which was referred SB 110-FN

AN ACT establishing the administrative supervision act.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 110-FN

This enrolled bill amendment rennumbers the RSA chapter inserted in the bill to avoid a conflict with existing law and amends the effective date from January 1, 2016 to January 1, 2017.

Enrolled Bill Amendment to SB 110-FN

Amend section 1 of the bill by replacing lines 1-4 with the following:

1 New Chapter; Administrative Supervision. Amend RSA by inserting after chapter 402-L the following new chapter:

CHAPTER 402-M

ADMINISTRATIVE SUPERVISION

Amend section 1 of the bill by replacing RSA 402-L:1-11 to read as RSA 402-M:1-11.

Amend RSA 402-M:6, I as inserted by section 1 of the bill by replacing line 1 with the following:

I. If placed under administrative supervision by an order issued pursuant to RSA 402-M:3,

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 2017.

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

March 29, 2016
2016-1212-EBA
05/10

Enrolled Bill Amendment to SB 238-FN

The Committee on Enrolled Bills to which was referred SB 238-FN

AN ACT relative to the workers' compensation appeals board.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 238-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 238-FN

Amend the bill by replacing section 3 with the following:

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

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

March 22, 2016
2016-1121-EBA
03/04

Enrolled Bill Amendment to SB 380

The Committee on Enrolled Bills to which was referred SB 380

AN ACT establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 380

This enrolled bill amendment makes technical corrections to clarify certain provisions of the bill.

Enrolled Bill Amendment to SB 380

Amend RSA 485-F:4, I(e) as inserted by section 2 of the bill by replacing it with the following:

(e) The director of the division of public health services, department of health and human services, or designee.

Amend RSA 485-F:4, IV as inserted by section 2 of the bill by replacing line 2 with the following:

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

Amend RSA 485-F:4, VIII as inserted by section 2 of the bill by replacing line 3 with the following:

established under this chapter, and whether it continues to provide the maximum benefit to New

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

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled Senate Bill numbered 380.

Senator Prescott moved adoption of the Report of Committee on Enrolled Bills. Adopted.

Out of Recess. Call Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

Senator Bradley moved that the Senate adjourn from the Late Session.

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 11

March 31, 2016

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

The Reverend Jon Hopkins, chaplain to the Senate, offered the prayer.

Let's begin this morning with a moment of silence.

Dear God our Creator, giver of life and source of our freedom, we are reminded that the earth is not ours to keep but to manage as good stewards. We are mindful today that you call us to be the stewards of the abundance of the earth. Help us to be caretakers of all that you have entrusted to us; we have been trusted with great power to make laws, set budgets, and decide policy. Help us to be good stewards of that power; help us to use it for the good of all the citizens of New Hampshire. Help us to use our power to serve the greater good and not our individual agendas. We ask that you give us wisdom to use the resources of money wisely and soberly. We ask that we might manage well so that all the citizens of this great state will flourish and prosper. Help us always to use gifts wisely, and teach us to share them generously. Amen.

Senator Little led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

Senator Cataldo introduced a constituent visiting on the Senate Floor.

Senator Boutin introduced 4th grade students from Webster Elementary School in Manchester NH visiting in the gallery.

INTRODUCTION OF PAGES

Senator Forrester introduced Ambrose Bean from Inter-Lakes High School in Meredith serving as Senate Page for the day.

FN REPORT FOR MARCH 31, 2016

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

REGULAR CALENDAR:

ENERGY AND NATURAL RESOURCES

HB 1388-FN, expanding crossbow use into muzzleloader season.

Senator Forrester recommends the following bill be ordered to the Finance Committee upon being found Ought to Pass/Ought to Pass with Amendment:

REGULAR CALENDAR:

EDUCATION

HB 1408-FN, relative to a school building inventory.

Without objection, the FN Report is adopted.

CONSENT CALENDAR

Senator 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.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1315, adding mixed-use development to the definition of business and industrial facility. Ought to Pass, Vote 5-0. Senator Kelly for the committee.

