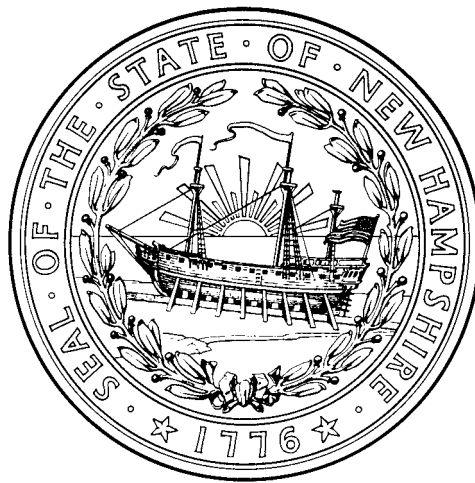


April 21, 2016  
Nos. 13-14

# **STATE OF NEW HAMPSHIRE**

Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)



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

**Legislative Proceedings**

## **SENATE JOURNAL**

**ADJOURNMENT – APRIL 14, 2016 SESSION  
COMMENCEMENT – APRIL 21, 2016 SESSION**

# SENATE JOURNAL 13 *(continued)*

*April 14, 2016*

## COMMITTEE OF CONFERENCE CONFEREES NAMED

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

The President appointed Senators Reagan, Woodburn and Avard.

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

The President appointed Senators Sanborn, Carson and Kelly.

## HOUSE MESSAGE

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

SB 152, (New Title) relative to criminal history records checks for school employees and designated school volunteers.

SB 309, relative to sulfur limits of certain liquid fuels.

SB 323, (New Title) relative to the use of force by employees of hospitals or other health care facilities.

SB 344-FN, relative to tax credits applicable to client companies of employee leasing companies.

SB 352, (New Title) naming a cove in Lake Winnepesaukee as Ritson Cove.

SB 353, relative to names on ballots.

SB 356-FN, relative to agricultural plates for vehicles of commercial fishing operations.

SB 357, relative to driver's license examinations.

SB 359, relative to funding electric vehicle charging stations with municipal registration permits.

SB 362, requiring notice to planning boards of placement of signs on scenic byways.

SB 374, (New Title) requiring the department of environmental services to update coastal flooding trends.

SB 377, relative to emission levels of municipal waste combustion units.

SB 386, adding biodiesel to electric renewable energy sources.

SB 388, requiring a public hearing on proposed changes to the state retiree group insurance plan.

SB 427, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings.

SB 433, relative to exclusions from seasonal highway weight limit regulation.

SB 450, relative to investments by insurance companies.

SB 453-FN, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies.

SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees.

SB 461-FN, relative to expenditures of the Winnepesaukee River Basin control program funds.

SB 465-FN, (New Title) relative to the nonconsensual dissemination of private sexual images.

SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety.

SB 484, relative to the role of the Winnepesaukee River advisory board.

SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration.

SB 519, relative to highway signs.

SB 524, relative to state procurement card rebates.

SB 543-FN, relative to private transferring of adopted children.

#### 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 121-FN-LOCAL, (New Title) relative to exceptions from the land use change tax for removal of certain materials.

SB 193-FN-LOCAL, (New Title) establishing a committee to study the duties of the attorney general and the county attorneys.

SB 321, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities.

SB 334, establishing a commission to study the planning functions of the office of energy and planning.

SB 415, (New Title) requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs.

SB 503-FN-A, relative to pre-kindergarten education using "pay for success" financing.

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education.

SB 546-FN, relative to petitions for verification of checklists.

#### HOUSE MESSAGE

The House of Representatives has referred for Interim Study the following entitled Bills sent down from the Senate:

SB 552-FN, (New Title) relative to application of the Internal Revenue Code to provisions of the business profits tax.

#### HOUSE MESSAGE

The House of Representatives has voted to Lay On The Table the following entitled Bill(s) sent down from the Senate:

SB 492-FN, relative to expenditures from the energy efficiency fund.

#### HOUSE MESSAGE

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

HB 560-FN, (New Title) including a viable fetus in the definition of "another" for the purposes of certain criminal offenses.

#### 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 231, (New Title) relative to the criteria for evaluating school building aid applications.

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

HB 1164, (New Title) relative to contributions by a city or town to the county or state.

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law.

April 18, 2016  
2016-1436-EBA  
03/09

### **Enrolled Bill Amendment to SB 25-FN**

The Committee on Enrolled Bills to which was referred SB 25-FN

AN ACT relative to the administration of epinephrine.

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 25-FN

This enrolled bill amendment makes technical corrections and renumbers new RSA sections to avoid conflict with provisions enacted in 2016, 1 (SB 447-FN).

#### Enrolled Bill Amendment to SB 25-FN

Amend section 1 of the bill by replacing lines 2-4 with the following:

section 69 the following new subdivision:

#### **Administration of Epinephrine**

126-A:70 Definitions. In this subdivision:

Amend section 1 of the bill by replacing line 17 with the following:

126-A:71 Administration of Epinephrine.

Amend RSA 200:44-a, I(a), as inserted by section 2 of the bill, by replacing line 5 with the following:

Network, or the New Hampshire School Nurses' Association. Training shall be conducted online or

Amend RSA 200:44-a, II, as inserted by section 2 of the bill, by replacing line 2 with the following:

New Hampshire School Nurses' Association, shall develop and make available to all schools

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

April 18, 2016  
2016-1435-EBA  
03/09

### **Enrolled Bill Amendment to SB 312**

The Committee on Enrolled Bills to which was referred SB 312

AN ACT relative to epinephrine administration in independent schools.

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 312

This enrolled bill amendment corrects a reference in the bill.

#### Enrolled Bill Amendment to SB 312

Amend RSA 200-N:1, III(c), as inserted by section 1 of the bill, by replacing line 2 with the following:

RSA [326-B:18] **326-B**.

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

April 19, 2016  
2016-1453-EBA  
04/09

### **Enrolled Bill Amendment to SB 330-FN**

The Committee on Enrolled Bills to which was referred SB 330-FN

AN ACT relative to licensure of medical imaging professionals and radiation therapists.

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 330-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 330-FN

Amend RSA 328-J:2 as inserted by section 2 of the bill by replacing line 1 with the following:

328-J:2 Purpose. This chapter is intended to safeguard the life and health of the people of

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

April 14, 2016  
2016-1412-EBA  
06/01

**Enrolled Bill Amendment to SB 332-FN**

The Committee on Enrolled Bills to which was referred SB 332-FN

AN ACT relative to state procurement of goods and services.

