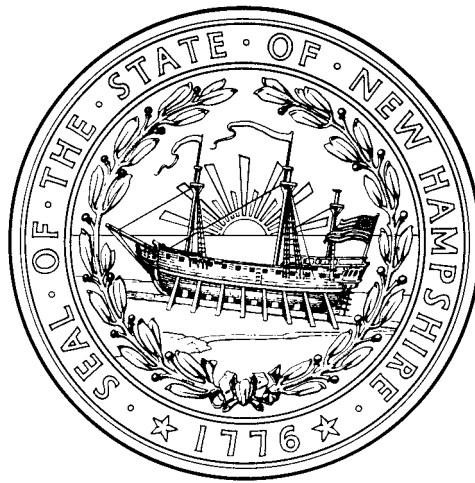


March 3, 2016
Nos. 6-7

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 – FEBRUARY 18, 2016 SESSION
COMMENCEMENT – MARCH 3, 2016 SESSION**

SENATE JOURNAL 6 *(continued)*

February 18, 2016

Senator Bradley offered the following Resolution:

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

First and Second Reading and Referral

16-2745

SB 553, relative to implementation of the Medicaid managed care program. (Forrester, Dist 2; Carson, Dist 14; Feltes, Dist 15; Little, Dist 8; Reagan, Dist 17; Sanborn, Dist 9; Kotowski, Merr. 24; Ladd, Graf. 4; D. Brown, Graf. 16; Wallner, Merr. 10; Rosenwald, Hills. 30; Health and Human Services)

INTRODUCTION OF LEGISLATION

Senator Bradley offered the following Resolution:

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

First and Second Reading and Referral

HB 110, relative to placement of political advertising. (Public and Municipal Affairs)

HB 114, establishing beer specialty licenses. (Commerce)

HB 183, relative to voter registration forms. (Public and Municipal Affairs)

HB 197-FN, relative to sales and samples provided by wine manufacturers. (Commerce)

HB 295, correcting a reference in the housing law to municipal agreements regarding the construction of parking facilities. (Public and Municipal Affairs)

HB 301, establishing a committee to study New Hampshire's statewide longitudinal data system and any other department of education maintained database that contains student level data. (Education)

HB 334, establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential. (Commerce)

HB 351, exempting historically significant vehicles from emission control requirements. (Transportation)

HB 356, establishing a commission to study cryptocurrency regulation. (Commerce)

HB 359, allowing all municipalities to adopt the property tax exemption to foster commercial and industrial construction. (Ways and Means)

HB 377, establishing a state geographic information system committee. (Executive Departments and Administration)

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. (Judiciary)

HB 430, relative to extending the veterans' property tax credit to all honorably discharged veterans. (Public and Municipal Affairs)

HB 466, relative to farm tractor plates for certain specialized vehicles. (Transportation)

HB 471, relative to the duties of school boards. (Education)

HB 499, permitting New Hampshire farmers to sell farm-raised bison directly to the public. (Energy and Natural Resources)

HB 500, repealing the prohibition on the use of silencing devices for taking wildlife. (Energy and Natural Resources)

HB 504, relative to online driver education. (Transportation)

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

HB 513, relative to complaint investigation procedures of the guardian ad litem board. (Judiciary)

HB 527, requiring school districts employing school resource officers to adopt a written agreement. (Education)

HB 533, relative to installation requirements for arc-fault circuit interrupters. (Executive Departments and Administration)

HB 535-FN, relative to signs advising motorists approaching highway emergencies. (Transportation)

HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools. (Education)

HB 594-FN-A, establishing keno. (Ways and Means)

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

HB 605-FN, relative to mandatory minimum sentences. (Judiciary)

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

HB 629-FN, relative to induced termination of pregnancy statistics. (Health and Human Services)

HB 659-FN-LOCAL, relative to eligibility for an absentee ballot. (Public and Municipal Affairs)

HB 661-FN, relative to record keeping for sold or transferred animals and making certain technical corrections to the law governing the sale or transfer of animals. (Executive Departments and Administration)

HB 668, relative to expense deductions under the business profits tax. (Ways and Means)

HB 1127, relative to qualifications of referees in the superior courts and circuit courts. (Judiciary)

HB 1193, relative to the wellness and primary prevention council. (Health and Human Services)

HB 1212, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton. (Transportation)

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

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees. (Executive Departments and Administration)

HB 1375, relative to charter commissions for budgets in official ballot jurisdictions. (Public and Municipal Affairs)

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

HB 1438-FN-LOCAL, relative to the registration of antique trailers. (Transportation)

HB 1477, relative to the grace period for motor vehicle inspections. (Transportation)

HB 1604-FN-A-L, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills. (Education)

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

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 7

March 3, 2016

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

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

I'm told that Senator Bradley and Senator Carson's mothers have passed away, and I just wanted to express that all of us, our prayers, our thoughts are with them as we all know how important our mothers are to all of us. And start this morning with a brief moment of silence to think about them.

Dear God, we gather to make decisions for our community. May we use only our best skills and judgment, keeping ourselves impartial and neutral as we consider the merits and pitfalls of each matter that is placed before us. And always act in accordance with what is best for our community and fellow citizens. We seek blessings on the task before us. Bless our efforts with clear insight, our deliberations with wisdom, our work with clarity and accuracy, and our decisions with impartiality. We meet to serve our community, to use our resources wisely and well, to represent all members of our community fairly, to make decisions that promote the common good. We recognize our responsibility to the past and the future, and the rights and needs of both individuals and communities. As trusted servants we seek blessings on our deliberations and our efforts here today. May we act wisely and well. Amen.

Senator Watters led the Pledge of Allegiance.

INTRODUCTION OF PAGES

Senator Forrester introduced Margaux Dickinson of Inter-Lakes High School in Meredith serving as a Senate Page for the day.

Senator Birdsell introduced Jordan DiTore of Timberlane High School in Plaistow serving as a Senate Page for the day.

SPECIAL ORDER

Without objection, the following bill was special ordered to the beginning of the Regular Calendar.

JUDICIARY

SB 463-FN, suspending the imposition of the death penalty.

SPECIAL ORDER

Without objection, the following bills were special ordered to after the Committee on Education.

HEALTH AND HUMAN SERVICES

SB 325, relative to vaccines administered by pharmacists.

SB 419-FN, relative to certain changes in the law governing the therapeutic use of cannabis.

SB 422-FN, relative to the tobacco use prevention and cessation program.

SB 428, relative to arbitration agreements in nursing home contracts.

SB 477-FN, relative to nonemergency involuntary admissions.

SB 487, relative to missing vulnerable adults.

SB 516-FN, relative to preventing violence in health care facilities.

SB 529-FN, establishing a food stamp photo identification requirement.

SB 530-FN, relative to volunteer health services.

SB 534-FN, to implement a system of care for children's behavioral health.

SB 536, relative to emergency interim relief under the child protection act.

SB 542-FN, relative to criminal interference with health services.

FN REPORT FOR MARCH 3, 2016

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

CONSENT CALENDAR:

COMMERCE

SB 451-FN, relative to insurance coverage for massage therapy.

SB 502-FN, relative to the authority of the insurance commissioner to investigate violations of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act.

TRANSPORTATION

SB 478-FN, permitting the online renewal of a nondriver's picture identification card.

REGULAR CALENDAR:

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 472-FN, relative to the acquisition and use of certain equipment by state and local law enforcement agencies.

SB 525-FN, relative to the board of registration of funeral directors and embalmers.

HEALTH AND HUMAN SERVICES

SB 419-FN, relative to certain changes in the law governing the therapeutic use of cannabis.

