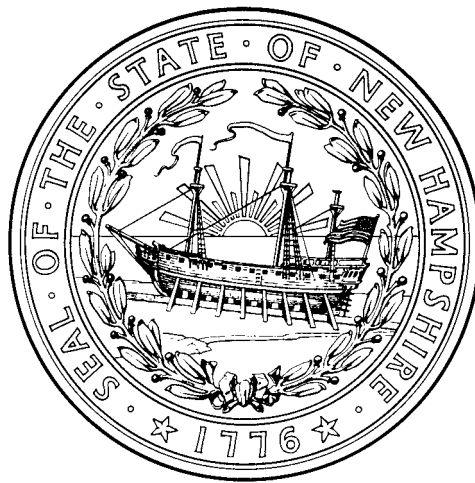


May 5, 2016
Nos. 15-16

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 – APRIL 28, 2016 SESSION
COMMENCEMENT – MAY 5, 2016 SESSION**

SENATE JOURNAL 15 *(continued)*

April 28, 2016

April 26, 2016
2016-1600-EBA
09/01

Enrolled Bill Amendment to HB 1195

The Committee on Enrolled Bills to which was referred HB 1195

AN ACT relative to prepayment contracts for petroleum products.

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 1195

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1195

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

RSA 339:79, III and RSA 339:79, III(a) to read as follows:

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

May 2, 2016
2016-1707-EBA
04/01

Enrolled Bill Amendment to HB 1616-FN

The Committee on Enrolled Bills to which was referred HB 1616-FN

AN ACT relative to drivers' licenses and identification cards that are compliant with federal identification law.

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 1616-FN

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1616-FN

Amend RSA 263:42, I-c as inserted by section 13 of the bill by replacing line 1 with the following:

I-c. For the conversion of a driver's license to an enhanced driver's license, which shall be for

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

May 2, 2016
2016-1698-EBA
03/04

Enrolled Bill Amendment to SB 386

The Committee on Enrolled Bills to which was referred SB 386

AN ACT adding biodiesel to electric renewable energy sources.

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 386

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 386

Amend RSA 362-F:13, VI-b as inserted by section 2 of the bill by replacing line 2 with the following:
energy output for producers of biodiesel no later than December 31, 2017.

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 the following entitled House and/or Senate Bills: SB 378.

Senator Prescott moved adoption of the Report of Committee on Enrolled Bills. 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 1116 and SB 332.

Senator Prescott moved adoption of the Report of Committee on Enrolled Bills. 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 377, 1289, and SB 427.

Senator Prescott moved adoption of the Report of Committee on Enrolled Bills. 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 535, 1165, 1181, 1197, 1208, 1220, 1244, 1245, 1283, 1290, 1300, 1332, 1497, 1665, and SB 313, 330, 400, 460.

Senator Prescott moved adoption of the Report of Committee on Enrolled Bills. 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 1616.

Senator Soucy 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 16

May 5, 2016

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

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

Good morning. Let us pray.

Almighty God, Creator of all things large and small, seen and unseen, you delight in the world you have made, and all your creatures are precious in your sight. But we have developed a culture of rivalry; our society encour-

ages us to compete and to compare; to view one another as adversaries instead of companions on a common journey. Help us to remember that we are all made in your image; that each of us is inspired by the breath of your Spirit and lit from within by your divine light. As we work together for the good of our country, open our eyes to see your face in one another; open our ears to the voices crying out for justice; and help us to use the gifts you have given us to restore and renew the world that you have created. Your creative spark lives on in us; empower us to make a difference. Amen.

Senator Avarad led the Pledge of Allegiance.

INTRODUCTION OF PAGES

Senator Pierce introduced Emma Duff-Pierce and Aislinn McDougal from Richmond Middle School in Hanover.

INTRODUCTION OF GUESTS

Senator Morse introduced the 8th grade class from Pelham Memorial School visiting in the gallery.

PRESIDENT MORSE: I'd like to take a moment to recognize the students who are here representing the Boys and Girls Club Alliance Youth of the Year program. This is an annual event and we welcome you here again today. The Youth of the Year program is a nationwide program, which honors club members for their above and beyond service to their club, to their family, their community, and for their strong academic performance, maintaining values and pursuing life's goals.

There are six impressive young men and women from Boys and Girls Clubs across the state joining us today, who make up this year's group of contestants who are competing for the top spot of being named Youth of the Year for the whole state; and here they are: Nico Buccieri, from the Boys and Girls Club...Nico's from the Boys and Girls Club of Greater Derry, who is represented by Senator Birdsell in District 19; Arielys Liriano, from the Boys and Girls Club of Manchester is represented by Senators Boutin, Soucy and D'Allesandro; Karina Rodriguez, from the Boys and Girls Club of Greater Nashua, who is represented by Senators Lasky and Avarad; Marrissa Allen, from the Boys and Girls Club of Souhegan Valley in Milford, who is represented by Senator Daniels; Jodi Gosselin is from the Boys and Girls Club of Greater Salem, which is in my district, and I will just say Jodi was named New Hampshire Youth of the Year in 2016, and went on to represent our state during last year's competition in August held in New York City. Jodi, you're an amazing young woman. And last, but certainly not least, Emily Forde, from the Boys and Girls Club of Central New Hampshire encompassing towns from a number of districts including Senators Little, Feltes, Hosmer, Reagan, and Senator Forrester. Welcome.

Each contestant was presented with a Senate Resolution from the Senators representing the Boys and Girls Club community and recognizing their achievements from their Boys and Girls Club.

Tonight, one of these young people will be named the Youth of the Year and will go on to compete at the regional competition this summer. We wish you all the very best of luck this evening, and thank you all for joining us here in the Senate today. Congratulations.

ANNOUNCEMENTS

PRESIDENT MORSE: I just wanted to take a minute, because I was trying to figure out why Jack cut his hair last week, but Jack's kind of quiet so he wasn't going to announce that he just got engaged, but let's congratulate him.

RECONSIDERATION

Without objection, HB 1385 will be taken up in the Regular Calendar in the Ways and Means Committee.

SPECIAL ORDER

Without objection, the following bill is special ordered to the first bill after lunch.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1322, relative to reports to the public employee labor relations board.

CONSENT CALENDAR REPORTS

The following bill was removed from the Consent Calendar:

COMMERCE

HB 1307, relative to the procedure for amendment of condominium instruments. Removed by Senator Bradley.

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.

COMMERCE

HB 1152, relative to the definition of specialty beer. Inexpedient to Legislate, Vote 5-0. Senator Cataldo for the committee.

This bill would raise the limit on alcohol content of beer allowed to be sold in the state to 21.5% ABV. The current limit is 12%. The committee heard testimony from the liquor commission that there is already a process for beer manufacturers to sell higher alcohol content beer in the state. The manufacture submits the beer to the liquor commission and they approve it for sale if it meets all of the current requirements for a beer to be sold in New Hampshire.

Senator Sanborn asserts Rule 6-25 on HB 1152.

HB 1188, relative to the brew pub license. Inexpedient to Legislate, Vote 5-0. Senator Cataldo for the committee.

This bill would allow brew pubs to brew and sell cider in their facilities. The committee heard testimony from the liquor commission that a license already exists for these establishments to brew and sell cider, making this bill not necessary. The liquor commission also testified that they would be willing to work with the interested parties to come up with a non-legislative solution.

Senator Sanborn asserts Rule 6-25 on HB 1188.

HB 1211, relative to requirements for certain alcoholic beverage licenses. Inexpedient to Legislate, Vote 5-0. Senator Prescott for the committee.

This bill if passed would have removed the restriction on a liquor license holder from employing individuals with a felony record. The liquor commission currently has a waiver process in place allowing a licensee to apply for a waiver to employ a person with a felony waiver. The commission testified that the waivers are always granted unless the applicant has committed a serious felony. The committee felt the waiver process allowed for enough flexibility in the hiring of persons with a criminal record.

Senator Sanborn asserts Rule 6-25 on HB 1211.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1147, requiring a report on federal landholdings within the state. Ought to Pass with Amendment, Vote 5-0. Senator Cataldo for the committee.

This legislation will require the Department of Resources and Economic Development to communicate with various towns affected by federal landholdings and requires them to produce an annual report on such landholdings. The amendment is to address an error in HB 377 with subparagraph numbering (d) and (e).

Senate Executive Departments and Administration

April 27, 2016

2016-1646s

08/04

Amendment to HB 1147

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

AN ACT requiring a report on federal landholdings within the state and relative to the membership of the New Hampshire geographic information system committee.

Amend the bill by replacing all after section 2 with the following:

3 Repeal. RSA 4-F:1, II(e), relative to membership of the New Hampshire geographic information system committee, is repealed.

4 Contingency. If HB 377 of the 2016 regular legislative session becomes law, section 3 of this act shall take effect at 12:01 a.m. on the effective date of HB 377. If HB 377 does not become law, section 3 of this act shall not take effect.

5 Effective Date.

I. Section 3 of this act shall take effect as provided in section 4 of this act.

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

2016-1646s

AMENDED ANALYSIS

This bill requires the commissioner of the department of resources and economic development to make an annual report on federal landholdings within the state.

This bill also modifies the membership requirements of the New Hampshire geographic information system committee.

JUDICIARY

HB 1250, relative to medical neglect of children. Inexpedient to Legislate, Vote 5-0. Senator Lasky for the committee.

This legislation sought to create statutory language to provide exclusions whereby a parent or guardian can be charged with medical neglect. The committee had concerns that the bill language provided loopholes whereby a neglectful parent could actually evade their parental duty of care to their child, thus having the unintended consequence of making it more difficult to protect children in these challenging cases. Therefore, the committee does not recommend this for passage.

