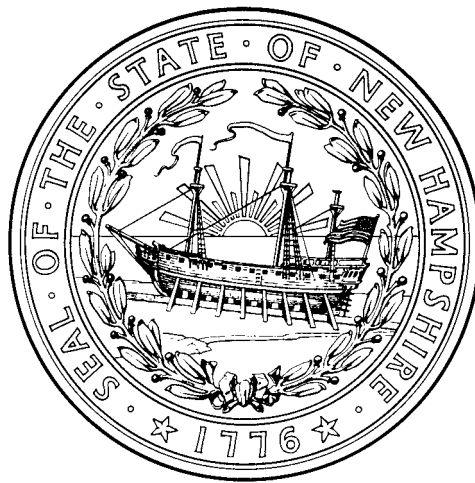


April 7, 2016
Nos. 11-12

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 31, 2016 SESSION
COMMENCEMENT – APRIL 7, 2016 SESSION**

SENATE JOURNAL 11 *(continued)*

March 31, 2016

HOUSE MESSAGE

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

SB 25-FN, (New Title) relative to the administration of epinephrine.
SB 237-FN, establishing a reporting requirement for gubernatorial inauguration contributions.
SB 257-FN, (New Title) relative to membership in the judicial retirement plan of judges appointed at age 63 or older.
SB 312, relative to epinephrine administration in independent schools.
SB 314, relative to the membership of the higher education commission.
SB 316, relative to placement decisions by a child's individualized education program team.
SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area.
SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools.
SB 328-LOCAL, (New Title) relative to school districts and school administrative units exercising joint powers with other public agencies.
SB 330-FN, (New Title) relative to licensure of medical imaging professionals and radiation therapists.
SB 332-FN, relative to state procurement of goods and services.
SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat.
SB 371, relative to school lunch meal payment policies.
SB 390-FN, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits.
SB 392, relative to the special training licenses issued by the board of podiatry.
SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission.
SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers.
SB 446, relative to requirements of the state building code.

HOUSE MESSAGE

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

SB 373, relative to the information technology infrastructure in public schools.
SB 389-FN, relative to the penalty for possession of multiple firearms.

HOUSE MESSAGE

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

HB 216-FN, (New Title) relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board.
HB 351, exempting historically significant vehicles from emission control requirements.
HB 377, (New Title) establishing a state geographic information system committee.
HB 499, (New Title) permitting New Hampshire farmers to sell farm-raised bison directly to the public.
HB 1397, (New Title) 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.

ENROLLED BILL AMENDMENT

April 4, 2016
2016-1246-EBA
08/09

Enrolled Bill Amendment to HB 1696-FN

The Committee on Enrolled Bills to which was referred HB 1696-FN

AN ACT requesting a modification of the New Hampshire health protection program.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1696-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1696-FN

Amend RSA 404-G:2, X-c as inserted by section 9 of the bill by replacing line 2 with the following:
to RSA 126-A:5, XXV.

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 House Bill numbered 1696.

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 12

April 7, 2016

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

The Reverend Canon Hannah Anderson, chaplain to the Senate, offered the prayer.

Gracious God, you have blessed us with life and breath. You have graced us with skills of reason and inquiry. You fill our hearts with energy to be of service and purpose in this world. To those present here in this Chamber, you have issued a particular call to serve your people as Senators, privileged to be in positions of authority as they collaborate and make decisions for the wellbeing of children, youth, adults, and elders throughout New Hampshire. In their conversations and deliberations today, fill them with your passion and thirst for justice. Open their ears to listen to one another with deep attentiveness and respect. Open their eyes that they might see you in one another and those entrusted to their care. Reissue your call upon each of our Senators, O God. Prepare them with passion, purpose and patience for the journey so that at the end of their days and years of this life of service they may hear your words of praise: "Well done, good and faithful servant." Amen.

Senator Kelly led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

Senator Little introduced students from Pierce Elementary School in Bennington, and Francestown Elementary School visiting in the gallery.