SB 422-FN, relative to the tobacco use prevention and cessation program.

SB 477-FN, relative to nonemergency involuntary admissions.

SB 529-FN, establishing a food stamp photo identification requirement.

SB 530-FN, relative to volunteer health services.

SB 534-FN, to implement a system of care for children's behavioral health.

JUDICIARY

SB 339-FN, relative to required DNA analysis for certain offenses.

SB 389-FN, relative to the penalty for possession of multiple firearms.

SB 468-FN, relative to changes to the sex offender registry.

SB 498-FN, relative to penalties for possession of certain controlled drugs.

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

PUBLIC AND MUNICIPAL AFFAIRS

SB 455-FN, relative to immunity for injuries from the possession or use of a firearm by an employee or official of a political subdivision.

SB 457-FN, relative to reporting of receipts and expenditures by political committees other than political committees of candidates.

TRANSPORTATION

SB 471-FN, relative to parking for persons with disabilities.

SB 493-FN-A, establishing a low-digit vanity number plate fee and dedicating the revenues collected to bridge aid for municipal bridges.

WAYS AND MEANS

SB 441-FN, relative to discounts and admission without charge at state parks.

SB 445-FN-L, suspending the registration fee for the sale of municipal bonds in New Hampshire for 2 years.

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

CONSENT CALENDAR:

COMMERCE

SB 401-FN, relative to insurance coverage for prescription eye drops.

REGULAR CALENDAR:

COMMERCE

SB 481-FN, relative to a special health care service license.

EDUCATION

SB 473-FN-A-L, repealing the cap on adequate education grant payments and making an appropriation therefor.
 SB 503-FN-A, relative to pre-kindergarten education using “pay for success” financing.

ENERGY AND NATURAL RESOURCES

SB 452-FN, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions.

HEALTH AND HUMAN SERVICES

SB 516-FN, relative to preventing violence in health care facilities. (If Committee Recommendation of Inexpedient to Legislate is overturned)

SB 542-FN, relative to criminal interference with health services. (If Committee Recommendation of Inexpedient to Legislate is overturned)

JUDICIARY

SB 463-FN, suspending the imposition of the death penalty.

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

PUBLIC AND MUNICIPAL AFFAIRS

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

TRANSPORTATION

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 424-FN, relative to licensure of alcohol and drug abuse counselors from other jurisdictions.

TRANSPORTATION

SB 520-FN, relative to the form of drivers’ licenses and identification cards.

WAYS AND MEANS

SB 342-FN, making certain changes to business profits tax provisions affecting a business organization when owners sell or exchange ownership interests in the business.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS

The following bill was removed from the Consent Calendar:

COMMERCE

SB 512, relative to health care associated infections. Removed by Senator Sanborn.

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 as follows:

FN bills not waived under Senate Rule 4-5, to the Committee on Finance; non-FN bills approved for referral to Finance by the day’s FN report, to the Committee on Finance; and all other bills, to Third Reading.

COMMERCE

SB 395, relative to minimum housing standards for tenants with health or respiratory issues. Interim Study, Vote 5-0. Senator Prescott for the committee.

This would have required landlords to purchase and install climate control systems in rented apartments for tenants with respiratory issues or other medical conditions. The housing department testified that the issue that was cause for this bill might have been an isolated case and that they were working on a non-legislative solution. The committee felt that the bill needs more time to have input from all interested parties.

SB 401-FN, relative to insurance coverage for prescription eye drops. Ought to Pass with Amendment, Vote 5-0. Senator Soucy for the committee.

This bill requires insurance companies to cover early refills of prescription eye drops. The committee heard testimony on how easy it is to run out of eye drops before the prescription is eligible for refill due to the medication being difficult to administer, especially to someone with vision problems. The committee also heard testimony from eye doctors on how detrimental it can be for a patient who is not using the eye drops as prescribed. The committee Amendment would make the early refill eligibility requirements the same as the requirements currently set for patients with Medicare.

Commerce
February 17, 2016
2016-0597s
01/10

Amendment to SB 401-FN

Amend the introductory paragraph of RSA 415:6-u, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) For prescription eye drops dispensed as a 30-day supply, the enrollee requests the refill no earlier than 21 days after the later of the following dates:

Amend the introductory paragraph of RSA 415:6-u, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) For prescription eye drops dispensed as a 90-day supply, the enrollee requests the refill no earlier than 63 days after the later of the following dates:

Amend the introductory paragraph of RSA 415:18-z and the introductory paragraph of RSA 415:18-z (a) as inserted by section 2 of the bill by replacing them with the following:

I. Each insurer that issues or renews any policy of group or blanket accident or health insurance providing benefits for medical or hospital expenses, shall provide to certificate holders of such insurance, who are residents of this state, coverage for one early refill of a prescription for eye drops if the following criteria are met:

(a) For prescription eye drops dispensed as a 30-day supply, the enrollee requests the refill no earlier than 21 days after the later of the following dates:

Amend the introductory paragraph of RSA 415:18-z (b) as inserted by section 2 of the bill by replacing it with the following:

(b) For prescription eye drops dispensed as a 90-day supply, the enrollee requests the refill no earlier than 63 days after the later of the following dates:

SB 403, relative to the sale of gift certificates with expiration dates. Ought to Pass with Amendment, Vote 5-0. Senator Pierce for the committee.

This bill would increase the dollar amount on gift certificates that would no longer be allowed to expire. This bill would raise the threshold from \$100 to \$250. This would decrease the amount of gift cards becoming abandoned property and it would be good for businesses that offer gift cards. Customers know that the gift certificate is not going to expire and they can have confidence to buy a larger gift card without worrying if they will use the whole balance in 5 years. At the request of the industry an amendment was added that would exclude prepaid telecommunications and technology cards from the definition of gift certificate.

Commerce
February 17, 2016
2016-0578s
05/03

Amendment to SB 403

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

2 Definition of Gift Certificate. Amend RSA 358-A:1, IV-a to read as follows:

IV-a. "Gift certificate" means a written promise given in exchange for payment to provide the bearer, upon presentation, goods or services in a specified amount. ***Gift certificate shall not include a prepaid telecommunications or technology card that is purchased for retail use or provided on a promotional basis.***

2016-0578s

AMENDED ANALYSIS

This bill prohibits the sale of gift certificates with expiration dates if the face value of the certificate is \$250 or less. The bill also excludes prepaid telecommunications and technology cards from the definition of gift certificate under the Consumer Protection Act.

SB 434, relative to prior authorizations for prescription medicine. Interim Study, Vote 5-0. Senator Cataldo for the committee.

This bill would have altered the length of time a prior authorization for prescription medicine would have been good for. The committee ultimately decided that the bill has too many un-answered questions and that the bill would need more time to allow for input from all interested parties.

SB 451-FN, relative to insurance coverage for massage therapy. Interim Study, Vote 5-0. Senator Cataldo for the committee.

This bill would require all insurance companies to cover massage therapy. The committee was not comfortable placing another mandate on insurance companies that could ultimately raise premiums for the residents in the state.

SB 502-FN, relative to the authority of the insurance commissioner to investigate violations of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act. Interim Study, Vote 5-0. Senator Bradley for the committee.

This bill would have allowed the insurance commissioner to investigate violations of the Parity and Addiction Equity Act. The prime sponsor testified that the insurance department is working on research and establishing new guidelines in investigating parity cases and that the committee should recommend the bill to interim study to allow the department to act on its own. The committee agreed with the prime sponsor and would like to give the insurance department time to find a non-legislative solution to the problem.