HB 1287, repealing a provision of the harassment statute. Ought to Pass, Vote 5-0. Senator Pierce for the committee.

This legislation removes provisions in the harassment statute in order to comply with a New Hampshire Supreme Court opinion that determined the provision stricken by this bill was unconstitutional.

HB 1651, relative to the duties of the commission to review child abuse fatalities. Ought to Pass with Amendment, Vote 5-0. Senator Pierce for the committee.

This bill adds an additional, critical duty to the Child Abuse Fatalities Commission. The committee amendment merely makes their final report submission date coincide with the expiration date of the Commission.

Senate Judiciary

April 22, 2016

2016-1555s

05/04

Amendment to HB 1651

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Commission to Review Child Abuse Fatalities; Report Date Extended. Amend RSA 169-C:39-k, V to read as follows:

V. The commission shall submit an interim report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015. The commission shall submit a final report of its findings and recommendations on or before June 30, ~~2016~~**2017**.

3 Commission to Review Child Abuse Fatalities; Repeal Date Extended. Amend 2015, 127:6, II to read as follows:

II. Section 5 of this act shall take effect June 30, ~~2016~~ **2017**.

2016-1555s

AMENDED ANALYSIS

This bill directs the commission to review child abuse fatalities to identify all potential sources of child abuse and neglect data and recommend a comprehensive system for coordinated reporting to a central source. The bill also extends the report date and repeal date of the commission to June 30, 2017.

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

REGULAR CALENDAR

COMMERCE

HB 114, establishing beer specialty licenses. Ought to Pass, Vote 3-2. Senator Pierce for the committee.

Senator Stiles offered a floor amendment.

Sen. Stiles, Dist 24

May 3, 2016

2016-1808s

03/09

Floor Amendment to HB 114

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

AN ACT establishing beer specialty licenses and relative to rectifiers.

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

3 Rectifier License; Purchases. Amend RSA 178:7, I to read as follows:

I. A rectifier licensee may age, blend, and bottle liquor at its premises, may purchase *beer, wine, or* liquor from sources both inside and outside this state for such aging, blending, and bottling, and may sell the liquor it produces to the commission for resale in this state.

2016-1808s

AMENDED ANALYSIS

This bill establishes beer specialty licenses for retail sales at eligible outlets for off-premises consumption. This bill also allows rectifiers to purchase beer and wine for the aging, blending, and bottling of liquor.

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

Senator Sanborn asserts Rule 6-25 on HB 114.

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

Senators Morse and Soucy are in opposition to the motion of Ought to Pass with Amendment on HB 114.

Senator Sanborn asserts Rule 6-25 on HB 114.

HB 1252, permitting employers to pay wages to employees weekly or biweekly. Ought to Pass with Amendment, Vote 3-2. Senator Prescott for the committee.

Commerce

April 27, 2016

2016-1649s

06/03

Amendment to HB 1252

Amend RSA 275:43, IV-b as inserted by section 4 of the bill by replacing it with the following:

IV-b. The commissioner may, after showing good and sufficient reason, require payment of wages weekly by an employer. The commissioner shall prescribe to the employer the terms, conditions, and duration of such payments. Such restrictions shall be in effect until the employer rectifies any deficiencies prescribed by the commissioner and the commissioner has determined any such employer is capable of meeting all obligations to employees.

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

Senator Sanborn asserts Rule 6-25 on HB 1252.

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

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

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

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

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

Senator Sanborn asserts Rule 6-25 on HB 1252.

Senator Bradley moved to Lay on the Table HB 1252. Adopted.

Senator Avard is in opposition to the motion of Lay on the Table on HB 1252.

Senator Sanborn asserts Rule 6-25 on HB 1252.

EDUCATION

HB 1229, prohibiting the inclusion of statewide assessment results in a student's transcript without consent. Inexpedient to Legislate, Vote 4-0. Senator Stiles 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 1229.

HB 1338, relative to student exemption from the statewide assessment. Inexpedient to Legislate, Vote 4-0. Senator Watters 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 1338.

INTRODUCTION OF GUESTS

Senator Sanborn introduced students from the Greenfield and Hancock Elementary Schools.

HB 1637-FN, relative to school attendance in towns with no public schools. Interim Study, Vote 5-0. Senator Stiles for the committee.

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

Senator Stiles moved Ought to Pass.

Senator Reagan offered a floor amendment.

Sen. Reagan, Dist 17

Sen. Stiles, Dist 24

Sen. Little, Dist 8

May 2, 2016

2016-1736s

04/10

Floor Amendment to HB 1637-FN

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

1 School Attendance; Compulsory Attendance by Pupil. Amend the introductory paragraph of RSA 193:1, I to read as follows:

I. A parent of any child at least 6 years of age and under 18 years of age shall cause such child to attend the public school to which the child is assigned in the child's resident district. ***If there is no public school for the child's grade in the resident district, the district may assign the child to another public school in another school district or to a nonreligious private school provided that the school to which the child is assigned is approved for attendance by the department of education, has an educational program that meets or exceeds the requirements for an adequate public education pursuant to RSA 193-E, and agrees to comply with the statewide assessment requirements pursuant to RSA 193-C with regard to any child assigned from a public school district.*** Such child shall attend full time when such school is in session unless:

2 School Districts; Contracts With Schools. Amend RSA 194:22 to read as follows:

194:22 Contracts With Schools. Any school district may make a contract with an academy, high school, ***nonreligious private school which has been approved for attendance by the department of educa-***

tion, has an educational program that meets or exceeds the requirements for an adequate public education pursuant to RSA 193-E, and agrees to comply with the statewide assessment requirements pursuant to RSA 193-C with regard to any child assigned from a public school district, or other literary institution located in this or, when distance or transportation facilities make it necessary, in another state, to provide for the education of a pupil who resides in the district and raise and appropriate money to carry the contract into effect. [If the contract is approved by the state board the school with which it is made shall be deemed a high school maintained by the district.]

3 School Districts; Tuition. Amend RSA 194:27 to read as follows:

194:27 Tuition. Any district not maintaining a high school or school of corresponding grade shall pay for the tuition of any pupil who with parents or guardian resides in said district. or who, as a resident of said district, after full investigation by the state board of education is determined to be entitled to have his or her tuition paid by the district where the pupil resides, and who attends an approved public high school [or], public school of corresponding grade in another district [or], an approved public academy, ***or a nonreligious private school which has been approved for attendance by the department of education, has an educational program that meets or exceeds the requirements for an adequate public education pursuant to RSA 193-E, and agrees to comply with the statewide assessment requirements pursuant to RSA 193-C with regard to any child assigned from a public school district.*** Except under contract as provided in RSA 194:22, the liability of any school district hereunder for the tuition of any pupil shall be the current expenses of operation of the receiving district for its high school, as estimated by the state board of education for the preceding school year. This current expense of operation shall include all costs except costs of transportation of pupils.

4 School Money; District Taxes; Estimates. Amend RSA 198:4 to read as follows:

198:4 Estimates. The school board of each district in its annual report shall state in detail the additional sums of money, if any, which will be required during the ensuing fiscal year for the support of the public schools, for the purchase of textbooks, scholars' supplies, flags and appurtenances, for the payment of the tuition of the pupils in the district in high schools [and], academies, ***or nonreligious private schools which meet the conditions established for nonreligious private schools set forth in RSA 194:22,*** in accordance with law, and for the payment of all other statutory obligations of the district.

5 Effective Date. This act shall take effect 60 days after its passage

2016-1736s

AMENDED ANALYSIS

This bill allows a school district to assign a child to another public school in another school district or to a nonreligious private school if there is no public school for the child's grade in the child's resident district and if the school to which the child is assigned meets the state requirements for an adequate public education and the statewide assessment program.

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.

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

Recess. Out of recess.

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

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to Third Reading.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 533, relative to installation requirements for arc-fault circuit interrupters. Ought to Pass, Vote 4-1. Senator Reagan for the committee.

Senator Daniels offered a floor amendment.

Sen. Daniels, Dist 11
May 4, 2016
2016-1865s
05/04

Floor Amendment to HB 533

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

AN ACT relative to installation requirements for arc-fault circuit interrupters and relative to state building code review board rules.

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

2 New Paragraph; State Building Code Review Board; Permit Application. Amend RSA 155-A:10 by inserting after paragraph VI the following new paragraph:

VI-a. Any rule adopted by the state building code review board based on section R105.3 of the 2009 edition, or a later edition, of the International Residential Code shall require an application for permit to include only such additional data and information as is reasonably required by the building inspector to act on the application.

3 Effective Date.

I. Section 1 of this act shall take effect January 1, 2017.

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

2016-1865s

AMENDED ANALYSIS

This bill:

I. Permits an arc-fault circuit interrupter (AFCI) device to be replaced with a device without AFCI protection in certain circumstances.

II. Provides that any rule adopted by the state building code review board relative to applications for permits under the International Residential Code shall require only such data as is reasonably required for the building inspector to act on the application.

Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

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

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

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

Roll Call, Yeas: 13 - Nays: 11. Adopted.

Senator Sanborn asserts Rule 6-25 on HB 533.

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

Senator Sanborn asserts Rule 6-25 on HB 533.

FINANCE

HB 466-FN, relative to farm tractor plates for certain specialized vehicles. Ought to Pass, Vote 6-0. 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 582-FN, repealing the license requirement for carrying a concealed pistol or revolver. Ought to Pass, Vote 4-2. Senator Little for the committee.