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 332-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 332-FN

Amend RSA 21-I:14-d, I(a) as inserted by section 4 of the bill by replacing line 2 with the following:

house executive departments and administration committee and one of whom shall be a member of

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

April 14, 2016  
2016-1411-EBA  
05/10

**Enrolled Bill Amendment to SB 370**

The Committee on Enrolled Bills to which was referred SB 370

AN ACT establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat.

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 370

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 370

Amend section 4 of the bill by replacing line 2 with the following:

among the members. The first meeting of the committee shall be called by the senate

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

April 18, 2016  
2016-1443-EBA  
03/01

**Enrolled Bill Amendment to HB 1116-FN**

The Committee on Enrolled Bills to which was referred HB 1116-FN

AN ACT relative to net metering.

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 1116-FN

This enrolled bill amendment corrects a section heading.

Enrolled Bill Amendment to HB 1116-FN

Amend section 2 of the bill by replacing line 1 with the following:

2 Public Utility. Amend RSA 362:2, II to read as

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

April 18, 2016  
2016-1441-EBA  
04/10

**Enrolled Bill Amendment to HB 1165**

The Committee on Enrolled Bills to which was referred HB 1165

AN ACT changing “incapacitated” to “vulnerable” in the adult protective services laws.

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 1165

This enrolled bill amendment makes a grammatical correction to the bill and removes a duplicate reference to an RSA section.

Enrolled Bill Amendment to HB 1165

Amend RSA 21-M:16, IV-a as inserted by section 7 of the bill by replacing lines 1-2 with the following:

***IV-a. For the purposes of this section, “vulnerable adult” means an adult who was the reported victim of abuse, neglect, self-neglect, or exploitation which was reported to***

Amend section 11 of the bill by replacing lines 2-3 with the following:

the term vulnerable in the following RSA sections: 161-F:42, 161-F:73, I, 639-A:1, III, and 639-A:2, II, III.

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

April 14, 2016  
2016-1408-EBA  
08/05

**Enrolled Bill Amendment to HB 1197**

The Committee on Enrolled Bills to which was referred HB 1197

AN ACT relative to conservation number plate funds.

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 1197

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1197

Amend section 4 of the bill by replacing line 2 with the following:

261:97-b Conservation Number Plate [Trust] Fund.

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

April 15, 2016  
2016-1440-EBA  
06/10

**Enrolled Bill Amendment to HB 1208-FN**

The Committee on Enrolled Bills to which was referred HB 1208-FN

AN ACT relative to administration of the tobacco tax.

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 1208-FN

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1208-FN

Amend RSA 78:12-a, II as inserted by section 7 of the bill by replacing line 2 with the following:

***evidence tax paid under this chapter in this state to licensed wholesalers.***

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

April 15, 2016  
2016-1433-EBA  
09/03

**Enrolled Bill Amendment to HB 1245-FN**

The Committee on Enrolled Bills to which was referred HB 1245-FN

AN ACT relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

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 1245-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1245-FN

Amend RSA 541-A:21, IX as inserted by section 3 of the bill by replacing line 2 with the following:

the state highway aid program, adopted under rulemaking authority of the commissioner of the

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

April 13, 2016  
2016-1389-EBA  
01/04

**Enrolled Bill Amendment to HB 1283**

The Committee on Enrolled Bills to which was referred HB 1283

AN ACT relative to school notification of a change in placement.

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 1283

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1283

Amend RSA 169-C:20-a, II as inserted by section 1 of the bill by replacing line 1 with the following:

II. The department and school district shall develop a transition plan for the child. The Senator Soucy moved adoption of the Enrolled Bill Amendment. Adopted.

April 15, 2016  
2016-1427-EBA  
06/03

**Enrolled Bill Amendment to HB 1332**

The Committee on Enrolled Bills to which was referred HB 1332

AN ACT adding a member to the aquatic resources compensatory mitigation site selection committee.

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 1332

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1332

Amend section 1 of the bill by replacing line 2 with the following:

A:32, II(e) to read as follows:

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

April 14, 2016  
2016-1407-EBA  
08/04

**Enrolled Bill Amendment to HB 1665-FN**

The Committee on Enrolled Bills to which was referred HB 1665-FN

AN ACT adopting the interstate medical licensure compact.

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 1665-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1665-FN

Amend RSA 329-C:2, XII as inserted by section 1 of the bill by replacing it with the following:

XII. "Offense" means a felony, misdemeanor, or crime of moral turpitude.

Amend RSA 329-C:4, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) The state of primary residence for the physician; or

Amend RSA 329-C:4, I(d) as inserted by section 1 of the bill by replacing line 1 with the following:

(d) If no state qualifies under subparagraph I(a), (b), or (c), the state designated as

Senator Soucy 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 the following entitled House and/or Senate Bills: HB 242, 1388, 1397, 1419, and SB 318.

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 14

*April 21, 2016*

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

The Reverend Kate Atkinson, chaplain to the Senate, offered the prayer.

My prayer for you today is inspired by the remarkable and skilled work that's going on on top of this building, and also by the remarkable and skilled work that goes on in this room. Let us pray.

*Creator God, we marvel at the intricacy of the world around us; we see the miracle of pattern and symmetry, structure and form, light and color; and we are humbled and amazed. Then we look at the work we are called to do and we see that we are all designers, architects, engineers and builders; we are all artists, composers, and co-creators of a world and a people entrusted to our care. Help us believe in the power of your creative spirit; inspire us to rethink what is failing, to restore what is broken, and to recognize, without regret, what has run its course. We give you thanks for trusting us to honor your artistry with our own. Help us to see clearly, to work confidently, and to take pride in what we do. And may our contributions to this world be a valued gift to the generations that follow us and learn from us. Amen.*

Senator Daniels led the Pledge of Allegiance.

## INTRODUCTION OF GUESTS

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Mister President, I am honored and privileged to have with us today the son of one of my dearest, dearest friends, retired Colonel John Perroni. Jack graduated the University of New Hampshire, went into ROTC, went up the line, became a Colonel in the United States Air Force, did Yeomen work for the country before he retired; I consider him to be a truly a great, great American. And Regina, he captained the baseball team at Pinkerton Academy when he was a student. So, wouldn't want you to remember his athletic prowess, as well. So, we're honored to have Colonel Perroni with us today, and thank you very much, Mister President.

(The Chair recognized Senator Daniels.)

SENATOR DANIELS: Thank you, Mister President. It's my distinct honor this morning to have with us, in the gallery, Cesar Arboleda and Amy LaBelle, owners of LaBelle Wineries in Amherst, New Hampshire; a relatively new, but very thriving business. And, we certainly would welcome them to the Senate this morning.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I rise to introduce two of my sons: 7th grader Dylan Woodburn, and 4th grader Avery Woodburn. This is school vacation week and they couldn't think of a better place to be than in the State House on a beautiful day like this. So, welcome, and thank you for all you endure. Thank you.