TRANSPORTATION

SB 360, relative to grip height and handlebars on motorcycles. Interim Study, Vote 5-0. Senator Birdsell for the committee.

This bill repeals restrictions on grip height and handlebars on motorcycles. The committee believes that this issue needs further study to truly understand the safety implications that this legislation could have on motorcycle users in the state.

SB 478-FN, permitting the online renewal of a nondriver's picture identification card. Ought to Pass with Amendment, Vote 5-0. Senator Watters for the committee.

This bill permits the online renewal of a nondriver's picture identification card. The committee amended the bill to ensure that the identification card may be renewed online only once every other renewal cycle so that the next cycle will require appearance in person. The amendment also changes the effective date to allow more time for implementation. The committee believes this legislation is important in order to provide the same benefit to those with nondrivers I.D.'s.

Senate Transportation
February 17, 2016
2016-0627s
03/08

Amendment to SB 478-FN

Amend RSA 260:21, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The identification card shall be valid for 5 years from the date of issuance; provided, however, that a card issued pursuant to RSA 260:21, I(c) shall be valid for as long as the holder is a resident of the state and a card issued pursuant to RSA 260:21, XI shall be valid for 2 years from the date of issuance. ***If the director has adopted rules under RSA 263:10, II with respect to on-line renewal of licenses, the director shall provide the same on-line option for identification cards, provided that the applicant is eligible for identification card renewal and has a computerized image on file with the division. An identification card may be renewed on-line only once in every other license renewal cycle and the next cycle shall require appearance in person at a licensing facility.***

Amend the bill by replacing section 2 with the following:

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

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

REGULAR CALENDAR

JUDICIARY

SB 463-FN, suspending the imposition of the death penalty. Ought to Pass, Vote 3-1. Senator Daniels for the committee.

Senator Pierce offered a floor amendment.

Sen. Pierce, Dist. 5

Sen. Lasky, Dist. 13

Sen. Kelly, Dist. 10

March 2, 2016

2016-0887s

04/08

Floor Amendment to SB 463-FN

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

AN ACT repealing the death penalty.

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

1 Legislative Findings. The general court finds that:

I. Despite all its procedural protections and the good faith of most all of its participants, the criminal justice system in the United States is not infallible. The best available evidence indicates that, on the one hand, innocent people are sentenced to death with materially greater frequency than was previously supposed and that, on the other hand, convincing proof of their innocence often does not emerge until long after their convictions. It is therefore fully foreseeable that in enforcing the death penalty a meaningful number of innocent people will be executed who otherwise would otherwise eventually be able to prove their innocence.

II. It is estimated that at least 13 persons have been executed in this country since 1973 despite strong and compelling evidence of their innocence.

III. There have in fact been 156 people in this country who were sentenced to death but were later exonerated of the capital crimes for which they were convicted and sentenced.

IV. At least 23 persons have had their capital convictions and death sentences reversed and at least 12 death row inmates earned commutations to life imprisonment from their respective state governors because of serious doubts about their guilt.

V. These people were wrongly convicted of capital crimes and sentenced to death largely based on evidence later found to be unreliable and therefore insufficient to sustain a capital conviction or a death sentence. Such evidence typically includes recanted or erroneous eyewitness testimony, false confessions later determined to have been coerced, government misconduct, evidence gathered with forensic techniques that have not been subjected to sufficient scientific evaluation, exculpatory evidence never presented to the jury and/or evidence from fellow prison inmates who were granted favors in return for testimony.

VI. Our criminal justice system has always been, and always should be, grounded in the fundamental principle that it is better that 10 guilty persons go free than one person be wrongfully executed.

VII. Because Part First, Article 18 of the New Hampshire constitution expressly states that “[t]he true design of all punishments [is] to reform, not to exterminate mankind” and because a person punished by death cannot be reformed, there is a substantial question about whether our state constitution authorizes the death penalty.

2 Repeal. The following are repealed:

I. RSA 630:1, relative to capital murder.

II. RSA 630:5, relative to procedure in capital murder cases.

III. RSA 630:6 relative to the place of execution and witnesses to the execution.

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

2016-0887

AMENDED ANALYSIS

This bill repeals the death penalty effective upon passage.

The question is on the adoption of the Floor Amendment.

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

The following Senators voted Yes: Woodburn, Watters, Pierce, Cataldo, Hosmer, Kelly, Daniels, Avar, Lasky, Feltes, Soucy, Fuller Clark.

The following Senators voted No: Forrester, Bradley, Little, Sanborn, Carson, Boutin, Reagan, Birdsell, D'Allesandro, Prescott, Stiles, Morse.

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

Senator Bradley moved to Lay on the Table SB 463-FN. Adopted.

Senator Kelly is in opposition to the motion of Lay on the Table on SB 463-FN.

Recess. Out of recess.

COMMERCE

SB 481-FN, relative to a special health care service license. Ought to Pass with Amendment, Vote 4-1. Senator Bradley for the committee.

Commerce

February 17, 2016

2016-0596s

01/10

Amendment to SB 481-FN

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

AN ACT relative to a special health care service license and establishing a fund.

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

1 New Sections; Health Facility Licensure; Special Health Care Service License Required; Policies; Fees; Emergency Services. Amend RSA 151 by inserting after section 2-d the following new sections:

151:2-e Special Health Care Service License Required; Rules; Funding.

I. No person shall initiate any new special health care service without acquiring a special health care service license under this chapter.

II. In this chapter, "special health care service" shall include:

- (a) Cardiac catheterization laboratory services;
- (b) Open heart surgery or coronary artery bypass graft surgery; and
- (c) Megavoltage radiation therapy.

III. The commissioner shall adopt rules, pursuant to RSA 541-A, to specify:

(a) The minimum requirements for equipment, personnel, training, operating, volume and other criteria to assure the quality and safety for patients receiving each special health care service;

(b) The procedure for applying for and maintaining a special health care service license including, but not limited to, the frequency of licensing inspections, submission of information and data to evaluate the performance and ongoing operation of services and enforcement under the section; and

(c) The fees for applying for and maintaining a special health care service license in order to fully off-set the cost to the department, including consultant fees and other related expenses necessary to process the application, and for any ongoing expenses to the department for maintaining a special health care service license.

IV. The provisions of this chapter applicable to applicants and facilities licensed under RSA 151:2 shall apply equally to any person applying for or receiving a special health care service license under this section.

151:2-f Policies Required for Health Facilities and Special Health Care Service Licenses. Every facility licensed under RSA 151:2, I(a) or (d) and every person holding a special health care service license under RSA 151:2-e shall:

I. Adopt and enforce a written policy to assure that the facility provides its services to all persons who require the services the facility provides regardless of the source of payment for the services provided to any person;

II. Adopt, publicize, and apply an assistance plan for persons who are uninsured or who do not have the financial resources to pay for the facility's services due to financial hardship;

III. Provide data to the commissioner of the department of health and human services regarding the volume, cost and outcomes of services provided in the facility; and

IV. Pay fees under RSA 151:2-e, III to the commissioner of the department to cover the costs of administering the licensing of special health care services, the administration of the quality and patient safety requirements of this section, and the collection and analysis of the data collected under this section.

151:2-g Emergency Services. Every facility licensed as a hospital under RSA 151:2, I(a) shall operate an emergency department offering emergency services to all individuals regardless of ability to pay 24 hours every day, 7 days a week. This requirement shall not apply to any hospital licensed and operating prior to July 1, 2016, which does not operate an emergency department or to any new psychiatric or substance abuse treatment hospital.