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

A roll call was requested by Senator Pierce, 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 Third Reading.

Senator Sanborn asserts Rule 6-25 on HB 582-FN.

HB 1172, relative to corrective action implementation of audit findings concerning Cannon Mountain. Ought to Pass with Amendment, Vote 6-0. Senator D'Allesandro for the committee.

Senate Finance

April 26, 2016

2016-1612s

06/05

Amendment to HB 1172

Amend RSA 12-A:29-c, III as inserted by section 3 of the bill by replacing it with the following:

III. The commissioner of resources and economic development shall submit a report detailing the activities of the revolving fund annually to the governor and council and the fiscal committee ~~[within 60 days of]~~ **by January 31 following** the close of each fiscal year.

Amend RSA 216-A:3-e, III as inserted by section 4 of the bill by replacing it with the following:

III. The commissioner of resources and economic development shall submit the financial reports required by this section to the governor and council by ~~[January 1 of each calendar year]~~ **January 31 following the close of each fiscal year**. These reports shall include data on financial operations during the previous fiscal year. The governor and council shall provide the presiding officers of the general court with copies of the commissioner's financial reports.

Amend RSA 12-A:15, II as inserted by section 5 of the bill by replacing it with the following:

II. The department of resources and economic development may participate in package plan programs with voluntary corporations as defined in this section, **and businesses within the tourism industry**. Notwithstanding any other provision of law, this participation may include entering into such agreements with voluntary corporations **and businesses within the tourism industry** as are in the best interests of the state, which agreements may relate to the development, promotion, administration, and sales of package plan programs. Such agreements shall permit the department of resources and economic development to provide to the voluntary corporation **and businesses within the tourism industry** a mutually agreed upon number of tickets or vouchers for tickets at a mutually agreed upon discounted rate in order to participate in the package plan program for promotional purposes or in lieu of dues to the voluntary corporation. Any revenue derived by participation in package plan programs payable to the department of resources and economic development in accordance with such agreements shall be deposited with the state treasurer in the same manner as regular ticket sales. The commissioner of the department of resources and economic development shall make ~~[quarterly]~~ **annual** reports on revenue derived from participation in package plan programs to the senate president, the speaker of the house, and governor and council **by January 31 following the close of each fiscal year**.

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 1272-FN, relative to bus transportation for chartered public school students. Ought to Pass, Vote 6-0. Senator Reagan for the committee.

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

Senator Sanborn asserts Rule 6-25 on HB 1272-FN.

HB 1357-FN, relative to the duties of the department of cultural resources. Ought to Pass, Vote 6-0. Senator Hosmer for the committee.

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

HB 1408-FN, relative to a school building inventory. Inexpedient to Legislate, Vote 5-1. Senator Reagan for the committee.

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

HB 1430-FN, relative to registration of compact utility tractors. Ought to Pass, Vote 6-0. Senator Little for the committee.

Senator Sanborn offered a floor amendment.

Sen. Sanborn, Dist 9

May 4, 2016

2016-1868s

03/01

Floor Amendment to HB 1430-FN

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

AN ACT relative to operation of compact utility tractors.

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

1 Words and Phrases; Compact Utility Trailer Added. Amend RSA 259:13-a to read as follows:

259:13-a ***Compact Utility Tractor. "Compact utility tractor" shall mean any self-propelled 4-wheel vehicle utilizing diesel fuel, with a rated horsepower not to exceed 28 horsepower, that is capable of carrying not more than one occupant, is equipped by the manufacturer with at least one PTO (power take-off) in addition to any PTO installed for the purpose of an under-tractor mower deck, and has no provision for carrying a load other than attached implements such as snowplows, tool boxes, or bucket loaders.***

259:13-aa Consigned. "Consigned," as used in RSA 261:104, shall mean entrusted by a notarized written statement to a dealer as consignee, whereby the dealer has agreed to hold a vehicle for the consignor for the purpose of selling it.

2 New Section; Equipment and Inspection of Vehicles; Exemption for Compact Utility Tractors. Amend RSA 261 by inserting after section 41-a the following new section:

261:41-b Equipment and Inspection of Vehicles; Exemption for Compact Utility Tractor.

I. Any compact utility tractor, as defined in RSA 259:13-a, shall be exempt from any inspection requirements.

II. When operated on a way for purposes other than crossing the way for trail access, any compact utility tractor, as defined in RSA 259:13-a, shall be equipped with at least one red reflex reflector and may be equipped additionally with an amber flashing or rotating light. When operating at any time during the period from 1/2 hour after sunset to 1/2 hour before sunrise, any compact utility tractor, as defined in RSA 259:13-a, shall be equipped with one or more headlights and one or more rear taillights, each in working order.

3 Operation on Ways. Amend RSA 265:160 to read as follows:

265:160 Utility Vehicles ***and Compact Utility Tractors***; Operation on Ways Restricted. No person shall operate a utility vehicle, including an agricultural/industrial utility vehicle as defined in RSA 259:2-a, ***a compact utility tractor, as defined in RSA 259:13-a***, or an off highway recreational vehicle as defined in RSA 259:69, except on a way where the posted speed limit is 40 miles per hour or less ***or, in the case of compact utility tractor, 35 miles per hour or less***, and the route or crossing being used is open to such vehicles and at such times and under any other special operating conditions established by the government authority having control of the way. Any person operating or in actual physical control of such a vehicle upon a way shall hold a valid driver's license.

4 Effective Date. This act shall take effect July 1, 2017.

2016-1868s

AMENDED ANALYSIS

This bill establishes operation and equipment requirements for compact utility tractors.

Recess. Out of recess.

INTRODUCTION OF GUESTS

Senator Forrester introduced students from Holderness Central School visiting in the gallery.

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

Senators Morse and Sanborn assert Rule 6-25 on HB 1430-FN.

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

Senators Morse and Sanborn assert Rule 6-25 on HB 1430-FN.

HB 1527-FN-A, authorizing additional part-time positions at the department of administrative services and making an appropriation therefor. Ought to Pass with Amendment, Vote 6-0. Senator Little for the committee.

Senate Finance

April 26, 2016

2016-1616s

09/10

Amendment to HB 1527-FN-A

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

AN ACT authorizing additional part-time positions at the department of administrative services and making an appropriation therefor, and relative to the revenue stabilization reserve account.

Amend paragraph I of section 1 of the bill by replacing it with the following:

I. The commissioner of the department of administrative services is authorized to hire the following classified permanent part-time positions at no more than 25 hours a week:

- (a) A health benefit program specialist/program specialist IV (LG 25)
- (b) An accountant I – division of accounting services, statewide payroll unit (LG 16)
- (c) A workforce development administrator I – division of personnel (LG 27)

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

2 Revenue Stabilization Reserve Account. Amend RSA 9:13-e, II to read as follows:

II. There is hereby established within the general fund general ledger a revenue stabilization reserve account. At the close of the fiscal biennium ending June 30, 2001, and at the close of each fiscal biennium thereafter, any surplus, as determined by the official audit performed pursuant to RSA 21-I:8, II(a) shall be transferred by the comptroller to a special nonlapsing revenue stabilization reserve account[; ~~provided, however, that in any single fiscal year the total of such transfer shall not exceed 1/2 of the total potential maximum balance allowable under paragraph V~~]. The comptroller is hereby directed to establish the revenue stabilization reserve account in which to deposit any money received from a general fund operating budget surplus. The state treasurer shall invest funds in this account as authorized by RSA 6:8. The interest so earned shall be deposited as unrestricted general fund revenue.

2016-1616s

AMENDED ANALYSIS

This bill authorizes additional part-time positions at the department of administrative services and makes an appropriation for such positions.

The bill also removes a limitation on transfers to the revenue stabilization reserve account.

The Chair ruled Committee Amendment 1616s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Committee Amendment 1616s to HB 1527-FN-A. Adopted by the necessary 2/3 vote.

The question is on the adoption of the Committee Amendment.

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

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

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

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

HB 1594-FN, relative to emergency medical services. Ought to Pass, Vote 6-0. 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 1644-FN, 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. Ought to Pass with Amendment, Vote 6-0. Senator Reagan for the committee.

Senate Finance

April 26, 2016

2016-1614s

04/09

Amendment to HB 1644-FN

Amend the bill by replacing all after section 3 with the following:

4 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) 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 for the Virtual Learning Academy Charter School and \$3,036 for all other chartered public schools directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. Beginning July 1, 2017 and every biennium thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. ***The state shall pay amounts required pursuant to RSA 198:40-a, III directly to the resident district.***

5 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. Section 4 of this act shall take effect July 1, 2016 at 12:01 a.m.

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

The Chair ruled Committee Amendment 1614s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Committee Amendment 1614s to HB 1644-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 Third Reading.

HB 1664-FN, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies. Ought to Pass, Vote 6-0. Senator Hosmer 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 1138, relative to access to investigational drugs, biological products, and devices. Ought to Pass with Amendment, Vote 4-0. Senator Kelly for the committee.

Health and Human Services
April 27, 2016
2016-1634s
01/04

Amendment to HB 1138

Amend the bill by replacing section 3 with the following:

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

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

The question is on the adoption of the motion of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.
HB 1394, relative to the appropriation for developmental services. Ought to Pass, Vote 4-0. 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.

HB 1601, relative to certain continuing care communities. 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.

Recess. Out of recess.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1322, relative to reports to the public employee labor relations board. Inexpedient to Legislate, Vote 4-1. Senator Soucy for the committee.

Recess. Out of recess.