Senator Watters introduced students from Horne Street Elementary School in Dover.

## INTRODUCTION OF PAGES

Senator Pierce introduced Charlie Myers from Jericho, Vermont, and Alex Regnery from South Bend, Indiana, both attending Kimball Union Academy in Meriden, serving as Senate Pages for the day.

## MOTION OF RECONSIDERATION

Senator Birdsell, having voted on the prevailing side, moved to reconsider the following action taken by this body on HB 1624-FN, relative to electioneering by public employees: rescind Order to Third Reading, and reconsider the vote on Ought to Pass. Adopted.

## PUBLIC AND MUNICIPAL AFFAIRS

HB 1624-FN, relative to electioneering by public employees.

Senator Birdsell offered a floor amendment.

Sen. Birdsell, Dist 19

April 18, 2016

2016-1446s

03/01

**Floor Amendment to HB 1624-FN**

Amend RSA 659:44-a, II as inserted by section 1 of the bill by replacing it with the following:

**II. No public employee shall** [or] use government property **or equipment**, including, but not limited to, telephones, facsimile machines, vehicles, and computers, for electioneering.

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.

## SPECIAL ORDER

Without objection, the following bills are special ordered to Thursday, April 28, 2016.

## JUDICIARY

HB 605-FN, relative to mandatory minimum sentences.

## WAYS AND MEANS

HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.

## CONSENT CALENDAR REPORTS

The following bill was removed from the Consent Calendar:

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1531, permitting the legislature to open the state house on weekends. Removed by Senator Carson.

## FN REPORT FOR APRIL 21, 2016

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

## CONSENT CALENDAR:

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1246-FN, relative to speech-language assistants.

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees.

HB 1404-FN, relative to certain director positions in the insurance department.

## TRANSPORTATION

HB 1655-FN, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

## REGULAR CALENDAR:

## COMMERCE

HB 601-FN, relative to cash dispensing machine requirements.

## JUDICIARY

HB 605-FN, relative to mandatory minimum sentences.

HB 617-FN-A, requiring state police to wear a camera when interacting with the public.

HB 1175-FN, relative to post-judgment real estate liens.

HB 1426-FN, relative to earned time credits for prisoners participating in educational programming.

HB 1434-FN, relative to out-of-home placements under the child protection act.

HB 1451-FN, relative to the annulment of certain criminal offenses.

HB 1547-FN, prohibiting bestiality.

HB 1569-FN, relative to volunteers under the department of resources and economic development.

HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person.

HB 1628-FN, relative to human trafficking involving persons under 18 years of age.

HB 1631-FN, relative to penalties for possession of marijuana.

#### TRANSPORTATION

HB 1154-FN, authorizing and regulating the use of license plate scanning devices.

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

#### REGULAR CALENDAR:

#### COMMERCE

HB 197-FN, relative to sales and samples provided by wine manufacturers—if Inexpedient to Legislate recommendation is overturned.

HB 1182-FN, establishing a committee to study fees for sales of wine by manufacturers.

#### EDUCATION

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

#### JUDICIARY

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver.

*Senator Forrester recommends the waiver of referral to the Finance Committee, Senate Rule 4-5, for the following bills which are still in their respective committee:*

#### ENERGY AND NATURAL RESOURCES

HB 1595-FN, relative to the rivers management and protection program.

#### HEALTH AND HUMAN SERVICES

HB 629-FN, relative to induced termination of pregnancy statistics.

HB 1570-FN, repealing the law governing access to reproductive health care facilities.

HB 1605-FN, prohibiting the use of latex gloves and utensils in the food service industry.

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation.

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.

#### EDUCATION

HB 1130, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service. Ought to Pass, Vote 5-0. Senator Avarad for the committee.

This bill permits, with the approval of the school board or by an approved warrant article at the annual school district meeting, the placement of a memorial or a memorial plaque on school property to honor alumni who have died honorably during active duty. This will simply serve to ensure that there is a consistent process in place for the approval of these memorials across the state.

HB 1372, permitting a child with a disability to use audio or video recording devices in the classroom. Ought to Pass, Vote 5-0. Senator Stiles for the committee.

This bill permits a child with a disability to use audio or video recording devices in the classroom. The ability to utilize these devices is vital for these students and the language simply clarifies the intent of this statute and addresses student/teacher privacy issues.

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1124, relative to the membership of the occupational therapy governing board. Ought to Pass, Vote 5-0. Senator Soucy for the committee.

This bill removes the requirement that a physician be appointed to the occupational therapy governing board. The board has had difficulty filling the physician member on the board and does not see the necessity to have a physician serving on the occupational therapy governing board since physicians and occupational therapists do not regularly work closely together.

HB 1226, relative to administration of pharmaceutical agents by optometrists. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill allows the board of optometry to review and approve certain pharmaceutical agents for use by optometrists. This bill also changes the name of the joint pharmaceutical formulary and credentialing committee to the joint credentialing committee.

HB 1246-FN, relative to speech-language assistants. Ought to Pass with Amendment, Vote 5-0. Senator Woodburn for the committee.

This bill clarifies who can be titled a "speech language assistant" and imposes supervision by a certified speech language pathologist for non-licensed persons working in a speech language service provision setting.

Senate Executive Departments and Administration  
March 31, 2016  
2016-1228s  
10/08

#### **Amendment to HB 1246-FN**

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Paragraph; Speech-Language Pathologists; Rulemaking. Amend RSA 326-F:5 by inserting after paragraph V the following new paragraph:

V-a. The requirements for direction and supervision of persons whose work is exempted from licensure or certification requirements pursuant to RSA 326-F:2.

HB 1292, relative to the use of abandoned agricultural property. Ought to Pass, Vote 5-0. Senator Carson for the committee.

This bill changes language in the statute to clarify when local approval is required for new or re-established agricultural use after abandonment.

HB 1331, relative to the membership of the compensation appeals board. Ought to Pass, Vote 5-0. Senator Soucy for the committee.

This bill expands the pool of potential applicants who can serve as members of the compensation appeals board.

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees. Ought to Pass, Vote 5-0. Senator Carson for the committee.

This bill requires the retirement system board of trustees to give employers notice and an opportunity to explain their situation before alleged noncompliance can be assessed by the board of trustees.

HB 1404-FN, relative to certain director positions in the insurance department. Ought to Pass with Amendment, Vote 5-0. Senator Reagan for the committee.

This bill converts existing classified positions to unclassified positions within the Department of Insurance. The Department of Administrative Services advised these positions are more accurately described as unclassified.