2 Health Facility Licensure; Application for License; Special Health Care Service. Amend RSA 151:4, III(a) to read as follows:

III.(a) The department of health and human services shall require that applications set forth the:

(1) Full name and address of the owner of the facility for which license is sought[;].

(2) Name of the persons in control thereof[;].

(3) Certification, where local licensing is required, that the facility conforms with applicable local rules, regulations and ordinances having to do with health and safety[;].

(4) Name or location, or both, of community residences together with any certification required under subparagraph (a)(3) of this paragraph, when the application is submitted by an area agency as defined under RSA 171-A:2, I-b.

(5) Certification that the applicant has notified the public of the intent to file the application with a description of the facility or special health care service to be licensed by publishing a notice in a newspaper of general circulation covering the area where the service is to be located in at least 2 separate issues of the newspaper no less than 10 business days prior to the filing of the application.

(6) Certification, if the facility or special health care service is to be located within a radius of 15 miles of a hospital certified as a critical access hospital, pursuant to 42 C.F.R. section 485.610 (b) and (c), that the applicant has given written notice of the intent to file the application with a description of the facility or special health care service to be licensed to the chief executive officer of the hospital by registered mail no less than 10 business days prior to the filing of the application.

(7) For any new facility to be licensed under RSA 151:2, I(a) or (d) to be located within a radius of 15 miles of a hospital certified as a critical access hospital, pursuant to 42 C.F.R. section 485.610 (b) and (c), a written determination by the commissioner of health and human services, after inquiry to the critical access hospital, that the proposed new facility will not have a material adverse impact on the essential health care services provided in the service area of the critical access hospital.

3 New Paragraphs; Health Facility Licensure; Application for License; Special Health Care Service. Amend RSA 151:4 by inserting after paragraph V the following new paragraphs:

VI. In addition to publication on the department's website, any application for a special health care services license, under RSA 151:2-e, shall be available for inspection and copying by any person immediately upon it being filed.

VII. Any person shall have the right, within 30 days after the filing of any application, to object in writing prior to the granting by the department of any license on the grounds that the application does not meet the applicable requirements of this chapter or any rule adopted under this chapter. If the license is granted by the department over a timely objection, the person who objected shall have a right to request a rehearing by the commissioner of the department of health and human services under RSA 541:3 within 30 days and to appeal under RSA 541 based on the grounds stated in the objection.

4 Health Facility Licensure; Health Care Services Fund Established. Amend RSA 151:18 to read as follows:
151:18 Disposition of Fees.

I. All fees received from licenses under the provisions of this chapter shall be kept by the state treasurer in a separate fund to be paid out to the department of health and human services for purposes of this chapter only.

II. Notwithstanding paragraph I, there is hereby established the special health care service fund to be used to carry out the provisions of RSA 151:2-e. The fund shall be composed of fees and any other funds collected pursuant to RSA 151:2-e. The fund shall be nonlapsing and shall be continually appropriated to the commissioner of the department of health and human services for the purposes of this paragraph.

5 New Subparagraph; Application of Receipts; Special Health Care Service Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (331) the following new subparagraph:

(332) Moneys deposited in the special health care service fund established in RSA 151:18, II.

6 Effective Date. This act shall take effect July 1, 2016.

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

INTRODUCTION OF GUESTS

Senator Cataldo introduced the Barnstead Elementary School visiting in the gallery.

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 Avar.

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

The following Senators voted No: Pierce, Sanborn, Daniels, Avar, Reagan, Birdsell, Prescott.

Roll Call, Yeas: 17 - Nays: 7. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

MOTION TO REMOVE FROM THE TABLE

Senator D'Allesandro moved to remove SB 551-FN-A-L from the table. Adopted.

Senators Forrester and Kelly are in opposition of the motion to Remove from the Table SB 551-FN-A-L.

WAYS AND MEANS

SB 551-FN-A-L, establishing video lottery and table gaming at one location. Ought to Pass, Vote 3-2. Senator D'Allesandro for the committee.

Without objection, SB 551-FN-A-L was referred to the Committee on Finance.

EDUCATION

SB 320, relative to non-academic surveys administered by a public school to its students. Ought to Pass with Amendment, Vote 3-2. Senator Avar for the committee.

Senate Education
February 16, 2016
2016-0551s
04/05

Amendment to SB 320

Amend RSA 186:11, IX-d as inserted by section 1 of the bill by replacing it with the following:

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. ***The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention.*** The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

2016-0551s

AMENDED ANALYSIS

This bill provides that no student shall be required to volunteer or submit to a non-academic survey or questionnaire without written consent of a parent or legal guardian. The bill also creates an exception to this requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention.

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

Recess. Out of recess.

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

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

The following Senators voted Yes: Forrester, Bradley, Cataldo, Little, Sanborn, Daniels, Avar, 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.

SB 326, relative to the membership of the community college system of New Hampshire board of trustees. Ought to Pass with Amendment, Vote 4-1. Senator Reagan for the committee.

Senate Education
February 17, 2016
2016-0585s
04/10

Amendment to SB 326

Amend RSA 188-F:4, III(b) as inserted by section 2 of the bill by replacing it with the following:

(b) In cases where the terms of office of the members of the board of trustees do not expire in successive years, the governor, with the advice and consent of the council may, in making any appointment or filling any vacancy to such office, appoint any person for a period less than the full term or up to one year greater than the full term in order to adjust the terms of each member so that terms of office of no more than 5 members per year will expire. ***Trustees appointed after the effective date of this subparagraph shall serve no more than 2 consecutive terms.***

2016-0585s

AMENDED ANALYSIS

This bill adds a member to the community college system of New Hampshire board of trustees who is also an employee of the community college system of New Hampshire. The bill also limits trustees appointed after the effective date of this act to 2 consecutive terms.

Senator Bradley moved to Special Order SB 326 to the next session.

Recess. Out of recess.

Senator Bradley withdrew his motion to Special Order SB 326.

SPECIAL ORDER

Without objection, SB 326 was special ordered to Thursday, March 10, 2016.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. Ought to Pass, Vote 4-1. Senator Stiles for the committee.

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

SB 473-FN-A-L, repealing the cap on adequate education grant payments and making an appropriation therefor. Ought to Pass, Vote 5-0. Senator Watters for the committee.

Senator Bradley moved to Lay on the Table SB 473-FN-A-L. Adopted.

Senator Kelly is in opposition to the motion of Lay on the Table on SB 473-FN-A-L.

Senator Boutin asserts Rule 6-25 on SB 473-FN-A-L.

Recess. Out of recess.

SB 503-FN-A, relative to pre-kindergarten education using "pay for success" financing. Ought to Pass with Amendment, Vote 4-1. Senator Watters for the committee.

Senate Education
February 16, 2016
2016-0561s
04/10

Amendment to SB 503-FN-A

Amend RSA 195-K:1, I(a)(1) as inserted by section 1 of the bill by replacing it with the following:

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

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

Senator Boutin asserts Rule 6-25 on SB 503-FN-A.

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

Senator Boutin asserts Rule 6-25 on SB 503-FN-A.

HEALTH AND HUMAN SERVICES

SB 325, relative to vaccines administered by pharmacists. Ought to Pass with Amendment, Vote 4-0. Senator Avaré for the committee.

Health and Human Services
February 17, 2016
2016-0593s
01/03

Amendment to SB 325

Amend RSA 318:16-b as inserted by section 1 of the bill by replacing it with the following:

318:16-b Pharmacist Administration of Vaccines. A pharmacist may administer influenza vaccines to the general public and a pharmacist may administer pneumococcal [and], varicella zoster, **and MMR** vaccines to individuals 18 years of age or older, provided all of the criteria in this section have been met. The pharmacist shall:

- I. Hold a current license to practice as a pharmacist in New Hampshire.
- II. Possess at least \$1,000,000 of professional liability insurance coverage.