SPECIAL ORDER

Without objection, the following bill was special ordered to 2:00 p.m.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1322, relative to reports to the public employee labor relations board.

JUDICIARY

HB 1127, relative to qualifications of referees in the superior courts and circuit courts. Inexpedient to Legislate, Vote 4-1. Senator Cataldo 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 1127.

HB 1248, relative to the waiver of counsel in juvenile delinquency proceedings. Inexpedient to Legislate, Vote 4-0. Senator Pierce for the committee.

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

HB 1270, relative to a jury's determination as to the applicability of a law. Inexpedient to Legislate, Vote 4-1. Senator Lasky 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 1270.

HB 1493, relative to ownership of DNA. Interim Study, Vote 4-1. Senator Pierce for the committee.

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

HB 1681-FN, relative to hypodermic syringes and needles containing residual amounts of controlled drugs. Ought to Pass with Amendment, Vote 4-0. Senator Carson for the committee.

Senate Judiciary
April 19, 2016
2016-1487s
01/09

Amendment to HB 1681-FN

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

AN ACT establishing a commission on hypodermic syringes and needles.

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

1 New Section; Commission on Hypodermic Syringes and Needles. Amend RSA 318-B by inserting after section 26-a the following new section:

318-B:26-b Commission on Hypodermic Syringes and Needles.

I. There is established a commission on hypodermic syringes and needles.

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

(a) Two 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.

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

(d) The attorney general, or designee.

(e) A pharmacist, appointed by the New Hampshire board of pharmacy.

(f) A physician from the New Hampshire Medical Society, appointed by the society.

(g) A representative from the New Hampshire Infection Control and Epidemiology Professionals, appointed by that organization.

(h) Two public members, at least one of whom shall be an independent office-based health care practitioner, appointed by the governor.

(i) An APRN, appointed by the New Hampshire Nurse Practitioner Association.

(j) The chair of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, or designee.

(k) The director of the division of state police, or designee.

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

IV. The commission's study shall include, but not be limited to, evaluating the effectiveness of a needle exchange program and whether recommendations for guidelines and further legislative action are necessary.

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

VI. The commission 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, 2017.

2 Repeal. RSA 318-B:26-b, relative to the commission on hypodermic syringes and needles, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2017.

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

2016-1487s

AMENDED ANALYSIS

This bill establishes a commission on hypodermic syringes and needles.

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

Senator Carson offered a floor amendment.

Sen. Carson, Dist 14
 Sen. Watters, Dist 4
 Sen. Boutin, Dist 16
 Sen. Avard, Dist 12
 Sen. Pierce, Dist 5
 Sen. Feltes, Dist 15
 Sen. Bradley, Dist 3
 May 5, 2016
 2016-1880s
 01/09

Floor Amendment to HB 1681-FN

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

AN ACT establishing a commission on hypodermic syringes and needles.

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

1 New Section; Commission on Hypodermic Syringes and Needles. Amend RSA 318-B by inserting after section 26-a the following new section:

318-B:26-b Commission on Hypodermic Syringes and Needles.

I. There is established a commission on hypodermic syringes and needles.

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

- (a) Two 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.
- (c) The commissioner of the department of health and human services, or designee.
- (d) The commissioner of the department of environmental services, or designee.
- (e) The attorney general, or designee.
- (f) A pharmacist, appointed by the New Hampshire board of pharmacy.
- (g) A physician from the New Hampshire Medical Society, appointed by the society.
- (h) A representative from the New Hampshire Infection Control and Epidemiology Professionals, appointed by that organization.
- (i) Two public members, at least one of whom shall be an independent office-based health care practitioner, appointed by the governor.
- (j) An APRN, appointed by the New Hampshire Nurse Practitioner Association.
- (k) The chair of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, or designee.
- (l) The director of the division of state police, or designee.
- (m) The governor's advisor on addiction and behavioral health, or designee.
- (n) The president of the New Hampshire Association of Chiefs of Police, or designee.
- (o) The executive director of New Futures, or designee.
- (p) A member of the public health network, appointed by the commissioner of the department of health and human services.
- (q) A representative from an HIV/AIDS service organization, appointed by the governor.
- (r) An individual who is in long-term recovery, appointed by the commissioner of the department of health and human services.

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

IV.(a) The commission's study shall include, but not be limited to:

- (1) Studying the national standards for best practices for syringe services programs.
- (2) Discussing the feasibility of implementing syringe services programs in New Hampshire.
- (3) Identifying recommended solutions, both legislative and non-legislative.
- (4) Reviewing any other matter the commission deems relevant to its objective.

(b) The commission shall seek input from any person or entity the commission deems relevant to its study.

V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named member of the house of representatives. The first meeting of the commission shall be held within 30 days of the effective date of this section. Eleven members of the commission shall constitute a quorum.

VI. The commission 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.

2 Repeal. RSA 318-B:26-b, relative to the commission on hypodermic syringes and needles, is repealed.

3 Effective Date.

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

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

2016-1880s

AMENDED ANALYSIS

This bill establishes a commission on hypodermic syringes and needles.

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.

RULES, ENROLLED BILLS AND INTERNAL AFFAIRS

HB 1486, relative to membership of the state house bicentennial commission. Ought to Pass with Amendment, Vote 2-0. Senator Soucy for the committee.

Rules, Enrolled Bills and Internal Affairs

April 27, 2016

2016-1654s

05/09

Amendment to HB 1486

Amend the bill by replacing section 1 with the following:

1 New Subparagraphs; New Hampshire State House Bicentennial Commission; Members Added. Amend RSA 17-R:1, II by inserting after subparagraph (s) the following new subparagraphs:

- (t) The chiefs of staff of the house of representatives and the senate, or designees.
- (u) The clerks of the house of representatives and the senate, or designees.

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.

HCR 12, urging support of the 65/25 initiative in New Hampshire. Ought to Pass, Vote 3-0. Senator Avard for the committee.

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

TRANSPORTATION

HB 1186, repealing the law prohibiting coasting of vehicles. Inexpedient to Legislate, Vote 3-1. Senator Watters for the committee.

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

Senator Sanborn asserts Rule 6-25 on HB 1186.

Senator Stiles moved Ought to Pass.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

Sen. Stiles, Dist 24

May 4, 2016

2016-1869s

03/05

Floor Amendment to HB 1186

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

AN ACT relative to coasting of vehicles.

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

1 Coasting; Motorcycles. Amend RSA 265:99, I to read as follows:

I. The driver of any vehicle when traveling upon a downgrade, ***other than motorcycles or private passenger automobiles, as defined in RSA 259:80, I, traveling under 15 miles per hour***, shall not coast with the gears of such vehicle in neutral.

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

2016-1869s

AMENDED ANALYSIS

This bill establishes an exemption from the coasting prohibition for motorcycles and private passenger automobiles traveling under 15 miles per hour.

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

Senator Sanborn asserts Rule 6-25 on HB 1186.

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

Senator Sanborn asserts Rule 6-25 on HB 1186.

HB 1302, relative to driver's license requirements for operation of a mixed use school bus. Ought to Pass, Vote 3-0. Senator Watters for the committee.

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

Senator Feltes asserts Rule 6-25 on HB 1302.

HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials. Ought to Pass, Vote 3-0. Senator Daniels for the committee.

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

Senator Sanborn asserts Rule 6-25 on HB 1452.

WAYS AND MEANS

HB 1656-FN, relative to exceptions to the real estate transfer tax. Ought to Pass with Amendment, Vote 5-0. Senator Sanborn for the committee.

Senate Ways and Means

April 19, 2016

2016-1466s

09/10

Amendment to HB 1656-FN

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

1 Purpose. The purpose of RSA 78-B:2, XXII as inserted by this act is to implement New Hampshire court decisions.

2 New Paragraphs; Exceptions to Real Estate Transfer Tax. Amend RSA 78-B:2 by inserting after paragraph XX the following new paragraphs:

XXI.(a) To a transfer of title provided that:

(1) The transfer of title is coincidental to a change in the transferor's form of organization to that of the transferee;

(2) As a result of the change in the transferor's form of organization, the assets and liabilities of the transferor immediately preceding the change in form of organization and the assets and liabilities of the transferee immediately following the change in form of organization are the same; and

(3) At the time of the transfer of title, the owner or owners of the transferor and the owner or owners of the transferee, and the respective ownership percentages of each, are identical.

(b) For the purpose of this paragraph, a beneficial interest in a trust shall be considered an ownership interest in such trust.

XXII. To a transfer of title from the owners of an entity to the entity, or from the entity to the owners of the entity; provided that:

(a) No consideration is exchanged for the transfer of the real estate; and

(b) The direct or indirect owners of the parties to the transfer remain the same before and after the transfer of the real estate, the respective ownership percentages of each are identical, and the combined assets and liabilities of the transferor and transferee remain the same except with respect to the real estate.

3 Real Estate Transfer Tax; Definition; Price or Consideration. Amend RSA 78-B:1-a, IV to read as follows:

IV. "Price or consideration", in a contractual transfer, means the amount of money, or other property and services, or property or services valued in money which is given in exchange for real estate, and measured at a time immediately after the transfer of the real estate. The value of such consideration in contractual transfers where the property exchanged includes the surrender of rights or choses-in-action by the transferee, including the surrender of shareholder or beneficial interest holder rights in liquidation of a corporation or other entity, the forgiveness of an obligation owed to the transferee, or the assumption of an obligation by the transferee, shall be no less than the fair market value of the real estate or interest in such real estate as determined by the department pursuant to RSA 78-B:9, III; except that in the case of a deed given in lieu of a foreclosure, the value of such consideration shall be the amount by which the debt of the obligor secured by the real estate or interest in the real estate is reduced plus the amount of such debt which is assumed by the transferee in exchange for the real estate, if any. ***Transfers made solely to obtain financing or refinancing, as required by a lending institution, and that accomplish no other business purposes shall not be considered sufficient consideration to make a transfer a contractual transfer. The recitation of nominal consideration of \$10 or other valuable consideration for purposes of satisfying the statute of frauds is not consideration for purposes of this chapter.***

4 Applicability. This act shall apply to transfers occurring on and after the effective date of this act.

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

2016-1466s

AMENDED ANALYSIS

This bill establishes exceptions from the real estate transfer tax for certain transfers of title related to changes in form of organization or made between the owners and the entity for no consideration.