Senate Executive Departments and Administration  
April 13, 2016  
2016-1390s  
01/09

#### **Amendment to HB 1404-FN**

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

AN ACT relative to certain positions in the insurance department.

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

1 Insurance Department; Department Positions. Amend RSA 400-A:6, III-a to read as follows:

III-a. There shall be [a director of operations] ***an assistant commissioner*** who shall be appointed by the commissioner of insurance. He or she shall serve at the pleasure of the commissioner during good behavior. When the offices of the commissioner and deputy commissioner are vacant, or when the commissioner or deputy commissioner is unable to perform his or her duties because of mental or physical disability, the [director of operations] ***assistant commissioner*** shall be acting commissioner. The [director of operations] ***assistant commissioner*** shall perform such duties and exercise such powers of the commissioner pursuant to RSA Title XXXVII as the commissioner from time to time may authorize.

2 Insurance Department; Department Positions. Amend RSA 400-A:6, VII to read as follows:

VII. The commissioner shall appoint[,] as the commissioner's assistants[,]:

(a) ***A director of financial regulation***, a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, [an assistant] ***a property and casualty actuary, a chief property and casualty actuary, a workers' compensation analyst, a chief life, accident and health actuary***, a compliance and enforcement counsel, a chief financial examiner, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The ***director of financial regulation***, health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, [assistant] property and casualty actuary, ***chief property and casualty actuary, workers' compensation analyst, chief life, accident and health actuary***, compliance and enforcement counsel, chief financial examiner, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

(b) ***A life, accident and health director who shall serve at the pleasure of the commissioner during good behavior. The life, accident, and health director shall perform such duties and exercise such powers as the commissioner may authorize.***

(c) ***A health policy legal counsel who shall serve at the pleasure of the commissioner during good behavior. The health policy legal counsel shall perform such duties and exercise such powers as the commissioner may authorize.***

(d) ***A property and casualty director who shall serve at the pleasure of the commissioner during good behavior. The property and casualty director shall perform such duties and exercise such powers as the commissioner may authorize.***

(e) ***A communications director who shall serve at the pleasure of the commissioner during good behavior. The communications director shall perform such duties and exercise such powers as the commissioner may authorize.***

3 Classified Positions Abolished. The following positions shall be abolished:

I. Salary of Life, Accident, and Health Director. Upon the transfer of funding for position #16733, Insurance Company Examiner IV, to expenditure class 011, within accounting unit 02-24-24-240010-2520, position #16733 shall be abolished.

II. Salary of Health Policy Legal Counsel. Upon the transfer of funding for position #10964, Attorney IV, to expenditure class 011, within accounting unit 02-24-24-240010-2520, position #10964 shall be abolished.

III. Salary of Property and Casualty Director. Upon the transfer of funding for position #19998 Insurance Company Examiner V, to expenditure class 011, within accounting unit 02-24-24-240010-2520, position #19998 shall be abolished.

IV. Salary of Communications Director. Upon the transfer of funding for position #10949 Product Marketing Manager, to expenditure class 011, within accounting unit 02-24-24-240010-2520, position #10949 shall be abolished.

4 Repeal. RSA 400-A:6, III-b-III-d, and VI, relative to certain positions in the department, are repealed.

5 Contingent Prospective Repeals. The following shall be repealed:

I. Section 3, paragraph I and RSA 400-A:6, VII(b), if after review in accordance with RSA 14:14-c, the joint committee on employee classification recommends a letter grade allocation for the life, accident and health director the maximum step of which is below the maximum step of the current classified salary for position #16733 insurance company examiner IV.

II. Section 3, paragraph II and RSA 400-A:6, VII(c), if after review in accordance with RSA 14:14-c, the joint committee on employee classification recommends a letter grade allocation for the health policy legal counsel the maximum step of which is below the maximum step of the current classified salary for position #10964 attorney IV.

III. Section 3, paragraph III and RSA 400-A:6, VII(d), if after review in accordance with RSA 14:14-c, the joint committee on employee classification recommends a letter grade allocation for the property and casualty director the maximum step of which is below the maximum step of the current classified salary for position #19998 insurance company examiner V.

IV. Section 3, paragraph IV and RSA 400-A:6, VII(e), if after review in accordance with RSA 14:14-c, the joint committee on employee classification recommends a letter grade allocation for the communications director the maximum step of which is below the maximum step of the current classified salary for position #10949 product marketing manager.

#### 6 Effective Date.

I. Section 3, paragraphs I-IV and RSA 400-A:6, VII(b)-(e) shall be repealed as provided in section 5 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

2016-1390s

#### AMENDED ANALYSIS

This bill establishes certain positions within the department of insurance. This bill also changes the title of the director of operations to assistant commissioner.

This bill is a request of the insurance department.

#### PUBLIC AND MUNICIPAL AFFAIRS

HB 1114, relative to the number of inspectors of election. Interim Study, Vote 5-0. Senator Birdsell for the committee.

This bill would eliminate the authorization to appoint additional inspectors of election. The committee believes it is important to wait on eliminating these appointments, as the appointment process was changed last year and has not had the opportunity to go into effect.

HB 1288, relative to the National Guard force protection policy. Inexpedient to Legislate, Vote 5-0. Senator Birdsell for the committee.

This bill would provide that any National Guard force protection policy shall permit members of the Guard to carry concealed weapons at National Guard facilities, in accordance with their rules. The Senate has already passed a bill turning this matter into a study commission and therefore, feels that that commission should examine the issue fully before moving forward with legislation.

Senator Sanborn is in opposition to the motion of Inexpedient to Legislate on HB 1288.

HB 1467, relative to notice of village district elections. Ought to Pass, Vote 5-0. Senator Boutin for the committee.

This bill requires commissioners to give notice of village district elections to supervisors of the checklist, which will simply ensure that supervisors of the checklist are able to meet their statutory obligations.

HB 1587, relative to limitations on capital reserve funds of counties. Ought to Pass, Vote 5-0. Senator Boutin for the committee.

This bill nominally increases the amount that can be appropriated annually by a county to a capital reserve fund. The committee supports the concept of ensuring fiscally appropriate reserve funds are met in relation to capital improvement projects within our counties.

#### TRANSPORTATION

HB 1655-FN, relative to the municipal registration fee for an agricultural/industrial utility vehicle. Ought to Pass, Vote 5-0. Senator Daniels for the committee.

This bill modifies municipal registration fees relative to agriculture/industrial utility vehicles used exclusively for farming or agriculture. Because of an omission in SB 231 (2014), the vehicles are being captured at the regular registration rate, which is significantly higher than the provisional rate of \$5. This bill changes that so that the vehicles will instead be charged the provisional rate.