INTRODUCTION OF PAGES

Senator Woodburn introduced Dennis Ruprecht and Joe D'Angelo from Woodsville High School serving as Senate Pages for the day.

FN REPORT FOR APRIL 7, 2016

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

CONSENT CALENDAR:

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

HB 1665-FN, adopting the interstate medical licensure compact.

REGULAR CALENDAR:

ENERGY AND NATURAL RESOURCES

HB 1116-FN, relative to net metering.

WAYS AND MEANS

HB 1208-FN, relative to administration of the tobacco tax.

HB 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.

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.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill clarifies rules and regulations regarding the adoption of administrative rules. This bill allows documents prepared by a group or association to be incorporated by reference if an agency is a member of the association. The bill also extends the amount of time allowed for the adoption of such documents. There has been problems with groups who only meet once a month to respond in the time required.

HB 1665-FN, adopting the interstate medical licensure compact. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill adopts the interstate medical licensure compact which would provide for shortened application time for physicians who wish to practice in New Hampshire that hold a license in another state that is a member of the medical licensure compact. This bill will shorten application process time and increase requirements. This bill allows New Hampshire to be competitive in licensing physicians in the state.

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

REGULAR CALENDAR

COMMERCE

HB 1105, establishing a committee to study third party mortgage processors. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Commerce
March 30, 2016
2016-1219s
08/09

Amendment to HB 1105

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

AN ACT establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors.

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

- 1 Committee Established. There is established a committee to study third party mortgage processors.
- 2 Membership and Compensation.

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.

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

3 Duties. The committee shall study third party mortgage processors.

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

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

6 Youth Employment Law; Prohibitions. Amend RSA 276-A:4, VII to read as follows:

VII. No youth 16 or 17 years of age who is duly enrolled in school shall work for more than 6 consecutive days or 48 hours in any one week during school vacations, including summer vacation. For purposes of this paragraph, "summer vacation" means June 1 through Labor Day. ***This prohibition shall not apply to youths 17 years of age who reside and work at a summer camp for minors.***

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

2016-1219s

AMENDED ANALYSIS

This bill establishes a committee to study third party mortgage processors.

This bill also provides an exemption from certain youth employment laws for 17 year olds who reside and work at summer camps for minors.

The Chair ruled Committee Amendment 1219s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Committee Amendment 1219s to HB 1105. Adopted by the necessary 2/3 vote.

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

Senator Bradley offered a floor amendment.

Sen. Bradley, Dist 3

April 5, 2016

2016-1265s

08/10

Floor Amendment to HB 1105

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

AN ACT establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors.

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

1 Committee Established. There is established a committee to study third party mortgage processors.

2 Membership and Compensation.

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.

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

3 Duties. The committee shall study third party mortgage processors.

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

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

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

2016-1265s

AMENDED ANALYSIS

This bill establishes a committee to study third party mortgage processors.

This bill also provides an exemption from certain youth employment laws for 16 and 17 year olds who reside and work at summer camps for minors.

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

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

EDUCATION

HB 1121, relative to the academic areas that comprise the statewide assessment. Ought to Pass with Amendment, Vote 3-0. Senator Watters for the committee.

Senate Education

March 29, 2016

2016-1200s

04/01

Amendment to HB 1121

Amend RSA 193-C:5 as inserted by section 1 of the bill by replacing it with the following:

193-C:5 Areas of Assessment. The ***statewide*** academic areas to be assessed shall include~~[-but not be limited to:]~~ reading and language arts, mathematics, ***and*** science~~[-history, geography, civics, and economics]~~. ***History, geography, civics, and economics remain required critical areas of study. Therefore, assessment of these subjects remains within the purview of the local school board.*** The statewide assessment program shall only measure student understanding of key content-specific concepts, skills, and knowledge applied within or across academic content domains.

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 1225, permitting high school students who are members of the armed forces to wear their uniforms at graduation. 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.