III. In order to administer influenza, pneumococcal, [and] varicella zoster, **and MMR** vaccines, have completed training specific to the administering of the respective vaccines that includes programs approved by the Accreditation Council for Pharmacy Education (ACPE) or curriculum-based programs from an ACPE-accredited college of pharmacy or state or local health department programs or programs recognized by the board.

- IV. Provide to the board evidence of compliance with paragraphs I-III.

V. Provide notice to the primary care provider, when designated by the patient, of the administration of the pneumococcal [~~and~~], varicella zoster, **and MMR** vaccines.

VI. Maintain a record of administration of pneumococcal [~~and~~], varicella zoster, **and MMR** vaccinations for each individual as required by state and federal law.

2016-0593s

AMENDED ANALYSIS

This bill adds the MMR vaccine to the law which allows licensed pharmacists to administer vaccines.

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

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

Senator Forrester is in opposition to the motion of Ought to Pass with Amendment on SB 325.

SB 419-FN, relative to certain changes in the law governing the therapeutic use of cannabis. Ought to Pass with Amendment, Vote 4-0. Senator Sanborn for the committee.

Health and Human Services

February 17, 2016

2016-0604s

01/04

Amendment to SB 419-FN

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

AN ACT relative to requests by law enforcement officials under the law governing the therapeutic use of cannabis.

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

1 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards. Amend RSA 126-X:4, XI(b)(4) to read as follows:

(4) Requests by law enforcement officials under this section to the department pursuant to a sworn affidavit, search warrant, or court order, regardless of whether or not the name or address was found in the registry, shall be confidential under this chapter and exempt from disclosure under RSA 91-A. Aggregate data relative to such requests may be made public if it does not contain any identifying information regarding the specific law enforcement request.

(5) Counsel for the department may notify law enforcement officials about falsified or fraudulent information submitted to the department where counsel has made a legal determination that there is probable cause to believe the information is false or falsified.

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

21016-0604s

AMENDED ANALYSIS

This bill clarifies the confidentiality for requests by law enforcement officials for information under the use of cannabis for therapeutic purposes law.

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

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

Recess. Out of recess.

SB 422-FN, relative to the tobacco use prevention and cessation program. Inexpedient to Legislate, Vote 3-1. Senator Carson for the committee.

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

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

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

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

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

Senator Kelly is in opposition to the motion of Inexpedient to Legislate on SB 422-FN.

Recess. Out of recess.

SB 428, relative to arbitration agreements in nursing home contracts. Inexpedient to Legislate, Vote 3-1. Senator Sanborn for the committee.

Senator Prescott moved to Lay on the Table SB 428.

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

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

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

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

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

A roll call was requested by Senator Feltes, 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.

SB 477-FN, relative to nonemergency involuntary admissions. Ought to Pass with Amendment, Vote 4-0. Senator Carson for the committee.

Health and Human Services

February 17, 2016

2016-0591s

01/08

Amendment to SB 477-FN

Amend the bill by deleting section 3 and renumbering the original section 4 to read as 3.

2016-0591s

AMENDED ANALYSIS

This bill requires court notification to receiving facilities for involuntary admission to the mental health services system.

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.

SB 487, relative to missing vulnerable adults. Ought to Pass with Amendment, Vote 4-0. Senator Avard for the committee.

Health and Human Services

February 19, 2016

2016-0667s

09/01

Amendment to SB 487

Amend RSA 106-J:3 as inserted by section 5 of the bill by replacing it with the following:

106-J:3 Definitions. In this subdivision:

I. "Caregiver" means any individual duly designated as a caregiver for a person who needs care assistance as a vulnerable adult. A caregiver includes, but is not limited to, a relative, paid caregiving professional, partner, friend, or neighbor who has a significant relationship with the person.

II. "Department" means the department of safety.

III. "Missing vulnerable adult" includes, but is not limited to, a missing adult who:

- (a) Is 18 years or older; and
- (b) Whose whereabouts are unknown; and
- (c) Whose last known whereabouts at the time he or she is reported missing is in New Hampshire; and
- (d) Whose disappearance poses a credible threat to the safety and health of the person, as determined by a local law enforcement agency; and
- (e) Who has a mental or cognitive disability, such as dementia; or
- (f) Who has an intellectual or developmental disability; or
- (g) Who has a brain injury.

Amend RSA 106-J:4, II as inserted by section 5 of the bill by replacing it with the following:

II. When a local law enforcement agency receives notice that a vulnerable adult is missing, the agency shall require the vulnerable adult's family or legal guardian to provide information relative to the vulnerable adult's impaired mental condition, intellectual or developmental disability, or brain injury. Once the local law enforcement agency is provided a statement from the vulnerable adult's caregiver that the vulnerable adult is missing and has an impaired mental condition, the local law enforcement agency shall notify the department.

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.

SB 516-FN, relative to preventing violence in health care facilities. Inexpedient to Legislate, Vote 2-2. Senator Sanborn for the committee.

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

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

The following Senators voted Yes: Forrester, Bradley, Cataldo, Little, Sanborn, Daniels, Avar, 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.

SB 529-FN, establishing a food stamp photo identification requirement. Interim Study, Vote 4-0. Senator Avar for the committee.

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

SB 530-FN, relative to volunteer health services. Ought to Pass with Amendment, Vote 4-0. Senator Sanborn for the committee.

Health and Human Services

February 17, 2016

2016-0592s

01/03

Amendment to SB 530-FN

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

AN ACT establishing a commission to study volunteer health care services.

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

1 New Subdivision; Commission to Study Volunteer Health Care Services. Amend RSA 126-A by inserting after section 69 the following new subdivision:

Commission to Study Volunteer Health Care Services

126-A:70 Commission to Study Volunteer Health Care Services.

I. There is established a commission to study volunteer health care services.

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

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

(2) One member of the house of representatives, appointed by the speaker of the house of representatives.

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

(4) A representative of the New Hampshire Dental Society, appointed by the society.

(5) A representative from the New Hampshire Medical Society, appointed by the society.

(6) A physician assistant, appointed by the New Hampshire board of medicine.

(7) An advanced practice registered nurse, appointed by the New Hampshire board of nursing.

(8) An optometrist, appointed by the board of registration in optometry.

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

III.(a) The commission's study shall include, but not be limited to, whether New Hampshire should create a program to allow medical professionals and licensed health care facilities to enter into contracts with the department of health and human services or a governmental contractor to allow them to provide volunteer health care services to eligible low-income patients and whether such services should be protected by immunity.

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

IV. 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. Five members of the commission shall constitute a quorum.

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

2 Repeal. RSA 126-A:70, relative to the commission to study volunteer health care services, 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.

2016-0592s

AMENDED ANALYSIS

This bill establishes a commission to study volunteer health care services.

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.

SB 534-FN, to implement a system of care for children's behavioral health. Ought to Pass, Vote 4-0. Senator Kelly for the committee.

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

SB 536, relative to emergency interim relief under the child protection act. Ought to Pass, Vote 3-0. Senator Kelly for the committee.

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

Recess. Out of recess.

SB 542-FN, relative to criminal interference with health services. Inexpedient to Legislate, Vote 2-2. Senator Avard for the committee.

Senator Bradley moved to Lay on the Table SB 542-FN.

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

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.

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

A roll call was requested by Senator Pierce, seconded by Senator Hosmer.

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 Pierce moved Ought to Pass.

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

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

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

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

Recess. Out of recess.