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

## REGULAR CALENDAR

## COMMERCE

HB 197-FN, relative to sales and samples provided by wine manufacturers. Inexpedient to Legislate, Vote 3-0. Senator Bradley for the committee.

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

Senator Bradley moved Ought to Pass.

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 Little is in opposition to the motion of Ought to Pass on HB 197-FN.

HB 334, establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential. Interim Study, Vote 3-0. Senator Soucy for the committee.

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

HB 356, establishing a commission to study cryptocurrency regulation. Ought to Pass with Amendment, Vote 3-0. Senator Bradley for the committee.

Commerce  
April 13, 2016  
2016-1396s  
08/04

**Amendment to HB 356**

Amend RSA 399-G:25, II as inserted by section 1 of the bill by replacing it with the following:

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

(a) Three members of the house of representatives, appointed as follows: one member appointed by the speaker of the house of representatives, one member from the commerce committee appointed by the chairperson of the commerce committee, and one member of the ways and means committee, appointed by the chairperson of the ways and means committee.

(b) The banking commissioner, or designee.

(c) The director of the bureau of New Hampshire securities, or designee.

(d) One representative of the cryptocurrency industry, appointed by the governor.

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 601-FN, relative to cash dispensing machine requirements. Ought to Pass, Vote 3-0. Senator Soucy for the committee.

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

Senator Little asserts Rule 6-25 on HB 601-FN.

HB 1182-FN, establishing a committee to study fees for sales of wine by manufacturers. Ought to Pass with Amendment, Vote 3-0. Senator Bradley for the committee.

Commerce  
April 14, 2016  
2016-1417s  
03/04

**Amendment to HB 1182-FN**

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

AN ACT relative to liquor commission revenue shortfalls.

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

1 Liquor Commission; Revenue Shortfalls. The provisions of RSA 176:16-a, relative to liquor commission revenue shortfalls, are hereby suspended for period beginning on the effective date of this section and ending on July 1, 2017.

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

2016-1417s

#### AMENDED ANALYSIS

This bill suspends through July 1, 2017 the statute requiring the liquor commission to reduce budgeted appropriations in the event of a shortfall in revenue transferred to the general fund in the prior fiscal year and requiring a report of any such reductions.

The Chair ruled Committee Amendment 1417s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Committee Amendment 1417s to HB 1182-FN. Adopted by the necessary 2/3 vote.

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 the Committee on Finance (Rule 4-5).

Senator Avard is in opposition to the motion of Ought to Pass with Amendment on HB 1182-FN.

HB 1195, relative to prepayment contracts for petroleum products. Ought to Pass, Vote 3-0. Senator Soucy for the committee.

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

Senator Morse is in opposition to the motion of Ought to Pass on HB 1195.

HB 1329, relative to transportation of alcoholic beverages. Ought to Pass, Vote 3-0. Senator Cataldo for the committee.

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

HB 1339, relative to the corporate governance annual disclosure act. Ought to Pass with Amendment, Vote 3-0. Senator Bradley for the committee.

Commerce

April 14, 2016

2016-1418s

09/04

#### Amendment to HB 1339

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

AN ACT relative to the corporate governance annual disclosure act and relative to compensation of ski area employees.

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

2 Payment of Wages; Ski Area Employees. Amend RSA 275:43-a to read as follows:

275:43-a Required Pay. On any day an employee reports to work at an employer's request, he or she shall be paid not less than 2 hours' pay at his or her regular rate of pay; provided, however, that this section shall not apply to [employers] employees of counties or municipalities or ski and snowboard instructional employees at ski resorts, and provided further that no employer who makes a good faith effort to notify an employee not to report to work shall be liable to pay wages under this section. However, if the employee reports to work after the employer's attempt to notify him has been unsuccessful or if the employer is prevented from making notification for any reason, the employee shall perform whatever duties are assigned by the employer at the time the employee reports to work.

3 New Paragraph; Minimum Wage Law; Minimum Hourly Rate. Amend RSA 279:21 by inserting after paragraph V the following new paragraph:

V-a. These limitations shall not apply to an employee of a ski area who exclusively performs welcoming and guest relation services at a ski area which are not essential to the functional operations of a ski area.



#### 4 Effective Date.

I. Sections 2-3 of this act shall take effect November 1, 2016.

II. The remainder of this act shall take effect January 1, 2017.

2016-1418s

#### AMENDED ANALYSIS

This bill establishes the corporate governance annual disclosure act. Under this bill, an insurer shall submit a corporate governance annual disclosure (CGAD) regarding the insurer's corporate structure.

This bill also clarifies the compensation of ski area employees.

The Chair ruled Committee Amendment 1418s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Committee Amendment 1418s to HB 1339. Adopted by the necessary 2/3 vote.

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 1340, relative to producer licensing. Ought to Pass, Vote 3-0. Senator Cataldo for the committee.

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

HB 1409, relative to life, accident, and health insurance. Ought to Pass, Vote 3-0. Senator Cataldo for the committee.

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

HB 1410, relative to motor vehicle coverage. Ought to Pass, Vote 3-0. Senator Bradley for the committee.

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

HB 1450, relative to risk-based capital for insurers. Ought to Pass, Vote 3-0. Senator Bradley for the committee.

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

HB 1459, relative to commercial coverage. Ought to Pass, Vote 3-0. Senator Cataldo for the committee.

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

HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission. Ought to Pass, Vote 3-0. Senator Bradley for the committee.

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

HB 1618, relative to debt adjustment services. Ought to Pass, Vote 3-0. Senator Soucy for the committee.

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

#### EDUCATION

HB 1231, relative to school district policy regarding objectionable course material. Inexpedient to Legislate, Vote 4-1. Senator Kelly for the committee.

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

A roll call was requested by Senator Avar, seconded by Senator Cataldo.

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

The following Senators voted No: Forrester, Bradley, Cataldo, Sanborn, Daniels, Avar, Carson, Boutin, Reagan, Birdsell, Prescott, Morse.

Roll Call, Yeas: 12 - Nays: 12. Failed.

Senator Bradley moved to Lay on the Table HB 1231. Adopted.

HB 1232, relative to visits to schools by non-academic government or private organizations. Inexpedient to Legislate, Vote 3-1. Senator Watters for the committee.

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

Senator Avarad is in opposition to the motion of Inexpedient to Legislate on HB 1232.

HB 1644-FN, relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

Senator Reagan offered a floor amendment.

Sen. Reagan, Dist 17

April 19, 2016

2016-1472s

04/09

### **Floor Amendment to HB 1644-FN**

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

AN ACT relative to screening and intervention for dyslexia and related disorders, establishing a reading specialist position in the department of education, and making a technical correction.