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

Senator Sanborn asserts Rule 6-25 on HB 1656-FN.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

April 27, 2016

2016-1637s

09/04

Floor Amendment to HB 1656-FN

Amend RSA 78-B:2, XXI(a)(1) as inserted by section 2 of the bill by replacing it with the following:

(1) The transfer of title, where no consideration is exchanged, is coincidental to a change in the transferor's form of organization to that of the transferee;

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

Senator Sanborn asserts Rule 6-25 on HB 1656-FN.

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

Senator Sanborn asserts Rule 6-25 on HB 1656-FN.

MOTION OF RECONSIDERATION

Senator Feltes, having voted on the prevailing side, moved to reconsider the following action taken by the body on HB 1385-FN-A: reconsider Third Reading and Final Passage, rescind Order to Third Reading, and reconsider the vote on Ought to Pass with Amendment. Adopted.

WAYS AND MEANS

HB 1385-FN-A, relative to the sale or exchange of an interest in a business organization under the business profits tax.

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

A roll call was requested by Senator Feltes, seconded by Senator Soucy.

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

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to Third Reading.

ADDENDUM CALENDAR

COMMERCE

HB 1403, relative to reinsurance. Ought to Pass, Vote 3-2. Senator Prescott for the committee.

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

Recess. Out of recess.

HEALTH AND HUMAN SERVICES

HB 629-FN, relative to induced termination of pregnancy statistics. Ought to Pass, Vote 3-2. Senator Avard for the committee.

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

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

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

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

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

Senator Bradley moved to Lay on the Table HB 629-FN. Adopted.

SPECIAL ORDER

Without objection, the following bill was special ordered to the present time.

HEALTH AND HUMAN SERVICES

HB 1570-FN, repealing the law governing access to reproductive health care facilities. Ought to Pass, Vote 3-2. Senator Carson for the committee.

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

A roll call was requested by Senator Soucy, seconded by Senator Fuller Clark.

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

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

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

Senator Bradley moved to Lay on the Table HB 1570-FN. Adopted.

Recess. Out of recess.

SPECIAL ORDER

Without objection, the following bill was special ordered to the present time.

HEALTH AND HUMAN SERVICES

HB 1661-FN, relative to conversion therapy seeking to change a person's sexual orientation. Ought to Pass with Amendment, Vote 3-2. Senator Sanborn for the committee.

Health and Human Services

May 3, 2016

2016-1800s

01/09

Amendment to HB 1661-FN

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

AN ACT establishing a commission to study conversion therapy.

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

1 New Subdivision; Commission to Study Conversion Therapy. Amend RSA 126-A by inserting after section 69 the following new subdivision:

Commission to Study Conversion Therapy

126-A:70 Commission Established. There is established a commission to study conversion therapy.

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

- (1) One member of the senate, appointed by the president of the senate.
- (2) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (3) A representative of the New Hampshire Medical Society, appointed by the society.
- (4) A representative of the New Hampshire Psychiatric Society, appointed by the society.
- (5) A representative of the board of mental health practice, appointed by the board.
- (6) A representative of the family mediator certification board, appointed by the board.
- (7) A representative of the New Hampshire chapter of the National Center for Lesbian Rights, appointed by the governor.
- (8) A representative of GLAD, appointed by the governor.
- (9) A representative of Cornerstone Research, appointed by the speaker of the house of representatives.
- (10) A representative of the Roman Catholic Diocese of Manchester, appointed by the senate president.
- (11) An ordained minister, appointed by the senate president.

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

II.(a) The commission shall study the practice of conversion therapy, or treatment that seeks to change an individual's sexual orientation or gender identity. Specifically, the commission shall:

- (1) Define conversion therapy and the procedures or services such therapy includes.
- (2) Identify any other therapies which are or could be considered as abusive in New Hampshire.
- (3) Determine whether conversion therapy is being offered in New Hampshire.
- (4) Review the existing policies of state licensing boards providing for guidance and/or licensing for this type of therapy.
- (5) Determine whether any of these therapies are paid for by Medicaid.
- (6) Determine if licensed therapists are offering conversion therapy, should the service be posted and what, if any disclosures to parents should be considered.
- (7) Investigate whether electro-shock therapy is being used as part of conversion therapy.
- (8) Consider the circumstances under which parents, councilors, and clergy can participate in discussions with a teen about sexuality and when does it become conversion therapy.
- (9) Consider the role of the general court in determining the limits of the First Amendment and religious beliefs and providing services to others concerning conversion therapy.
- (10) Consider medical statements by New Hampshire medical boards and associations and how such boards and associations are managing their licensed practitioners.

(b) The commission shall solicit information from any person or entity the commission deems relevant to its study.

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

IV. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before March 1, 2017.

3 Repeal. RSA 126-A:70, relative to a commission to study conversion therapy, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect March 1, 2017.

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

2016-1800s

AMENDED ANALYSIS

This bill establishes a commission to study conversion therapy.

Senator Cataldo moved to Lay on the Table HB 1661-FN.

Recess. Out of recess.

Senator Cataldo withdrew his motion to Lay on the Table HB 1661-FN.

SPECIAL ORDER

Senator Bradley moved to Special Order HB 1661-FN to Thursday, May 12, 2016.

A roll call was requested by Senator Woodburn, seconded by Senator Bradley.

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

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

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

SPECIAL ORDER

Without objection, the following bills were special ordered to Thursday, May 12, 2016.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1322, relative to reports to the public employee labor relations board.

JUDICIARY

HB 512, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency.

INTRODUCTION OF GUESTS

Senator D'Allesandro introduced Representative Barbara French, Representative Dan Eaton, House Speaker Shawn Jasper, and House Chief of Staff Terry Pfaff visiting in the gallery.

HEALTH AND HUMAN SERVICES

HB 1193, relative to the wellness and primary prevention council. Ought to Pass, Vote 5-0. Senator Fuller Clark for the committee.

Senator Fuller Clark offered a floor amendment.

Sen. Fuller Clark, Dist 21

Sen. D'Allesandro, Dist 20

May 4, 2016

2016-1861s

01/04

Floor Amendment to HB 1193

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

AN ACT relative to the wellness and primary prevention council and relative to certification of school nurses.

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

2 School Health Services; School Nurses. Amend RSA 200:29 to read as follows:

200:29 School Nurse; ***Certification.***

I. Each school board may appoint a school nurse to function in the school health program, and provide said nurse with proper facilities and equipment. A school nurse shall be a registered professional nurse currently licensed in New Hampshire ***and certified by the state board of education.***

II. A school nurse employed for less than 20 hours per week shall be exempt from the certification requirement in paragraph I of this section.

III.(a) An individual shall have the following entry level requirements to be certified as a school nurse:

(1) Have completed a board of nursing approved registered nursing program at the bachelor's degree level or higher under RSA 326-B; and

(2) Have 3 years current experience in pediatric nursing or other related nursing areas.

(b) An applicant for certification as a school nurse shall have the skills, competencies, and knowledge in the following areas:

(1) In the area of delivery of the school nursing services, the skills and abilities to:

(A) Assess student's health or situation through analysis of data collected and synthesize comprehensive data.

(B) Identify outcomes and develop plans for individual students or situations including strategies and alternatives.

(C) Implement interventions identified in the plan of care/action, coordinating care with school employees and evaluate outcome.

(D) Consult with administration to provide health education and employ strategies to promote health, wellness and a safe environment.

(E) Systematically evaluate the progress for the quality of practice and effectiveness toward attainment of outcomes for promoting health and a safe environment.

(2) In the area of school nursing, the applicant shall demonstrate the knowledge and ability to:

(A) Provide quality nursing practice in a school setting.

(B) Evaluate his or her nursing practices and continue professional development as required by a school district's professional development master plan.

(C) Collaborate with students, families, school staff, and others in the conduct of school nursing practices.

(D) Integrate ethical provisions and research findings into practice as a school nurse.

(3) In the area of accountability, knowledge, skills, and application in:

(A) Planning and delivering school nursing services factoring in safety, effectiveness, cost, and impact on nursing practice.

(B) Providing leadership in the profession and professional nursing practice setting.

(C) Managing school health services.

(D) Complying with professional nursing practice standards, guidelines, relevant statutes, rules and regulations.

IV. The state board of education shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The application process for certification under paragraph III.

(b) Form and content of any forms required under paragraph III.

(c) Application fees for certification under paragraph III.

(d) Further rulemaking necessary for the proper administration of certification under paragraph III.

3 Application. School nurses employed on or before July 1, 2016 shall not be subject to the certification requirements of RSA 200:29, III.

4 Effective Date. This act shall take effect 60 days after its passage.

2016-1861s

AMENDED ANALYSIS

This bill clarifies the information and administrative support which is to be provided by the department of health and human services to the wellness and primary prevention council. This bill also requires school nurses to be certified and establishes the certification criteria.