Senator Pierce moved to Lay on the Table SB 542-FN. Adopted.

ENERGY AND NATURAL RESOURCES

SB 384, relative to the feeding of wild deer. Ought to Pass, Vote 4-0. Senator Feltes for the committee.

Senator Bradley offered a floor amendment.

Sen. Bradley, Dist 3

March 2, 2016

2016-0866

10/04

Floor Amendment to SB 384

Amend RSA 208:8-b, I as inserted by section 1 of the bill by replacing it with the following:

I.(a) No person shall knowingly place food for consumption by wild deer if the fish and game department has determined such feeding would be detrimental to the health of the deer population.

(b) The executive director shall adopt rules pursuant to RSA 541-A relative to the definition of food that is detrimental for consumption by wild deer and the criteria by which the department will determine if feeding would be detrimental to the health of the deer population.

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.

Senator Avard is in opposition to the motion of Ought to Pass on SB 384.

SPECIAL ORDER

Without objection SB 436 was Special-Ordered to the present time.

TRANSPORTATION

SB 436, relative to after market automobile parts. Ought to Pass with Amendment, Vote 4-1. Senator Feltes for the committee.

Senate Transportation
February 17, 2016
2016-0605s
05/01

Amendment to SB 436

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

1 After Market Parts; Disclosure Required. Amend RSA 407-D:4 to read as follows:

407-D:4 Disclosure.

I. The insurer shall disclose to the claimant in writing, either on the estimate or on a separate document attached to the estimate, the following information in no smaller print than 10 point type:

This estimate has been prepared based on the use of automobile parts not made by the original manufacturer. Parts used in the repair of your vehicle by other than the original manufacturer are required to be at least equal in like kind and quality in terms of fit, quality, and performance to the original manufacturer parts they are replacing.

II. All after market parts installed on the vehicle shall be clearly identified on the estimate of such repair.

III. Any insurer who fails to provide the precise statement in paragraph I shall be prohibited from requesting or requiring the use of after market parts.

2 New Section: Limitation on the Use of After Market Parts; New and Leased Vehicles. Amend RSA 407-D by inserting after section 3 the following new section:

407-D:3-a Limitation on the Use of After Market Parts.

I. No insurer of private passenger automobiles shall require or specify the use of after market parts on:

(a) Vehicles that have been placed in service within the immediately preceding 2 years and that have 30,000 or fewer miles recorded on the odometer; or

(b) Leased vehicles if the lease provides that such parts will cause a diminution of the residual value of such vehicle.

II. In this section, "specify" includes writing repair estimates on the basis of the cost of after market parts or otherwise declining to pay for the cost of original equipment manufacturer replacement parts.

3 New Paragraph; Enforcement. Amend RSA 407-D:5 by inserting after paragraph II the following new paragraph:

III. Any person who installs an after market part may initiate a complaint on behalf of a consumer for any violation of this chapter. Such complaint shall be processed in the normal course. If the consumer does not independently pursue such complaint within 60 days, the complaint shall be dismissed.

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

2016-0605s

AMENDED ANALYSIS

This bill prohibits an insurer from requiring or specifying the use of after market parts as defined in RSA 407-D:1 on certain leased vehicles and vehicles that have been placed in service within the last 2 years and have fewer than 30,000 miles on the odometer. The bill enacts a portion of New Hampshire department of insurance bulletin INS No. 99-14-AB, dated September 20, 1999. The bill also permits the person who installs the after market part to initiate a complaint on behalf of the consumer for a violation of RSA 407-D.

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

Senator Hosmer asserts Rule 6-25 on SB 436.

Senator Daniels offered a floor amendment.

Sen. Daniels, Dist 11
March 2, 2016
2016-0895s
05/04

Floor Amendment to SB 436

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

1 New Section; After Market Parts. Amend RSA 407-D by inserting after section 3 the following new section:

407-D:3-a Insurer of Private Passenger Automobiles; Use of After Market Parts. Notwithstanding RSA 407-D:3, an insurer of private passenger automobiles may require or specify the use of after market parts, if such requirement or specification is clearly stated in the insurance policy.

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

2016-0895s

AMENDED ANALYSIS

This bill permits an insurer of private passenger automobiles to require or specify the use of after market parts if the requirement or specification is clearly stated in the insurance policy.

Senator Sanborn moved to Lay on the Table SB 436. Failed.

Senator Hosmer asserts Rule 6-25 on SB 436.

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

Senator Hosmer asserts Rule 6-25 on SB 436.

Senator Bradley offered a floor amendment.

Sen. Bradley, Dist 3
March 2, 2016
2016-0854s
05/10

Floor Amendment to SB 436

Amend the bill by deleting section 3 and renumbering the original section 4 to read as 3.

2016-0854s

AMENDED ANALYSIS

This bill prohibits an insurer from requiring or specifying the use of after market parts as defined in RSA 407-D:1 on certain leased vehicles and vehicles that have been placed in service within the last 2 years and have fewer than 30,000 miles on the odometer. The bill enacts a portion of New Hampshire department of insurance bulletin INS No. 99-14-AB, dated September 20, 1999.

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

Senator Hosmer asserts Rule 6-25 on SB 436.

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

Senator Hosmer asserts Rule 6-25 on SB 436.

SB 452-FN, requiring certain state agencies to conduct an audit of laws governing coastal regions to enable authorities to take appropriate actions. Ought to Pass with Amendment, Vote 3-1. Senator Little for the committee.

Energy and Natural Resources
February 17, 2016
2016-0624s
08/10

Amendment to SB 452-FN

Amend the bill by replacing section 1 with the following:

1 Coastal and Great Bay Region Audit; Agency Projects.

I. State agencies, including but not limited to the department of environmental services, the department of resources and economic development, the department of transportation, and the fish and game department shall each conduct an audit of existing state statutes, rules, and agency policies governing state properties, projects, and actions in the coastal and Great Bay regions to determine any changes necessary so that authorities can adequately address and enable appropriate state actions and local actions necessary to prepare for flood risks, such as projected storm surge, sea-level rise, and precipitation events. Agencies shall use the best available projected coastal flooding risks, such as those in the Coastal Risks and Hazards Commission 2014 report, "Sea-level Rise, Storm Surges, and Extreme Precipitation in Coastal New Hampshire: Analysis of Past and Projected Future Trends."

II. State agencies conducting an audit under paragraph I shall submit an interim report by November 1, 2017 and a final report by November 1, 2018. The report shall include audit findings and recommendations and be submitted 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.

III. New Hampshire state agencies involved in planning, siting, and design of state-funded structures and facilities, public works projects, and transportation projects, as well as land acquisition and management and other environmental activities in the coastal and Great Bay regions of New Hampshire, shall reference the 2014 Coastal Risks and Hazards Commission report, "Sea-level Rise, storm surges, and extreme precipitation in Coastal New Hampshire: Analysis of Past and Projected Future Trends," as updated, for guidance on all potentially affected activities. Agencies shall develop, as possible and appropriate, uniform standards of guidance, in conformity, as may be necessary due to federal actions.

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

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

Senator Morse is in opposition to the motion of Ought to Pass with Amendment on SB 452-FN.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 400, relative to executive branch ethics. Ought to Pass with Amendment, Vote 3-0.

Senator Carson for the committee.

Senate Executive Departments and Administration

February 17, 2016

2016-0599s

10/04

Amendment to SB 400

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

1 Executive Branch Ethics; Definitions. Amend RSA 21-G:21 to read as follows:

21-G:21 Definitions. In this subdivision:

I. "Agency" means any executive branch agency, department, division, board, commission, or entity of the executive branch.