This bill defines "business and industrial facility" under RSA 162-G to include property suitable for mixed-use development. This is simply a measure to clarify the definition within the RSAs to better serve our constituencies.

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

REGULAR CALENDAR

EDUCATION

HB 231, relative to the criteria for evaluating school building aid applications. Ought to Pass with Amendment, Vote 5-0. Senator Kelly for the committee.

Senate Education
March 22, 2016
2016-1118s
04/05

Amendment to HB 231

Amend the bill by replacing section 1 with the following:

1 School Building Aid; Approval of Plans. Amend RSA 198:15-c, II(b)(8) to read as follows:

(8) A school district which initiated and completed a locally funded school renovation project to remedy a safety condition identified by the state fire marshal on or before June 30, 2017 shall be eligible to include any corrected safety condition in a subsequent application for school

building aid submitted by the school district after June 30, 2017. This subparagraph shall not apply to a school district or a school that received state emergency funding or other state aid to remedy the safety condition on or before June 30, 2017.

(9) The project contributes to operational cost efficiencies, consolidation, or reduced property taxes.

(10) Any other criteria that the state board of education may determine are necessary.

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

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

HB 242, relative to the statewide improvement and assessment program. Ought to Pass, Vote 3-0. Senator Stiles for the committee.

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

HB 1145, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3. Ought to Pass, Vote 4-0. Senator Stiles for the committee.

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

HB 1408-FN, relative to a school building inventory. Ought to Pass, Vote 3-2. Senator Watters for the committee.

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

Senator Avard, Carson, Daniels, Morse and Sanborn are in opposition to the motion of Ought to Pass on HB 1408-FN.

ENERGY AND NATURAL RESOURCES

HB 1171, relative to appeals heard by the waste management council. Ought to Pass, Vote 4-0. Senator Feltes for the committee.

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

HB 1355, relative to poultry producers exempted from meat inspection requirements. Ought to Pass, Vote 4-0. Senator Little for the committee.

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

HB 1388-FN, expanding crossbow use into muzzleloader season. Ought to Pass, Vote 4-0. Senator Sanborn for the committee.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1113, requiring a performance audit of the sex offender treatment program in the department of corrections. Inexpedient to Legislate, Vote 4-0. Senator Reagan for the committee.

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

Senator Sanborn is in opposition to the motion of Inexpedient to Legislate on HB 1113.

HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial.

Ought to Pass with Amendment, Vote 3-1. Senator Carson for the committee.

Senate Executive Departments and Administration

March 23, 2016

2016-1134s

04/05

Amendment to HB 1397

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

AN ACT establishing a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen.

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

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

- (a) Four members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) One member of the senate, appointed by the president of the senate.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the feasibility of making improvements to the Hannah Duston Memorial and make recommendations for establishing a public/private partnership to fund improvements and ongoing maintenance. The committee shall also study the feasibility of connecting a portion of the rail trail system in Boscawen near the site of the Hannah Duston Memorial. The committee may solicit testimony from any individual or organization with information or expertise relevant to the committee's study.

2016-1134s

AMENDED ANALYSIS

This bill establishes a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen.

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

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

Senator Morse is in opposition to the motion of Ought to Pass with Amendment on HB 1397.

HB 1418-L, relative to the minutes of nonpublic sessions of public bodies. Ought to Pass, Vote 4-0. Senator Soucy for the committee.

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

HB 1419, relative to voting records in nonpublic sessions of public bodies. Ought to Pass, Vote 4-0. Senator Reagan for the committee.

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

PUBLIC AND MUNICIPAL AFFAIRS

HB 110, relative to placement of political advertising. Inexpedient to Legislate, Vote 4-0. Senator Lasky for the committee.

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

HB 183, relative to voter registration forms. Interim Study, Vote 4-0. Senator Stiles for the committee.

The question is on the adoption of the motion of Interim Study. Adopted.