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

2 Chartered Public Schools; Funding. RSA 194-B:11, I(b)(1) is repealed and reenacted to read as follows:

(b)(1) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a, I, II, and II-a plus an additional grant of \$2,036 directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. The state shall pay amounts required pursuant to RSA 198:40-a, III directly to the resident district.

3 Contingency. If HB 536 of the 2016 regular legislative session becomes law, section 2 of this act shall take effect at 12:01 a.m. on the effective date of HB 536. If HB 536 does not become law, section 2 of this act shall not take effect.

4 Effective Date.

I. Section 2 of this act shall take effect as provided in section 3 of this act.

II. Section 3 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect 60 days after its passage.

2016-1472s

### **AMENDED ANALYSIS**

This bill requires the commissioner of the department of education to designate a reading specialist to provide support and resources to school districts for identifying and assisting students with dyslexia and related disorders and their families.

This bill is a request of the committee to study policies which it determines are necessary for dyslexic students (2015, 172).

This bill also makes a technical correction to HB 536 of the 2016 regular legislative session to reflect current law.

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 the Committee on Finance (Rule 4-5).

### **JUDICIARY**

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver. Ought to Pass, Vote 3-1. Senator Daniels for the committee.

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

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

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.

Roll Call, Yeas: 14 - Nays: 10. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

HB 617-FN-A, requiring state police to wear a camera when interacting with the public. Inexpedient to Legislate, Vote 4-0. Senator Carson for the committee.

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

HB 1175-FN, relative to post-judgment real estate liens. Ought to Pass, Vote 4-0. Senator Cataldo for the committee.

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

HB 1426-FN, relative to earned time credits for prisoners participating in educational programming. Ought to Pass with Amendment, Vote 4-0. Senator Daniels for the committee.

Senate Judiciary  
April 12, 2016  
2016-1377s  
04/03

#### **Amendment to HB 1426-FN**

Amend RSA 651-A:22-a, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Vocational Programming. A prisoner who successfully completes a vocational program that is authorized and approved by the department or who successfully completes a vocational program that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled to a **one-time** reduction of [up to] 60 days in his or her minimum sentence and a **one-time** reduction of [up to] 60 days in his or her maximum sentence. The commissioner shall establish procedures, which shall be exempt from RSA 541-A, for awarding such reductions.

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 1434-FN, relative to out-of-home placements under the child protection act. Inexpedient to Legislate, Vote 2-2. Senator Carson for the committee.

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

Senators Avard and Daniels are in opposition to the motion of Inexpedient to Legislate on HB 1434-FN.

HB 1451-FN, relative to the annulment of certain criminal offenses. Ought to Pass, Vote 4-0. Senator Cataldo for the committee.

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

HB 1547-FN, prohibiting bestiality. Ought to Pass with Amendment, Vote 4-0. Senator Carson for the committee.

Senate Judiciary  
April 12, 2016  
2016-1376s  
04/05

#### **Amendment to HB 1547-FN**

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

1 New Section; Breaches of the Peace; Bestiality. Amend RSA 644 by inserting after section 8-f the following new section:

644:8-g Bestiality.

I. A person commits bestiality by knowingly committing any of the following acts:

(a) Engaging in copulation with an animal.

(b) Offering or accepting the offer of an animal for consideration with the intent that it be subject to sexual contact or sexual penetration by a human.

(c) Photographing or filming or distributing such photographs or films, for the purpose of sexual arousal or gratification, of a person engaged in sexual contact or sexual penetration with an animal.

II. Any person convicted of a violation of this section shall be guilty of a class A misdemeanor for a first offense and a class B felony for a second or subsequent offense.

III. In addition to any other penalty imposed for a violation of this section, the court shall order that the convicted person:

(a) Submit to a psychological assessment and participate in appropriate counseling at the convicted person's own expense.

(b) Reimburse an animal shelter for any reasonable costs incurred for the care and maintenance of any animal that was taken to the animal shelter as a result of conduct proscribed by this section.

(c) Shall not own, harbor, exercise control over, or reside in the same household with any animal for a period of time deemed reasonable by the court.

IV. This section shall not apply to:

(a) Accepted veterinary medical practices.

(b) Insemination of animals for the purpose of procreation.

(c) Accepted animal husbandry practices that provide necessary care for animals.

V. For purposes of this section, "animal" means a nonhuman mammal, bird, reptile, or amphibian, either dead or alive.

2 Registration of Criminal Offenders; Definitions. Amend RSA 651-B:1, X(a) to read as follows:

(a) RSA 630:1, I(e), RSA 630:1-a, I(b)(1), RSA 632-A:2, RSA 632-A:3, III, RSA 632-A:3, IV if the victim was under the age of 13, RSA 633:1; [or] RSA 639:2; **or RSA 644:8-g.**

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

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 1569-FN, relative to volunteers under the department of resources and economic development. Inexpedient to Legislate, Vote 4-0. Senator Daniels for the committee.

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

HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person. Ought to Pass, Vote 4-0. Senator Cataldo for the committee.

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

#### INTRODUCTION OF GUESTS

Senator Watters introduced students from Horne Street Elementary School in Dover.

HB 1628-FN, relative to human trafficking involving persons under 18 years of age. Ought to Pass with Amendment, Vote 4-0. Senator Lasky for the committee.

Senate Judiciary

April 11, 2016

2016-1357s

04/08

#### Amendment to HB 1628-FN

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

2 Registration of Criminal Offenders; Definitions. Amend RSA 651-B:1, IX(a) to read as follows:

(a) RSA 169-B:41, II; RSA 632-A:3, I; RSA 632-A:3, II; RSA 632-A:3, IV if the victim was 13 years of age or older but less than 18 years of age; RSA 633:2; RSA 633:3; **RSA 633:7**; RSA 639:3, III; RSA 645:1, II; RSA 645:1, III; RSA 645:2; RSA 649-A:3; RSA 649-A:3-a; RSA 649-A:3-b; RSA 649-B:3; RSA 649-B:4; or RSA 650:2, II.

2016-1357s

#### AMENDED ANALYSIS

This bill makes it a crime for a person to pay to engage in sexual contact with a person under the age of 18. The bill also requires registration on the sex offender registry for persons convicted of trafficking in persons.

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 1631-FN, relative to penalties for possession of marijuana. Inexpedient to Legislate, Vote 4-0. Senator Daniels for the committee.

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

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

The following Senators voted Yes: Forrester, Cataldo, Hosmer, Little, Daniels, Lasky, Carson, Boutin, Soucy, Birdsell, D'Allesandro, Prescott, Stiles, Morse.