The question is on the adoption of the Floor Amendment.

A division vote was requested.

Recess. Out of recess.

Division, Yeas: 15 - Nays: 8. Adopted.

Senator Avard is in opposition to the Floor Amendment on HB 1193.

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

HB 1210, relative to prescriptions for controlled drugs by telemedicine. Ought to Pass, Vote 3-1. Senator Fuller Clark for the committee.

Senator Sanborn offered a floor amendment.

Sen. Sanborn, Dist 9

May 5, 2016

2016-1873s

01/04

Floor Amendment to HB 1210

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

AN ACT relative to prescriptions for controlled drugs by telemedicine and relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions.

Amend the bill by replacing all after section 4 with the following:

5 New Paragraph; Pharmacists and Pharmacies; Price of Filling Prescriptions. Amend RSA 318:47-h by inserting after paragraph II the following new paragraph:

III. The board shall adopt rules under RSA 541-A establishing procedures to receive complaints of violations of paragraphs I and II. Such rules shall include:

(a) Criteria and procedure to refer complaints to the insurance department.

(b) Method for tracking the status of complaints referred to the insurance department and receiving department of insurance reports on the status.

(c) Procedures for reporting to the senate president, the speaker of the house of representatives, and the chairpersons of the house and senate committees with oversight of pharmacy benefit manager regulation the number of complaints received, the number and nature of complaints referred to the insurance department, and the status of referred complaints.

6 New Paragraph; Managed Care Law; Prescriptions; Price of Filling Prescriptions. Amend RSA 420-J:7-b by inserting after paragraph IX the following new paragraph:

X.(a) A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less.

(b) Once it has settled a claim for filling a prescription for an enrollee or insured person and notified the pharmacy of the amount the pharmacy benefits manager or insurer shall pay to the pharmacy for that prescription, the pharmacy benefits manager or insurer shall not lower the amount to be paid to the pharmacy by the pharmacy benefits manager or the insurer for such settled claim; provided, however, that this paragraph shall not apply if the claim was submitted fraudulently or with inaccurate or misrepresented information.

(c) The commissioner shall adopt rules under RSA 541-A to implement this paragraph. Such rules shall include procedures for addressing complaints, provisions for enforcement, the receipt of complaints referred to the insurance department under RSA 318:47-h, III(b), and for reporting to the board of pharmacy on the status of complaints referred.

7 New Section; Accident and Health Insurance; Price of Filling Prescriptions. Amend RSA 415 by inserting after section 25 the following new section:

415:26 Price of Filling Prescriptions.

I. A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less.

II. Once it has settled a claim for filling a prescription for an enrollee or insured person and notified the pharmacy of the amount the pharmacy benefits manager or insurer shall pay to the pharmacy for that prescription, the pharmacy benefits manager or insurer shall not lower the amount to be paid to the pharmacy by the pharmacy benefits manager or the insurer for such settled claim; provided, however, that this paragraph shall not apply if the claim was submitted fraudulently or with inaccurate or misrepresented information.

III. The commissioner shall adopt rules under RSA 541-A to implement this paragraph. Such rules shall include procedures for addressing complaints, provisions for enforcement, the receipt of complaints referred to the insurance department under RSA 318:47-h, III(b), and for reporting to the board of pharmacy on the status of complaints referred.

8 Insurance Department; Rulemaking. The commissioner of insurance shall adopt rules under 541-A within 180 days of the effective date of this act to implement the authority established in RSA 420-J:7-b, X and RSA 415:26 by this act.

9 Effective Date.

I. Sections 1-4 of this act shall take effect 60 days after its passage.

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

2016-1873s

AMENDED ANALYSIS

This bill clarifies when it is appropriate for practitioners to adjust or prescribe controlled drugs to patients by telemedicine.

This bill also adds rulemaking authority for the pharmacy board concerning the price of filling prescriptions paid by a pharmacy benefits manager or insurer. The bill also adds authority for the insurance department to adopt rules for enforcement of requirements for the price of filling prescriptions.

The Chair ruled Floor Amendment 1873s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Floor Amendment 1873s to HB 1210. Adopted by the necessary 2/3 vote.

Senator Sanborn asserts Rule 6-25 on HB 1210.

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

Senator Sanborn asserts Rule 6-25 on HB 1210.

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

Senator Sanborn asserts Rule 6-25 on HB 1210.

HB 1269, extending the New Hampshire health care quality assurance commission and relative to the membership of the commission. Ought to Pass with Amendment, Vote 4-0. Senator Avarad for the committee.

Health and Human Services

May 3, 2016

2016-1788s

01/09

Amendment to HB 1269

Amend RSA 151-G:1, II(e) as inserted by section 2 of the bill by replacing it with the following:

(e) [~~One member-at-large~~] ***Three members-at-large, one member appointed by the speaker of the house of representatives, one member appointed by the president of the senate, and one member 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 1316, relative to hospital rates for self-pay patients. Ought to Pass, Vote 4-0. Senator Sanborn for the committee.

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

HB 1478, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments. Interim Study, Vote 3-2. Senator Sanborn for the committee.

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

Senator Stiles is in opposition to the motion of Interim Study on HB 1478.

JUDICIARY

HB 378, establishing a committee to study RSA 461-A, relative to parental rights and responsibilities, and the revised child support guidelines as of 2013. Ought to Pass with Amendment, Vote 4-0. Senator Lasky for the committee.

Senate Judiciary

May 3, 2016

2016-1767s

05/04

Amendment to HB 378

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

AN ACT establishing a committee to study RSA 461-A, relative to parental rights and responsibilities.
Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study RSA 461-A, relative to parental rights and responsibilities.

Amend paragraph I of section 3 of the bill by replacing it with the following:

I. The committee shall review implementation of RSA 461-A, relative to parental rights and responsibilities. The study shall address the following questions:

(a) Did adoption of RSA 461-A meet the legislature's goal of minimizing the adversarial nature of divorce and parenting cases?

(b) Could RSA 461-A and RSA 458-C be amended to further reduce the adversarial nature of such proceedings?

(c) Would specific guidelines for shared and split parenting cases improve outcomes and reduce conflict?

(d) What effect has the loss of state funding for guardians ad litem had on low income cases?

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the chairperson of the house children and family law committee, 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, 2017.

2016-1767s

AMENDED ANALYSIS

This bill establishes a committee to study RSA 461-A, relative to parental rights and responsibilities.

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 1117, establishing a child support maximum under the guidelines based on the parents' combined income. Inexpedient to Legislate, Vote 3-0. Senator Carson 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 1117.

HB 1118, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility. Inexpedient to Legislate, Vote 4-0. Senator Lasky for the committee.

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

Senator Avarad is in opposition to the motion of Inexpedient to Legislate on HB 1118.

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders. Inexpedient to Legislate, Vote 2-2. Senator Carson for the committee.

Senator Carson moved to Lay on the Table HB 1153. Adopted.

HB 1204, relative to payment of rent pending the stay of an eviction proceeding. Ought to Pass with Amendment, Vote 4-0. Senator Pierce for the committee.

Senate Judiciary

May 3, 2016

2016-1758s

05/06

Amendment to HB 1204

Amend the introductory paragraph of RSA 540:13-c, II as inserted by section 1 of the bill by replacing it with the following:

II. Nothing in this section shall be construed to prohibit the parties in a case of nonpayment of rent from agreeing that, in spite of judgment for the plaintiff, a writ of possession shall not be issued, if the defendant

makes payments in accordance with a schedule designated in the agreement. ~~[However, if such payments are not made when due, a writ of possession shall be issued upon request of the plaintiff.]~~ ***The agreement may incorporate the arrearage, future rent due, court costs, and service fees. The agreement shall be filed with the court and shall state the date when final payment of the arrearage, court costs, and service fees are due. Entering into such an agreement shall waive the defendant's right to appeal.***

Amend RSA 540:13-c, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) If the plaintiff has not filed an affidavit of non-compliance within 14 days of the date that the final payment under the agreement, established in RSA 540:13-c, II, is due, the court shall dismiss the action.

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

Senator Sanborn asserts Rule 6-25 on HB 1204.

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

Senator Sanborn asserts Rule 6-25 on HB 1204.

HB 1236, relative to hearings on modifications of parental rights and responsibilities. Inexpedient to Legislate, Vote 4-0. Senator Pierce for the committee.

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

Senator Avar is in opposition to the motion of Inexpedient to Legislate on HB 1236.

HB 1237, establishing a committee to study the establishment of a default conflict management and resolution system for parents and children. Ought to Pass with Amendment, Vote 4-0. Senator Carson for the committee.

Senate Judiciary

May 3, 2016

2016-1784s

05/06

Amendment to HB 1237

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

AN ACT establishing a committee to study the establishment of a conflict management and resolution system for parents and children.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the establishment of a conflict management and resolution system for parents and children.

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

I. The committee shall be comprised of 3 members of the house of representatives, appointed by the speaker of the house of representatives.

Amend the bill by replacing sections 3 and 4 with the following:

3 Duties. The committee shall study the establishment of a conflict management and resolution system for parents and children.

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. Two members of the committee shall constitute a quorum.

2016-1784s

AMENDED ANALYSIS

This bill establishes a committee to study the establishment of a conflict management and resolution system for parents and children.

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 1279, relative to grounds for termination of parental rights. Interim Study, Vote 4-0. Senator Pierce for the committee.

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

HB 1280, relative to grounds for modification of parental rights and responsibilities. Ought to Pass, Vote 3-1. Senator Carson for the committee.