HB 295, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities. Ought to Pass, Vote 4-0. Senator Boutin for the committee.

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

WAYS AND MEANS

HB 1199, allowing adults to play children's bingo at private campgrounds or hotels. Ought to Pass, Vote 4-0. Senator D'Allesandro for the committee.

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

Recess. Out of recess.

ADDENDUM REGULAR CALENDAR

FINANCE

HB 1696-FN, requesting a modification of the New Hampshire health protection program. Ought to Pass, Vote 6-4. Senator Little for the committee.

Senator Sanborn moved to Lay on the Table HB 1696-FN.

A roll call was requested by Senator Sanborn, seconded by Senator Avarð.

The following Senators voted Yes: Forrester, Cataldo, Sanborn, Daniels, Avarð, Carson, Reagan, Birdsell, Prescott.

The following Senators voted No: Woodburn, Bradley, Watters, Pierce, Hosmer, Little, Kelly, Lasky, Feltes, Boutin, Soucy, D'Allesandro, Fuller Clark, Stiles, Morse.

Roll Call, Yeas: 9 - Nays: 15. Failed.

Senator Sanborn offered a floor amendment.

Sen. Sanborn, Dist 9

March 30, 2016

2016-1218s

01/09

Floor Amendment to HB 1696-FN

Amend RSA 126-A:5, XXX(a) as inserted by section 1 of the bill by deleting subparagraph (6).

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Sanborn, seconded by Senator Avarð.

The following Senators voted Yes: Forrester, Sanborn, Daniels, Avarð, Carson, Reagan, Birdsell.

The following Senators voted No: Woodburn, Bradley, Watters, Pierce, Cataldo, Hosmer, Little, Kelly, Lasky, Feltes, Boutin, Soucy, D'Allesandro, Fuller Clark, Prescott, Stiles, Morse.

Roll Call, Yeas: 7 - Nays: 17. Failed.

Senator Prescott offered a floor amendment.

Sen. Prescott, Dist 23

March 31, 2016

2016-1230s

01/09

Floor Amendment to HB 1696-FN

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

AN ACT requesting a modification of the New Hampshire health protection program and establishing a commission to study uncompensated care.

Amend RSA 126-A:5-c, VI as inserted by section 6 of the bill by replacing it with the following:

VI. The commissioner of the department of health and human services shall be responsible for determining, on a monthly basis commencing no later than June 30, 2016, whether there is sufficient funding for the next 180 days of the program in the New Hampshire health protection trust fund, established in RSA 126-A:5-b, to cover projected program costs for the non-federal share for the program. If at any time the commissioner determines that a projected shortfall exists for 2 consecutive months he or she shall terminate the program in accordance with paragraph III.

Amend the bill by replacing all after section 14 with the following:

15 New Section; Commission to Study Uncompensated Care. Amend RSA 126-A by inserting after section 126-A:5-e the following new section:

126-A:5-f Commission to Study Uncompensated Care.

I. There is hereby established a commission to study uncompensated care.

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

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

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(3) The commissioner of the department of health and human services, or designee.

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

(5) A representative of the New Hampshire Hospital Association, appointed by the association.

(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 uncompensated care. Specifically the commission shall determine:

(1) The portion of uncompensated care that is attributable to a Medicaid shortfall.

(2) The portion of uncompensated care that is attributable to a Medicare shortfall.

(3) The portion of uncompensated care that is attributable to bad debt.

(4) The portion of uncompensated care that is attributable to charity care.

(5) A recommendation for uniform definition of the term “uncompensated care.”

(b) The commission shall solicit information from any 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. Four 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 August 15, 2017.