The following Senators voted No: Woodburn, Bradley, Watters, Pierce, Sanborn, Kelly, Avard, Feltes, Reagan, Fuller Clark.

Roll Call, Yeas: 14 - Nays: 10. Adopted.

#### PUBLIC AND MUNICIPAL AFFAIRS

HB 1202, relative to applications submitted to a planning board. Ought to Pass, Vote 4-1.

Senator Boutin for the committee.

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

Senator Morse is in opposition to the motion of Ought to Pass on HB 1202.

HB 1223, relative to changes of address on election day. Ought to Pass, Vote 3-2. 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 1378, relative to disabled voters requiring assistance. Ought to Pass, Vote 5-0. 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 1515, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising. Ought to Pass, Vote 5-0. Senator Lasky for the committee.

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

#### TRANSPORTATION

HB 1154-FN, authorizing and regulating the use of license plate scanning devices. Ought to Pass, Vote 4-1. Senator Watters for the committee.

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

Senators Carson and Daniels are in opposition to the motion of Ought to Pass on HB 1154-FN.

#### INTRODUCTION OF GUESTS

Senator Hosmer introduced students from Belmont High School on a Career Exploration Day: Cory Yelle, Amy Burke, Dylan Gansert, and Tyler Seidenberg. Joined by Carmen Lorentz from the Department of Resources and Economic Development.

HB 1161, relative to the traffic safety commission. Ought to Pass with Amendment, Vote 4-0. Senator Stiles for the committee.

Senate Transportation  
April 13, 2016  
2016-1393s  
06/10

**Amendment to HB 1161**

Amend the bill by replacing section 1 with the following:

1 Traffic Safety Commission. RSA 21-P:64 is repealed and reenacted to read as follows:

21-P:64 Traffic Safety Commission Established.

I. There is hereby established a traffic safety commission consisting of the following members:

(a) Representatives of the following organizations nominated by their respective organizations and appointed by the commissioner of the department of safety. Initial appointments shall be: 4 members for one year, 5 members for 2 years, and 5 members for 3 years. After the initial term, members shall each serve for terms of 3 years and until a successor is duly qualified and recommended by their respective organizations. Vacancies shall be filled for the unexpired terms in the same manner as the original appointment.

- (1) One member of the New Hampshire Association of Chiefs of Police.
- (2) One member of the New Hampshire Sheriffs Association.
- (3) One county attorney representing the New Hampshire Association of Counties.
- (4) One representative of the New Hampshire Municipal Association.
- (5) One representative of the New Hampshire Automobile Dealers Association.
- (6) One representative of the New Hampshire Motor Transport Association.
- (7) One representative of the New Hampshire School Transportation Association.
- (8) One representative of the American Automobile Association of Northern New England.
- (9) One representative of the New Hampshire branch of AARP.
- (10) One representative of the New Hampshire Driver Education Teachers Association.
- (11) One representative of the New Hampshire Hospital Association.
- (12) One representative of the New Hampshire Association of Fire Chiefs.
- (13) One representative of the Granite State Wheelmen.
- (14) One representative of the Associated General Contractors of New Hampshire.

(b) The following members shall serve while holding their respective offices which qualify them for membership:

- (1) The commissioner of the department of safety, or designee.
- (2) The director of the department of safety, division of motor vehicles, or designee.
- (3) The director of the department of safety, division of state police, or designee.
- (4) The attorney general, or designee.
- (5) The commissioner of the department of health and human services, or designee.
- (6) The chairman of the New Hampshire liquor commission, or designee.
- (7) The commissioner of the department of education, or designee.
- (8) The commissioner of the department of transportation, or designee.
- (9) A member of the judiciary, appointed by the chief justice of the New Hampshire supreme court.

(c) The following members shall serve for 3-year terms. Vacancies in these positions shall be filled by the governor for the unexpired terms.

- (1) A victim advocate, appointed by the governor.

(2) Three members of the public, appointed by the governor.

II. The commission shall have a chairperson who shall be designated by the governor from the membership, and the commission shall elect a vice-chair. The term of the chair shall be for his or her term of office, not to exceed 3 years. The commission shall meet at least once per quarter and at such other times as may be convened by the call of the chairperson or the commissioner of the department of safety or upon petition of 5 or more members.

III. Members shall receive no compensation or expenses except that the public members shall be entitled to mileage when in the performance of duties of the commission.

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.

Recess. Out of recess.

#### INTRODUCTION OF GUESTS

Senator Reagan introduced Chief of Police Glen Drolet of the Northwood Police Department.

Senator Feltes introduced 4th grade students from the Christa McAuliffe School in Concord.

Recess. Out of recess.

#### WAYS AND MEANS

HB 1590-FN-A-L, relative to the regulation and taxation of short-term rental businesses. Interim Study, Vote 3-0. Senator D'Allesandro for the committee.

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

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

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

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

Roll Call, Yeas: 10 - Nays: 14. Failed.

Senator Bradley moved Ought to Pass.

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

PRESIDENT MORSE: We are at the conclusion of the regular calendar and will take up the bill that was removed from the consent calendar.

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1531, permitting the legislature to open the state house on weekends. Ought to Pass with Amendment, Vote 5-0. Senator Reagan for the committee.

This bill permits the legislature to enter into a memorandum of understanding with a private entity to implement a program allowing the state house to be opened to the public on weekend days as part of a public private partnership.

Senate Executive Departments and Administration

April 13, 2016

2016-1391s

05/04

#### Amendment to HB 1531

Amend the introductory paragraph of RSA 14:51, I as inserted by section 1 of the bill by replacing it with the following:

I. The legislature may enter into a memorandum of understanding with a private entity to implement a program that will allow the state house to be open to the public. The memorandum of understanding shall consider:

2016-1391s

**AMENDED ANALYSIS**

This bill permits the general court to enter into a memorandum of understanding with a private entity to open the state house to the public as part of a state house weekend operations program.

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

Senator Carson offered a floor amendment.

Sen. Carson, Dist 14

April 19, 2016

2016-1482s

05/10

**Floor Amendment to HB 1531**

Amend RSA 14:51, II as inserted by section 1 of the bill by replacing it with the following:

II. Prior to the implementation of the program, the memorandum of understanding shall be reviewed and approved by the joint committee on legislative facilities, established under RSA 17-E:1. Any costs to implement the approved memorandum of understanding shall not be a charge to the state.

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.

**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 378, relative to the availability of net metering tariffs.

Senator Bradley moved concurrence. Adopted.

**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 545, (New Title) proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Senator Birdsell moved concurrence. Adopted.

**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 Little: HB 601-FN.

**ANNOUNCEMENTS**

(The Chair recognized Senator Lasky.)