I-a. "Classified employee" means any person in the state classified service system as defined in RSA 21-I:49.

II. "Conflict of interest" means a situation, circumstance, or financial interest which has the potential to cause a private interest to interfere with the proper exercise of a public duty.

II-a. "Executive branch official" means ~~[every elected official as defined by RSA 15-B:2, III, who holds an executive branch office, every public official as defined by RSA 15-B:2, X]~~ the governor, members of the executive council, every commissioned, unclassified, or nonclassified executive branch employee other than one elected by the legislature, every constitutional official as defined by RSA 15-B:2, II, and ~~[every public employee as defined by RSA 15-B:2, IX]~~ any person other than a classified employee who conducts business on behalf of the governor, an executive branch official, or executive branch agency, including a volunteer.

III. [Repealed.]

IV. [Repealed.]

V. [Repealed.]

2 Conflict of Interest. Amend RSA 21-G:22 to read as follows:

21-G:22 Conflict of Interest. Executive branch officials **and classified employees** shall avoid conflicts of interest. Executive branch officials **and classified employees** shall not participate in any matter in which they, or their spouse or dependents, have a private interest which may directly or indirectly affect or influence the performance of their duties.

3 Misuse of Position. Amend the introductory paragraph of RSA 21-G:23 to read as follows:

21-G:23 Misuse of Position. No executive branch official **or classified employee** shall:

4 Acceptance of Campaign Contributions. Amend RSA 21-G:24 to read as follows:

21-G:24 Acceptance of Campaign Contributions. An executive branch official **or classified employee** who is a candidate for an elective office that is not subject to the reporting requirements of RSA 664 and who accepts a political contribution from any person or entity which is or is likely to become subject to that executive branch official's **or classified employee's** duties shall make a disclosure of such contributions to the secretary of state within 5 days of receipt of such contributions. The disclosure shall be in writing and on such form as the secretary of state shall prescribe.

5 Restrictions on Simultaneous Employment and Public Service. Amend the introductory paragraph of RSA 21-G:25 to read as follows:

21-G:25 Restrictions on Simultaneous Employment and Public Service. Volunteer service shall not be used, directly or indirectly, for personal financial gain, or to facilitate non-public communications with executive branch officials **or classified employees** for the purpose of promoting or advancing any matter on behalf of a third party, or to influence executive branch officials **or classified employees** in the performance of their duties. In furtherance of this prohibition:

6 Employment Restrictions. Amend RSA 21-G:26 to read as follows:

21-G:26 Employment Restrictions. For 6 months after leaving office or employment with the state, no executive branch official **or classified employee** shall appear as a lobbyist:

I. To promote or oppose directly any specific legislation pending or proposed before the general court; or

II. To directly promote or oppose action or inaction on any matter, contract, license, permit, or administrative rule pending before the executive branch or with regard to any matter over which that executive branch official **or classified employee** had personal and direct responsibility while in state government.

7 Nepotism. Amend the introductory paragraph of RSA 21-G:26-a to read as follows:

21-G:26-a Nepotism. No executive branch official **or classified employee** shall directly hire, evaluate, set the compensation or salary for, supervise, or terminate the employment of any full-time or part-time employee, temporary employee, or member of a state board or commission if such employee or member is related to such official in one of the following ways:

8 Executive Branch Ethics Committee; Jurisdiction. Amend RSA 21-G:29, I and II to read as follows:

I. There is hereby established an executive branch ethics committee to issue guidelines, interpretive rulings, and advisory opinions relative to standards for ethical conduct in the executive branch and to resolve, through procedures established under RSA 21-G:32, issues, questions, or complaints involving executive branch officials ~~[who are not]~~ **and** classified employees.

II. The jurisdiction of the committee shall consist of matters arising under the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, RSA 15-B, and rules or guidelines adopted thereunder, as applied to current or former executive branch officials ~~[who are not]~~ **and** classified employees, provided that the committee may only consider a complaint against a former executive branch official if the complaint is filed no later than 180 days after the day the official resigned, retired, or otherwise left his or her position.

9 Committee Members; Restrictions; Partisan Campaign. Amend RSA 21-G:29, VI to read as follows:

VI. Committee members shall serve terms of 3 years and until their successors are appointed and qualified. However, initially, the governor shall nominate one member for a one-year term, one member for a 2-year term and one member for a 3-year term; the secretary of state shall nominate one member for a 2-year term, and one member for a 3-year term; the treasurer shall nominate one member for a one-year term and one member for a 2-year term. Initial nominations to the committee shall be made no later than 90 days after the effective date of this section. The initial appointments shall begin on July 1, 2006 and end on June 30 of the appropriate year. Vacancies shall be filled for the remainder of any unexpired term. During their term of appointment, members may not hold or campaign for **partisan** elective office, serve as an officer of any political party or political committee, permit their names to be used in support of or in opposition to any **local or state partisan** candidate [~~or proposition~~], participate in any way in any **local or state partisan** election campaign, make a contribution as defined in RSA 664:2 to any **local or state** candidate for office or **state** political committee, or act as or assist a lobbyist required to be registered under RSA 15:1.

10 Duties; Ethics Committee. Amend RSA 21-G:30, I to read as follows:

I. The committee shall be authorized to:

(a) Issue guidelines consistent with the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, and RSA 15-B, relative to proper and appropriate conduct for individuals relating to the performance of their duties as executive branch officials **or classified employees**. Such guidelines shall be consistent with statute.

(b) Issue interpretative rulings explaining and clarifying any law, guideline, **or** rule[, ~~or regulation~~] within the jurisdiction of the committee.

(c) Render [an] advisory [~~opinion, in writing within a reasonable time, in response to a written request by a person subject to any law, guideline, rule, or regulation concerning the application of any law, guideline, rule, or regulation within the committee's jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the person complained against acted in reliance upon such advisory opinion. The name of the person seeking an advisory opinion and any information in the opinion that would identify such person shall be nonpublic. A redacted version of the advisory opinion shall be public~~] **opinions in accordance with RSA 21-G:31-a.**

(d) Receive sworn complaints, investigate allegations of violations of this subdivision [~~or guidelines adopted thereunder~~] by executive branch officials **or classified employees** and make appropriate findings of fact and conclusions with respect to such conduct.

(e) Investigate any unauthorized disclosure of information by any committee member or assistant and report to the appropriate authority any allegation which it finds to be substantiated.

11 Complaints; Subpoena Powers. Amend RSA 21-G:31, VI to read as follows:

VI. In proceedings under this subdivision, the committee shall have the power to issue subpoenas and administer oaths. ***Such subpoena powers may be exercised for the committee by the chairperson or legal counsel to the committee. The fees for witnesses shall be consistent with RSA 516:16 and shall be borne by the committee or the party requesting the subpoena.***

12 New Sections; Advisory Opinions; Interpretive Rulings. Amend RSA 21-G by inserting after section 31 the following new sections:

21-G:31-a Advisory Opinions; Procedure.

I. Any executive branch official or classified employee may request, in writing, an advisory opinion regarding the application of any law, guideline, or rule within the committee's jurisdiction to a specific factual situation pertinent to the requester's conduct or proposed conduct. Notwithstanding any other provision of law, all proceedings, information, communications, materials, papers, files, and transcripts, written or oral, received or developed by the committee in the course of its work in response to a request for an advisory opinion, except for the opinion itself, shall be confidential. The advisory opinion shall be made public but the name of the person seeking the opinion and any information in the opinion that would identify such person shall be nonpublic.

II. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the person complained against acted in reliance upon such advisory opinion.