16 Repeal. The following are repealed:

I. RSA 126-A:5-e, relative to the commission to evaluate the effectiveness and future of the premium assistance program.

II. RSA 126-A:5-f, relative to the commission to study uncompensated care.

17 Department of Health and Human Services; Premium Assistance Program. RSA 126-A:5, XXV(c) is repealed and reenacted to read as follows:

(c) If the waiver to implement the marketplace premium assistance program is approved on or before March 31, 2015 then, coverage under the voluntary bridge to marketplace premium assistance program established in RSA 126-A:5, XXIV shall terminate on December 31, 2015. Enrollment in the marketplace premium assistance program shall begin on October 15, 2015 and coverage shall begin on January 1, 2016. Coverage shall end on December 31, 2017. The cost of the medical assistance provided under the marketplace premium assistance program shall be paid solely from non-general fund sources, including federal funds as provided under 42 U.S.C. section 1396d(y).

18 Funding the State Share of the New Hampshire Health Protection Program. RSA 126-A:5-c, I-II are repealed and reenacted to read as follows:

I. In this section:

(a) “Program” means the New Hampshire health protection program under RSA 126-A:5, XXIV-XXV.

(b) “Remainder amount” means the cost of the program for coverage effective between January 1, 2017 and June 30, 2017 plus administrative costs attributable to the program, less all federal reimbursement for the program and federal reimbursement for the related administrative costs; and the cost of the program for coverage effective between July 1, 2017 and December 31, 2017, plus administrative costs attributable to the program, less all federal reimbursement for the program and federal reimbursement for administrative costs attributable to the program, and taxes attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIV-XXVI, consistent with RSA 400-A:32, III(b).

II. Funding for the program from January 1, 2017 until December 31, 2017 shall not be funded from general funds. The program shall be funded as follows:

- (a) Federal funds as made available by 42 U.S.C. section 1396d(y)(1).
- (b) Revenue generated under RSA 400-A:32, III(b).
- (c) Other non-general fund revenues.

19 Voluntary Provider Contributions. RSA 126-A:5-d is repealed and reenacted to read as follows:

126-A:5-d Voluntary Provider Contributions. For the period of January 1, 2017 through December 31, 2017, voluntary provider donations received from the Foundation for Healthy Communities or any other charitable foundation may be deposited into the New Hampshire health protection trust fund, established pursuant to RSA 126-A:5-b.

20 New Hampshire Health Protection Plan Extended. 2014, 3:10, I is repealed and reenacted to read as follows:

I.(a) If at any time the federal match rate applied to medical assistance for newly eligible adults under RSA 126-A:5, XXIV-XXV between July 1, 2014 – December 31, 2016 is less than 100 percent and less than 95 percent in 2017 of the amount as set forth in 42 U.S.C. section 1396d(y)(1), then RSA 126-A:5, XXIV and XXV shall be repealed 180 days after the event under this subparagraph occurs upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services. The commissioner shall immediately issue notice to program participants of the program's pending repeal.

21 New Hampshire Health Protection Plan Extended. 2014, 3:13, I-a is repealed and reenacted to read as follows:

I-a. Section 12, paragraphs II-VII of this act shall take effect December 31, 2017.

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

(g) If the waiver required under RSA 126-A:5, XXX(f) is not approved by the Centers for Medicare and Medicaid Services (CMS), the commissioner shall prepare a waiver or state plan amendment for submission to CMS which shall seek to provide coverage under this paragraph for persons up to 100 percent of the federal poverty level who are eligible under the New Hampshire health protection program, established in RSA 126-A:5, XXIV-XXV. The waiver shall include the requirements as set forth in RSA 126-A:5, XXX(a). Any such waiver or state plan amendment shall be in place by December 31, 2017 and shall continue until December 31, 2018. Prior to submitting the waiver or state plan amendment to the CMS, the commissioner shall present the waiver or state plan amendment to the fiscal committee of the general court for approval.

23 Contingency. If the waiver required under RSA 126-A:5, XXX(f) is not approved, then sections 17-22 of this act shall take effect November 2, 2016.