HB 1283, relative to school notification of a change in placement. 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.

ENERGY AND NATURAL RESOURCES

HB 1116-FN, relative to net metering. Ought to Pass, Vote 5-0. Senator Bradley for the committee.

INTRODUCTION OF GUESTS

Senator Little introduced students from Pierce Elementary School in Bennington, and Frankestown Elementary School

SPECIAL ORDER

Without objection, the following bill is special ordered to the end of the Regular Calendar.

ENERGY AND NATURAL RESOURCES

HB 1116-FN, relative to net metering.

ENERGY AND NATURAL RESOURCES

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee. Ought to Pass, Vote 3-0. Senator Fuller Clark for the committee.

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

FINANCE

HB 1197, relative to conservation number plate funds. Ought to Pass, Vote 5-0. 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.

HEALTH AND HUMAN SERVICES

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws. Ought to Pass, Vote 3-0. Senator Kelly for the committee.

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

HB 1285, relative to the donation of food that has passed its expiration date. Ought to Pass, Vote 4-0. Senator Carson 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 1208-FN, relative to administration of the tobacco tax. 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 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor. 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.

HB 1689, relative to operator requirements under the meals and rooms tax. Interim Study, Vote 4-0. Senator Feltes for the committee.

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

Recess. Out of recess.

ENERGY AND NATURAL RESOURCES

HB 1116-FN, relative to net metering. Ought to Pass, Vote 5-0. Senator Bradley for the committee.

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

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

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

The following Senators voted No: Forrester, Cataldo, Prescott, Morse.

Roll Call, Yeas: 19 - Nays: 4. Adopted, bill ordered to Third Reading.

Senator Morse is in opposition to the motion of Ought to Pass on HB 1116-FN.

Senator Reagan asserts Rule 6-25 on HB 1116-FN.

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

LIST OF RULE 6-25'S FOR THE DAY

Senator Reagan: HB 1116-FN.

ANNOUNCEMENTS

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you, Mister President. Personal privilege, please? Thank you. I would like to bring to the members' attention in this Calendar, which is number 13, is an Interpretive Ruling from the Legislative Ethics Committee concerning compliance with the Financial Disclosure and Conflict of Interest Disclosure provisions of the Ethics Guidelines. I think it's important that we all are aware of them, and that we just have an opportunity to know that they're there, and for us to review them. Thank you, Mister President.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I rise for personal privilege to congratulate the Senator from District 8 on being approved as our new Banking Commissioner. We have strong opinions, and sometimes our emotions get high in this building in this time of year, but I think this is the time to say thank you to Senator Little—thank you for your service and your commitment to our state. We know you'll be a great, great banking commissioner. I look forward to showing you every bank in the North Country. And, again, thank you for all you do, and we look forward to working with you in a different position.

(The Chair recognized Senator Little.)

SENATOR LITTLE: Thank you, Mister President. Thank you very much, Senator Woodburn, for those comments. Thank you for all of your support, Sir, and everybody else who spoke to Executive Council on my behalf, and for the encouragement and support that you gave me over the couple of months that we've been going through this process; I'm truly humbled by the entire thing. And, thank you all from the bottom of my heart. Thank you, Mister President.

PRESIDENT MORSE: Congratulations!

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 1105, (Second New Title) establishing a committee to study third party mortgage processors and relative to an exemption from certain employment laws for certain minors.

HB 1116-FN, relative to net metering.

HB 1121, relative to the academic areas that comprise the statewide assessment.

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws.

HB 1197, relative to conservation number plate funds.

HB 1208-FN, relative to administration of the tobacco tax.

HB 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.

HB 1225, permitting high school students who are members of the armed forces to wear their uniforms at graduation.

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

HB 1283, relative to school notification of a change in placement.

HB 1285, relative to the donation of food that has passed its expiration date.

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.

HB 1665-FN, adopting the interstate medical licensure compact.

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.