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

HB 1298, relative to damage to private property. Ought to Pass with Amendment, Vote 3-1. Senator Carson for the committee.

Senate Judiciary
May 3, 2016
2016-1794s
08/03

Amendment to HB 1298

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

AN ACT relative to damage to private property and relative to the authority of federal border patrol agents to make arrests in Coos county.

Amend the bill by replacing all after section 7 with the following:

8 Police Standards and Training Council; Power to Certify Border Patrol Agents. Amend RSA 188-F:26, IV to read as follows:

IV. Certify persons as being qualified under the provisions of this subdivision to be police officers, state corrections officers, [or] state probation-parole officers, **or certified border patrol agents for the purposes of RSA 594:26**, and establish rules under RSA 541-A for the suspension or revocation of the certification of such persons in the case of egregious misconduct or failure to comply with council standards.

9 Arrests in Criminal Cases; Definition of Officer. Amend RSA 594:1, III to read as follows:

III. "Officer" or "peace officer" is any sheriff or deputy sheriff, mayor or city marshal, constable, police officer or watchman, member of the national guard acting under orders while in active state service ordered by the governor under RSA 110-B:6, **certified border patrol agent as defined in RSA 594:26, I**, or other person authorized to make arrests in a criminal case.

10 New Subdivision; Certified Border Patrol Agents. Amend RSA 594 by inserting after section 25 the following new subdivision:

Certified Border Patrol Agents

594:26 Power of Arrest for New Hampshire Crimes.

I. In this section, "a certified border patrol agent" means a person who:

(a) Is employed as a border patrol agent by the United States Department of Homeland Security, Customs and Border Protection;

(b) Has satisfactorily completed a course of study in New Hampshire laws and criminal procedures approved by the police standards and training council, at the expense of the agent's agency;

(c) Has been certified by the director of police standards and training pursuant to paragraph II and whose certification has not expired or been suspended or revoked; and

(d) Has taken an oath administered by the commissioner of safety or by the commissioner's designee to uphold the constitution of the state of New Hampshire.

II. The director of police standards and training may certify a border patrol agent who applies for certification if the agent satisfies the employment and study requirements listed in paragraph I. Border patrol agents certified under this section shall be exempt from regular physical fitness examinations required of state or municipal law enforcement officers. A certification under this paragraph shall automatically terminate immediately upon the agent's suspension or termination of employment from the federal agency in which he or she was employed at the time the certification occurred.

III. A certified border patrol agent may make an arrest pursuant to New Hampshire law for violation of New Hampshire laws in Coos county if the agent determines that it is necessary to do any of the following:

(a) Protect an individual in the presence of the agent from the imminent infliction of serious bodily injury, as defined in RSA 625:11, VI; or

(b) Provide immediate assistance to an individual who has suffered or is threatened with serious bodily injury, as defined in RSA 625:11, VI; or

(c) Prevent the escape of any individual whom the agent has probable cause to believe has committed a crime in the presence of the agent; or

(d) Prevent the escape of any individual whom the agent has probable cause to believe has committed a felony under New Hampshire law.

IV. A certified border patrol agent who makes an arrest under this section shall report the arrest, without delay, to the division of state police.

V. A certified border patrol agent who makes an arrest under the authority of this section shall have the same immunity from liability that a state or municipal law enforcement officer has under the laws of this state.

VI. The state of New Hampshire shall not be responsible for employment benefits, supervision, and defense of the certified border patrol agent, including when exercising authority under this section. This section is not intended to limit existing authority of federal officers under federal law or to interfere with the performance of federal duties by federal officers.

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

2016-1794s

AMENDED ANALYSIS

This bill:

I. Creates a cause of action for a landowner whose land is damaged by pollution.

II. Creates a cause of action for a landowner whose land is damaged by OHRV.

III. Creates a cause of action for a landowner whose land is damaged by snowmobile use.

IV. Grants federal border control agents the authority to make arrests in Coos county.

The Chair ruled Committee Amendment 1794s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Committee Amendment 1794s to HB 1298. 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 1353, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop. Ought to Pass with Amendment, Vote 4-0. Senator Cataldo for the committee.

Senate Judiciary

May 3, 2016

2016-1768s

08/10

Amendment to HB 1353

Amend RSA 570-A:2, II(j) as inserted by section 1 of the bill by replacing it with the following:

(j) A uniformed law enforcement officer to make an audio recording in conjunction with a video recording of a routine stop performed in the ordinary course of patrol duties on any way as defined by RSA 259:125, provided that the officer shall first give notification of such recording to the party to the communication ***unless it is not reasonable or practicable under the circumstances.***

2016-1768s

AMENDED ANALYSIS

This bill requires a law enforcement officer making a routine stop to notify an individual that he or she is being recorded unless such notice is not reasonable or practicable.

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 1370, relative to termination of tenancy. Inexpedient to Legislate, Vote 3-1. Senator Carson for the committee.

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

Senator Sanborn asserts Rule 6-25 on HB 1370.

HB 1415, relative to escape from official custody. Ought to Pass with Amendment, Vote 4-0. Senator Cataldo for the committee.

Senate Judiciary
May 3, 2016
2016-1795s
08/04

Amendment to HB 1415

Amend RSA 642:6, III as inserted by section 1 of the bill by replacing it with the following:

III. The offense is a class A felony if the actor employs force against any person or threatens any person with a deadly weapon to effect the escape, except that if the deadly weapon is a firearm, the actor shall be sentenced in accordance with RSA 651:2, II-g. The offense is a class B felony if the actor was on parole, subject to a bail order, was a prisoner at an adult or juvenile correction facility at the time, ***or had been released from any correctional institution pursuant to administrative home confinement or any treatment program or other place as directed by the correctional authority or sentencing court***, or had a prior conviction of the crime of escape. If no physical force was used by the actor and no persons other than the actor sustained bodily injury as a result of the escape, the offense is a class A misdemeanor.

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 1471, relative to parental rights. Inexpedient to Legislate, Vote 3-0. Senator Pierce 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 1471.

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

COMMERCE

HB 1307, relative to the procedure for amendment of condominium instruments. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

This bill provides that if amendment of the condominium instruments requires approval of a condominium unit mortgagee, an affidavit from the president of the association, attesting to the notice provided to the mortgagee, shall be sufficient. The committee amendment makes changes to the law regarding business naming guidelines. The amendment provides that if the secretary of state denies a business entity's or an applicant's request to use a name, the entity or applicant may request an administrative hearing. The amendment also permits a business of a similar name to request a hearing regarding the decision.

Commerce
May 3, 2016
2016-1790s
05/03

Amendment to HB 1307

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

AN ACT relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations.

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

2 New Paragraph; Voluntary Corporations and Associations; Name. Amend RSA 292:3 by inserting after paragraph VI the following new paragraph:

VII. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

3 New Paragraph; New Hampshire Business Corporation Act; Use of Name. Amend RSA 293-A:4.01 by inserting after paragraph (g) the following new paragraph:

(h) The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

4 New Paragraph; New Hampshire Investment Trusts; Use of Name. Amend RSA 293-B:17 by inserting after paragraph IV the following new paragraph:

V. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

5 New Section; Professional Corporations; Corporate Name; Administrative Hearing. Amend RSA 294-A by inserting after section 7 the following new section:

294-A:7-a Corporate Name; Administrative Hearing. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under RSA 294-A:7. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

6 New Paragraph; Cooperative Marketing and Rural Electrification Association; Name Regulation. Amend RSA 301:43-a by inserting after paragraph VI the following new paragraph:

VII. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

7 New Section; Registered Limited Liability Corporation; Administrative Hearing. Amend RSA 304-A by inserting after section 46 the following new section:

304-A:46-a Name Availability; Administrative Hearing. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under RSA 304-A:45 or RSA 304-A:46. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

8 New Paragraph; Uniform Limited Partnership Act; Name; Administrative Hearing. Amend RSA 304-B:2 by inserting after paragraph VII the following new paragraph:

VIII. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

9 New Paragraph; Limited Liability Corporation; Name Availability; Hearing. Amend RSA 304-C:32 by inserting after paragraph VIII the following new paragraph:

IX. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

10 New Paragraph; Foreign Limited Liability Corporation; Name Availability; Hearing. Amend RSA 304-C:177 by inserting after paragraph I the following new paragraph:

I-a. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

11 New Paragraph; Foreign Partnerships; Name Availability; Hearing. Amend RSA 305-A:2-e by inserting after paragraph V the following new paragraph:

VI. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

12 New Paragraph; Trade Name; Availability; Hearing. Amend RSA 349:1 by inserting paragraph IV the following new paragraph:

V. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing.

13 Effective Date. This act shall take effect 60 days after its passage.

2016-1790s

AMENDED ANALYSIS

This bill:

I. Provides that if amendment of the condominium instruments requires approval of a condominium unit mortgagee, an affidavit from the president of the association, attesting to the notice provided to the mortgagee, shall be sufficient.

II. Provides that if the secretary of state denies a business entity's request to use a particular name, the entity may request an administrative hearing. The bill also permits a business with a similar name to request a hearing regarding the decision.

The Chair ruled Committee Amendment 1790s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Committee Amendment 1790s to HB 1307. Adopted by the necessary 2/3 vote.

Senator Sanborn asserts Rule 6-25 on HB 1307.

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

Senator Sanborn asserts Rule 6-25 on HB 1307.

Senator Bradley offered a floor amendment.

Sen. Bradley, Dist 3

Sen. Soucy, Dist 18

May 5, 2016

2016-1892s

05/03

Floor Amendment to HB 1307

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

AN ACT relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations.