24 Effective Date.

- I. Section 2 of this act shall take effect July 1, 2017.
- II. Section 16, paragraph I of this act shall take effect December 1, 2017.
- III. Section 16, paragraph II of this act shall take effect August 15, 2017.
- IV. Sections 17-22 of this act shall take effect as provided in section 23 of this act.
- V. The remainder of this act shall take effect upon its passage.

2016-1230s

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to submit waivers or state plan amendments to modify the New Hampshire health protection program. The bill includes funding for such program by using moneys from the insurance premium tax, federal funds, and other non-general fund revenues. This bill allows veterans who are New Hampshire residents to receive services under the New Hampshire health protection program. If the original waiver is not approved, then this bill also requires the commissioner of health and human services to prepare and submit a waiver on or before December 31, 2017 to the Center for Medicare and Medicaid Services seeking to provide coverage under the Medicaid managed care program for persons up to 100 percent of the federal poverty level eligible under the New Hampshire health protection program. This bill also establishes a commission to study uncompensated care.

The question is on the adoption of the Floor Amendment.

Senator Prescott moved to divide the question on the Floor Amendment: Sections 17-23, and 24; Page 1, Line 6-12, and Section 24; Sections 15-16, and 24.

The Chair ruled the question divisible: Sections 17-23, and 24; Page 1, Line 6-12, and Section 24; Sections 15-16, and 24 .

The question is on the adoption of Sections 17-23, and 24.

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

The following Senators voted Yes: Avard, Prescott.

The following Senators voted No: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Little, Sanborn, Kelly, Daniels, Lasky, Carson, Feltes, Boutin, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Stiles, Morse.

Roll Call, Yeas: 2 - Nays: 22. Failed.

The question is on the adoption of Page 1, Line 6-12, and Section 24. Failed.

The question is on the adoption of Sections 15-16, and 24.

A roll call was requested by Senator Sanborn, seconded by Senator Avard.

The following Senators voted Yes: Sanborn, Daniels, Avard, Reagan, Birdsell, Prescott.

The following Senators voted No: Woodburn, Forrester, Bradley, Watters, Pierce, Cataldo, Hosmer, Little, Kelly, Lasky, Carson, Feltes, Boutin, Soucy, D'Allesandro, Fuller Clark, Stiles, Morse.

Roll Call, Yeas: 6 - Nays: 18. Failed.

The question is on the adoption of the motion of Ought to Pass.

A roll call was requested by Senator Boutin, seconded by Senator Avard.

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

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

Roll Call, Yeas: 16 - Nays: 8. Adopted, bill ordered to Third Reading.

HOUSE MESSAGE

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

SB 155-FN-A, establishing the FRM victims contribution recovery fund for victims of FRM fraud and continually appropriating a special fund.

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

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bills sent down from Senate:

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

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Fothergill, Kotowski, Sherman, and MacKay.

Senator Sanborn moved to accede to House request. Adopted.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

Senator Bradley moved, pursuant to Senate Rule 3-26, introduction of House Concurrent Resolution 12 requires a 2/3 vote and 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 title and referred to the therein designated committee. Adopted, by necessary 2/3 vote.

First and Second Reading and Referral

HCR 12, a resolution urging support of the 65/25 initiative in New Hampshire. (Rules, Enrolled Bills and Internal Affairs)

MOTION TO ADJOURN FROM EARLY SESSION

Senator 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 ANNOUNCEMENTS

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: Personal privilege is I might, Mister President? Mister President, I'd like to read an editorial that a close friend of many of ours, Charlie Arlinghaus wrote about the remarkable life of Joseph Petrone who passed away this week.

The biography of Joseph Petrone cannot be appreciated in short form and his true story comes [in] from his remarkable list of accomplishments and service but from the most important and enduring parts of his life.

Joseph Petrone passed away last week at the age of 93. The impossibility of summarizing his extraordinary life is revealed by one sentence written by someone who knew him well: "He lived an honorable and active life, as an Iowa farm boy, as a Lieutenant in Patton's 3rd Army in the Battle of the Bulge, as a White House Military Aide under Eisenhower, as Military Attaché in Paris, and Ambassador to the European Office of the UN in Geneva under Reagan and a treasured husband of 58 years.