SENATOR LASKY: Thank you, Mister President. I rise today and ask for unanimous consent to honor and celebrate my friend and our former colleague Angeline "Angie" Kopka. Angie was born in Nashua 100 years ago on April 18th, 1916. Her friends and family came together this past Sunday to celebrate her. In a time when women were not in the work force to any great degree, Angie not only worked as a realtor, but established her own real estate office in Nashua and became a pioneer for both men and women in real estate in Nashua, the state, and the country. She was named president of the National Women's Council of Realtors and the New Hampshire Association of Realtors, and throughout her career she received many well deserved



awards and accolades. She was always a force to be reckoned with. In 2002 Angie turned, in her ninety's, her spirit and energy to running for state representative from Nashua's Ward 5. She campaigned, and on election day little Angie would stand there and hand out pink roses to the delight of voters and consternation of her opponents. She won five times, and in 2012, at 96, she was honored as the oldest state legislator serving in the country. In 2008 she was a fierce supporter of then Senator Clinton's bid for the presidency, and regaled everyone with her stories of the advancement of women's rights. Married to John, she has raised two children, and is the proud grandmother of seven, great grandmother of three. As her friend and her driver, I love being with Angie; her love of life and youthful spirit has always been an inspiration. We women who know her have said we all want to be Angie when we grow up. So, my friend, I thank you for your life of service on behalf of us all, and we wish you happiness and peace on this memorable occasion and always – you deserve it. Thank you, Mister President.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. A point of personal privilege, please? Thank you, Mister President. Today we have in our presence retired Colonel John B. Perroni, Jr.. He's here in New Hampshire because of the passing of his father, John B. Perroni, Sr.. John B. Perroni, Sr. was my lifelong friend, my dearest friend. I talk many times about relationships; life is all about relationships. My relationship with John Perroni was something that I treasure.

John Perroni, at the age of 18, was drafted into the United State Army; went to New Jersey for basic training; had 11 weeks of basic training before he was shipped overseas and fought in the Battle of the Bulge. He received the Bronze Star. Youngster 18 years of age, doesn't go through the full basic training, but serves his country as part of the greatest generation. And if you knew John, you knew he was part of the greatest generation this country ever produced. John was director of driver licensing for the state of new Hampshire. The great thing about John is he always greeted you with a smile, you knew you were going to get the kind of personal service that everybody wanted; and he is remembered for that by everybody over at the Department of Safety. He was the kind of human being we all want to be. Married to Silvia for 65 years; 5 children; Colonel Perroni is just one of them; Vincent is a teacher at Manchester Central; P.J. is a lawyer; his son Dominic was tragically killed in an automobile accident when he was young – I had him at Bishop Bradley High School as a student – terrible, terrible accident; has a daughter, Emily, who lives in Derry.

John was the epitome of, as I said, a great American. To know John was to love John. And I was so privileged to know him, to know his family, to be part of his family. And when we lose people like John, you know, it's like a little ray of sunshine has left the world, and really that's how I feel. John Perroni was an example, as I say, of a great relationship, a great American, and his son is a tribute to that. Jack served the United States Air Force, retired Air Force Colonel. Jack Perroni could have been a General, but he chose his family over his job; chose his family, to be with his family. Wonderful children. What greater asset could a human being have – that his family does great things for the benefit of everybody else. So, with the loss of John Perroni I've lost something that I treasure; a friendship, a relationship. But I think we all gain something, or certainly I gained something by his presence, and I hope I'm a better human being because of it. Thank you, Mister President.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I rise for personal privilege. I'm here to rise to correct the record – the Majority Leader and I had disagreement on policy and poetry, but I want to correct that the Majority Leader was correct that it was G.K. Chesterton who said don't ever take down fences until you know why they were put up. He said it in a long and convoluted way, but it was him and not Robert Frost, and I stand corrected. Thank you.

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you very much. First of all, thanks to my colleague from the North Country. I had to memorize, in 8th grade, the poem "Mending Wall." For any of you who've read it, it brought back memories of whatever, 35, 40, 50 years ago.

But I rise for another reason. The President had upbraided me, probably several others, about our constant use of cell phones on the floor. So, I just want to thank everybody for not violating what I hope will be the first and the only infraction of cell phone use. And because I'm such a chronic violator, if you get tapped on the shoulder for violating the cell phone, the penalty, it will be voluntary like taxation, will be \$5 into the food kitty. And because I'm such a chronic violator, and happy that my colleague recognized that I was right, I hope to make the first and only contribution to the food kitty as a violation. Thank you, Mister President.

PRESIDENT MORSE: When you get your license you can pay the other 45 cents in tax.

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 356, (New Title) establishing a commission to study cryptocurrency regulation.

HB 601-FN, relative to cash dispensing machine requirements.

HB 1124, (New Title) relative to the membership of the occupational therapy governing board.

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

HB 1154-FN, authorizing and regulating the use of license plate scanning devices.

HB 1161, relative to the traffic safety commission.

HB 1175-FN, relative to post-judgment real estate liens.

HB 1195, relative to prepayment contracts for petroleum products.

HB 1202, relative to applications submitted to a planning board.

HB 1223, relative to changes of address on election day.

HB 1226, relative to administration of pharmaceutical agents by optometrists.

HB 1246-FN, relative to speech-language assistants.

HB 1292, relative to the use of abandoned agricultural property.

HB 1329, (New Title) relative to transportation of alcoholic beverages.

HB 1331, relative to the membership of the compensation appeals board.

HB 1339, (New Title) relative to the corporate governance annual disclosure act and relative to compensation of ski area employees.

HB 1340, relative to producer licensing.

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees.

HB 1372, permitting a child with a disability to use audio or video recording devices in the classroom.

HB 1378, relative to disabled voters requiring assistance.

HB 1404-FN, (New Title) relative to certain positions in the insurance department.

HB 1409, relative to life, accident, and health insurance.

HB 1410, relative to motor vehicle coverage.

HB 1426-FN, (New Title) relative to earned time credits for prisoners participating in educational programming.

HB 1450, relative to risk-based capital for insurers.

HB 1451-FN, (New Title) relative to the annulment of certain criminal offenses.

HB 1459, relative to commercial coverage.

HB 1467, relative to notice of village district elections.

HB 1515, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising.

HB 1531, permitting the legislature to open the state house on weekends.

HB 1547-FN, (New Title) prohibiting bestiality.

HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission.

HB 1587, relative to limitations on capital reserve funds of counties.

HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person.

HB 1618, relative to debt adjustment services.

HB 1624-FN, relative to electioneering by public employees.

HB 1628-FN, relative to human trafficking involving persons under 18 years of age.

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

#### 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.