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

2 New Paragraph; Voluntary Corporations and Associations; Name. Amend RSA 292:3 by inserting after paragraph VI the following new paragraph:

VII. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

3 New Paragraph; New Hampshire Business Corporation Act; Use of Name. Amend RSA 293-A:4.01 by inserting after paragraph (g) the following new paragraph:

(h) The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

4 New Paragraph; New Hampshire Investment Trusts; Use of Name. Amend RSA 293-B:17 by inserting after paragraph IV the following new paragraph:

V. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

5 New Section; Professional Corporations; Corporate Name; Administrative Hearing. Amend RSA 294-A by inserting after section 7 the following new section:

294-A:7-a Corporate Name; Administrative Hearing. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under RSA 294-A:7. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

6 New Paragraph; Cooperative Marketing and Rural Electrification Association; Name Regulation. Amend RSA 301:43-a by inserting after paragraph VI the following new paragraph:

VII. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

7 New Section; Registered Limited Liability Corporation; Administrative Hearing. Amend RSA 304-A by inserting after section 46 the following new section:

304-A:46-a Name Availability; Administrative Hearing. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under RSA 304-A:45 or RSA 304-A:46. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

8 New Paragraph; Uniform Limited Partnership Act; Name; Administrative Hearing. Amend RSA 304-B:2 by inserting after paragraph VII the following new paragraph:

VIII. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

9 New Paragraph; Limited Liability Corporation; Name Availability; Hearing. Amend RSA 304-C:32 by inserting after paragraph VIII the following new paragraph:

IX. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

10 New Paragraph; Foreign Limited Liability Corporation; Name Availability; Hearing. Amend RSA 304-C:177 by inserting after paragraph I the following new paragraph:

I-a. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

11 New Paragraph; Foreign Partnerships; Name Availability; Hearing. Amend RSA 305-A:2-e by inserting after paragraph V the following new paragraph:

VI. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

12 New Paragraph; Trade Name; Availability; Hearing. Amend RSA 349:1 by inserting paragraph IV the following new paragraph:

V. The secretary of state shall provide notice to the applicant and any business entity with a similar name of the department's decision regarding name availability under this section. Notice shall be sent to the address of record on file with the secretary of state. If the applicant or business entity disagrees with the department's decision, the applicant or business entity may request an administrative hearing within 30 days. The secretary of state, or designee, shall have authority to resolve all disputes under this section, including but not limited to authority to revoke a name previously issued, not issue a name, or issue a name previously denied.

13 Business Names; Transition. Any person aggrieved by a name granted by the secretary of state between January 1, 2016, and July 1, 2016 or the effective date of this act, whichever is later, may file a petition with the secretary of state seeking to have the approval of the business name withdrawn. The petition may be filed at any time before September 30, 2016. The secretary of state shall withdraw approval of the business name if, after notice to the affected parties and a hearing, the secretary of state finds that the name is likely to be confused with or mistaken for a name previously granted.

14 Effective Date. This act shall take effect 60 days after its passage.

2016-1892s

AMENDED ANALYSIS

This bill:

I. Provides that if amendment of the condominium instruments requires approval of a condominium unit mortgagee, an affidavit from the president of the association, attesting to the notice provided to the mortgagee, shall be sufficient.

II. Provides that if the secretary of state denies a business entity's request to use a particular name, the entity may request an administrative hearing. The bill also permits a business with a similar name to request a hearing regarding the decision.

The Chair ruled Floor Amendment 1892s non-germane.

Without objection, the Senate suspends Rule 3-17 to allow for the consideration of non-germane Floor Amendment 1892s to HB 1307. Adopted by the necessary 2/3 vote.

Senator Sanborn asserts Rule 6-25 on HB 1307.

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

Senator Sanborn asserts Rule 6-25 on HB 1307.

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

Senator Sanborn asserts Rule 6-25 on HB 1307.

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 Feltes: HB 1302

Senator Morse: HB 1430-FN

Senator Sanborn: HB 114, HB 533, HB 582-FN, HB 1152, HB 1186, HB 1188, HB 1204, HB 1210, HB 1211, HB 1252, HB 1272-FN, HB 1307, HB 1370, HB 1430-FN, HB 1452, HB 1656-FN

ANNOUNCEMENTS

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you, Mister President. Rule 2-16, please? Thank you. I rise to thank my fellow Judiciary Committee members. We had a tremendous number of bills this year, many of them came to us after the cross over date, and we had to put in many, many hours outside our normal block of time. Everyone came prepared to work, and we worked together; there were some bills we could agree upon, very few that we disagreed upon; and we were all able to get our work done on time without waivers so we could vote on them. And I just want to note my very sincere appreciation for all of their hard work. Thank you, Mister President.

The Chair recognized Senator Sanborn.)

SENATOR SANBORN: Thank you, Mister President. I would like a 2-16 and a personal privilege. The first one on 2-16 I, too, would like to thank the Health and Human Services Committee, like the Judiciary, we did some real heavy lifting; the tremendous amount of large, complex bills, and the Committee did great work and I'm very appreciative.

On my personal privilege, I ask the members of this body, that when they have the opportunity, and next time they see my assistant Renata in the halls of this fine establishment, you can congratulate her on becoming an American citizen today at lunch time. And she's probably still at her desk, Mister President, working as she always is.

(The Chair recognized Senator Pierce.)

SENATOR PIERCE: Thank you, Mister President. Well, cat's out of the bag. This morning I was going to make an announcement today, but I think everybody has found out that I'm not running for re-election to the Senate. I have enjoyed my 10 years in the legislature, but particularly my 4 years in the Senate; it has been an amazing experience, one of the highlights of my life. And I really appreciate, Mister President, your leadership. All my colleagues, the ability to work together. The civility that we show each other, and that we can come together across the aisle and work for the people of New Hampshire. I am certainly going to miss

it, but right now my intention is to...the reason, I'm having to move out of my district is the reason I'm not running for re-election. My intention is to move to Nashua, so one of you is going to become my Senator. I'm not sure who has Ward 5, but that looks okay good! If I have a pot hole I know who I'm calling. So, Mister President, I just wanted to thank the body and thank you for this opportunity. And thank, of course, the voters of District 5 for giving me this opportunity; it was one of the highest honors of my life, and it's been a privilege to serve. Thank you, Mister President.

PRESIDENT MORSE: While I intend to recognize all the Senators that are leaving on June 2nd, I think we all understand how difficult this job is and how it takes away from our families and our kids. But today, Senator, you're lucky because your Emma's here. And she's a beautiful Emma, and that's just great to have her with us, and I'm glad she saw you in action. And Senator, while Emma's here, I just want you to know you're a great asset to the Senate and we appreciate what you've done for our State and for our Senate; and on behalf of all of us I want to wish you the very best of luck in everything you do in the future. 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 114, (Second New Title) establishing beer specialty licenses and relative to rectifiers.

HB 378, (Second New Title) establishing a committee to study RSA 461-A, relative to parental rights and responsibilities.

HB 466-FN, (New Title) relative to farm tractor plates for certain specialized vehicles.

HB 533, (Second New Title) relative to installation requirements for arc-fault circuit interrupters and relative to state building code review board rules.

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

HB 1138, relative to access to investigational drugs, biological products, and devices.

HB 1147, (Second New Title) requiring a report on federal landholdings within the state and relative to the membership of the New Hampshire geographic information system committee.

HB 1172, relative to corrective action implementation of audit findings concerning Cannon Mountain.

HB 1186, (New Title) relative to coasting of vehicles.

HB 1193, (New Title) relative to the wellness and primary prevention council and relative to certification of school nurses.

HB 1204, relative to payment of rent pending the stay of an eviction proceeding.

HB 1210, (New Title) relative to prescriptions for controlled drugs by telemedicine and relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions.

HB 1237, (New Title) establishing a committee to study the establishment of a conflict management and resolution system for parents and children.

HB 1269, (New Title) extending the New Hampshire health care quality assurance commission and relative to the membership of the commission.

HB 1272-FN, relative to bus transportation for chartered public school students.

HB 1280, relative to grounds for modification of parental rights and responsibilities.

HB 1287, repealing a provision of the harassment statute.

HB 1298, (New Title) relative to damage to private property and relative to the authority of federal border patrol agents to make arrests in Coos county.

HB 1302, relative to driver's license requirements for operation of a mixed use school bus.

HB 1307, (New Title) relative to the procedure for amendment of condominium instruments and relative to name availability for business organizations.

HB 1316, relative to hospital rates for self-pay patients.

HB 1353, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop.

HB 1357-FN, relative to the duties of the department of cultural resources.

HB 1385-FN-A, (New Title) making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

HB 1394, (New Title) relative to the appropriation for developmental services.

HB 1403, relative to reinsurance.

HB 1415, relative to escape from official custody.

HB 1430-FN, (New Title) relative to operation of compact utility tractors.

HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials.

HB 1486, relative to membership of the state house bicentennial commission.

HB 1527-FN-A, (New Title) authorizing additional part-time positions at the department of administrative services and making an appropriation therefor, and relative to the revenue stabilization reserve account.

HB 1594-FN, relative to emergency medical services.

HB 1601, relative to certain continuing care communities.

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

HB 1644-FN, (New Title) 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.

HB 1651, (New Title) relative to the duties of the commission to review child abuse fatalities.

HB 1656-FN, relative to exceptions to the real estate transfer tax.

HB 1664-FN, (New Title) relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.

HB 1681-FN, (Third New Title) establishing a commission on hypodermic syringes and needles.

HCR 12, urging support of the 65/25 initiative in New Hampshire.

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.