A remarkable career is bookended by the two important facts that made someone remarkable into someone truly extraordinary.

Most of us in New Hampshire knew Joseph as a gentlemanly, old fashioned and unfailingly [cheery] man. His humility about his accomplishments betrayed the background he was so proud of as an Iowa farm boy. Many people knew little of his work but to learn about his resume [is] astonishing.

That he enlisted in the Iowa National Guard in 1938 shows a commitment to serve his country that takes on a different light when you realize he was just 15 years old at the time the guard enlistment official may have gotten the wrong impression about his age.

He graduated from West Point on D-Day and served on Patton's staff during the Battle of the Bulge. A summary of his military career is remarkable, extending from Patton to serving as White House aide under Eisenhower. He served in Puerto Rico, Iran, France, and Texas. He was in Georgia his division prepared for the potential invasion of Cuba during the Missile Crisis. Then he served in South Korea as military attaché to the U.S. Embassy in Paris.

Despite a career that saw him awarded battle stars from one of the most storied military units and receive decorations at the highest levels of our government and from governments in Europe, Joseph retained the humility and common sense of his Midwestern upbringing. You could easily know him for years without learning of his extraordinary military career and even then only learn of it from someone else.

Rather than resting after a long and distinguished military career, he had a strong career as a diplomat, serving on the delegation that took us out of UNESCO and [ended] up as ambassador to the United Nations in Geneva.

But inside the language of his biography you see his true calling.

His biographical sketch describes him as taking the ambassadorial appointment only "after caring for his wife through cancer and chemo." The most important clause in the short summary of his accomplishments is "treasured husband of 58 years."

All of us who know Joseph and Augusta Petrone know them not individually but as a unit, Joseph and Augusta Petrone. It's not possible to imagine him without her.

About 15 years ago, I somehow ended up on a bus with them. Asking them what was new, Joseph remarked that he was still the hired man at Knollwood Farm (which is their home in Dublin) so long as the lady of the house would keep him on. She grinned and said, "I think I'll keep him."

That's the Joseph I knew. No hint that he was one of the most accomplished men I'd ever met. Just a very pleasant, courtly gentleman, deeply infatuated with his wife.

Certainly his remarkable life should be [remembered] for all he accomplished, for his extraordinary commitment to service starting at age 15. But I think, perhaps, it is so much more.

His country and all of us should be grateful for his patriotism, but it isn't the first thing to think of when you remember Joseph Petrone. He knew, as so many of us struggle to remember, that whatever you do professionally, even when it is extraordinary as his record, [it] is not important as how you treat other people. I will always think of him as a pleasant, cheerful man holding the hand of his treasured wife of 58 years.

(Arlinghaus, Charles. "The remarkable life of Joseph Petrone." *Union Leader*. March 30, 2016.)

Thank you.

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

LATE SESSION

Third Reading and Final Passage

HB 231, relative to the criteria for evaluating school building aid applications.

HB 242, relative to the statewide improvement and assessment program.

HB 295, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities.

HB 1145, establishing a committee to study suspensions and expulsions in licensed preschools and in kindergarten through grade 3.

HB 1171, relative to appeals heard by the waste management council.

HB 1199, allowing adults to play children's bingo at private campgrounds or hotels.

HB 1315, adding mixed-use development to the definition of business and industrial facility.

HB 1355, relative to poultry producers exempted from meat inspection requirements.

HB 1388, expanding crossbow use into muzzleloader season.

HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen.

HB 1418-L, relative to the minutes of nonpublic sessions of public bodies.

HB 1419, relative to voting records in nonpublic sessions of public bodies.

HB 1696-FN, requesting a modification of the New Hampshire health protection program.

MOTION TO RECESS TO CALL OF THE CHAIR

Senator 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.