21-G:31-b Interpretive Rulings; Procedure. The committee may initiate or any person may request an interpretive ruling explaining or clarifying a law, guideline, or rule of general applicability within the committee's jurisdiction. If the committee determines that a requested interpretive ruling will be helpful to those individuals under the committee's jurisdiction, it shall take up the request in public, receive testimony and other information that it deems helpful on the issue, and render a public ruling.

13 Rules; Procedures. Amend RSA 21-G:32 to read as follows:

21-G:32 Rules; Procedures and Standards. The committee shall adopt, publish, and make available to the public rules governing its procedures, including provisions for disqualification of members for conflict of interest and provisions for the committee to discipline its members for breach of committee procedures, [as well as guidelines referred to in RSA 21-G:30, I.] consistent with the procedures set forth in RSA 541-A.

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

2016-0599s

AMENDED ANALYSIS

This bill clarifies the application of the executive branch code of ethics to executive branch officials and classified employees, removes certain restrictions on appointment of members of the executive branch ethics committee, and modifies procedures of the committee.

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.

SB 472-FN, relative to the acquisition and use of certain equipment by state and local law enforcement agencies. Interim Study, Vote 3-0. Senator Cataldo for the committee.

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

SB 524, relative to state procurement card rebates. Ought to Pass, Vote 4-0. Senator Reagan for the committee.

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

SB 525-FN, relative to the board of registration of funeral directors and embalmers. Interim Study, Vote 3-0. Senator Woodburn for the committee.

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

FINANCE

SB 406-FN, relative to classification of certain state employee positions. Ought to Pass with Amendment, Vote 6-0. Senator Reagan for the committee.

Senate Finance
February 17, 2016
2016-0609s
05/04

Amendment to SB 406-FN

Amend the bill by replacing section 2 with the following:

2 Unclassified Salaries; Changes to Existing Positions. Amend RSA 94:1-a, I(b) by:

I. Inserting:

CC Department of corrections	executive assistant to parol board
GG Department of safety	deputy director of motor vehicles
HH Department of information technology	chief information security officer
HH New Hampshire veterans' home	commandant

HH	Judicial council	executive director
II	Liquor commission	chairman
	II. Deleting:	
AA	Department of corrections	executive assistant to parol board
CC	Judicial council	executive director
FF	Department of safety	deputy director of motor vehicles
GG	Department of information technology	chief information security officer
GG	New Hampshire veterans home	commandant
HH	Liquor commission	chairman

2016-0609s

AMENDED ANALYSIS

This bill adds the following positions to the unclassified salary schedule: administrator of the site evaluation committee, deputy commissioner of the liquor commission, deputy commissioner of the department of information technology, and executive director of the office of professional licensure and certification. The bill also changes the salary classification of the chairman of the liquor commission, executive assistant to the adult parole board, chief information security officer, commandant of the state veterans home, the deputy director of the division of motor vehicles, and the executive director of the judicial council.

The bill is a request of the joint committee on employee classification.

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.

SB 420-FN, relative to aid to the permanently and totally disabled. 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.

SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. 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.

SB 483-FN, establishing the position of chartered public school program officer. Ought to Pass with Amendment, Vote 6-0. Senator Hosmer for the committee.

Senate Finance

February 18, 2016

2016-0641s

04/05

Amendment to SB 483-FN

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

AN ACT establishing a committee to study the necessity of creating a chartered public school program officer position and to study appropriations to chartered public schools for the 2016 and 2017 fiscal years.

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

1 Committee Established. There is established a committee to study the necessity of creating a chartered public school program officer position and to study appropriations to chartered public schools for the 2016 and 2017 fiscal years.

2 Membership and Compensation.

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

(a) Three members of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

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

3 Duties.

I. The committee shall:

(a) Study whether it is necessary to create a chartered public school program officer position in the department of education.

(b) Examine appropriations made to chartered public schools in the fiscal years ending June 30, 2016 and June 30, 2017, examine chartered public school enrollments or projected enrollments for those fiscal years, and determine if there is or will be surplus appropriations to chartered public schools in those fiscal years.

II. The committee may solicit the testimony of any individual or organization with information that the committee deems relevant to its duties.

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 senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

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

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

2016-0641s

AMENDED ANALYSIS

This bill establishes a committee to study the necessity of creating a chartered public school program officer position and to study appropriations to chartered public schools for the 2016 and 2017 fiscal years.

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.

JUDICIARY

SB 339-FN, relative to required DNA analysis for certain offenses. Ought to Pass with Amendment, Vote 3-1. Senator Pierce for the committee.

Senate Judiciary
February 17, 2016
2016-0598s
09/10

Amendment to SB 339-FN

Amend RSA 651-C:2, I as inserted by section 1 of the bill by replacing it with the following:

I. Upon intake or prior to the release of any offender after conviction for the commission of any sexual offense, as defined in RSA 651-B:1, V, or any offense against a child as defined in RSA 651-B:1, VII, or any other felony offense prohibited by the laws of this or another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason, ***or any person declared not guilty by reason of insanity or civilly committed to the department of corrections***, such person shall have a DNA sample taken for DNA analysis to determine identification characteristics specific to the person.

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

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

Senator Morse is in opposition to the motion of Ought to Pass with Amendment on SB 339-FN.

SB 389-FN, relative to the penalty for possession of multiple firearms. Ought to Pass with Amendment, Vote 4-0. Senator Cataldo for the committee.

Senate Judiciary
February 17, 2016
2016-0588s
04/09

Amendment to SB 389-FN

Amend the bill by deleting section 2 and renumbering the original section 3 to read as section 2.

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.

SB 468-FN, relative to changes to the sex offender registry. Ought to Pass with Amendment, Vote 4-0. Senator Carson for the committee.

Senate Judiciary
February 17, 2016
2016-0589s
04/03

Amendment to SB 468-FN

Amend RSA 651-B:6, V as inserted by section 2 of the bill by replacing it with the following:

V. Any offender who was convicted prior to the establishment of the sex offender registry may petition the court to have his or her name removed from such registry. The petition shall be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense. The court may grant the petition if the offender has not been convicted of any subsequent felony, class A misdemeanor, sexual offense, or offense against a child, has successfully completed any period of supervised release, probation, or parole, and has successfully completed an appropriate sex offender treatment program as determined by the court. Prior to granting any petition to remove an offender from the registry, the court shall provide notice to the county attorney who prosecuted the case, the victim advocate, and the victim or victim's family, and permit those parties to be heard on the petition. Prior to any decision granting the application, the court shall provide the victim with the opportunity to address the court. The victim may appear personally, or by counsel, or may provide a written statement to reasonably express his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The victim shall not be subject to cross-examination. The judge shall consider the statements of the victim pursuant to this section when making a decision regarding the application. The judge shall grant the application, after a hearing, only where, in the opinion of the court, the offender has demonstrated that he or she is not a danger to the public and no longer poses a risk sufficient to justify continued registration. If the court denies the petition, the offender shall not file another petition for 5 years from the date of denial.

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.

SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety. Ought to Pass with Amendment, Vote 3-1. Senator Pierce for the committee.

Senate Judiciary
February 17, 2016
2016-0586s
09/03

Amendment to SB 475-FN

Amend RSA 106-B:14-c, I as inserted by section 1 of the bill by replacing it with the following:

I. Law enforcement agencies operating within New Hampshire shall submit crime reports to the department of safety, division of state police, based on the specifications prescribed by the Federal Bureau of Investigation's (FBI's) Criminal Justice Information Services' (CJIS) Uniform Crime Reporting (UCR) Program. The report shall be a compilation of the number of offenses and arrests on crimes occurring within their own jurisdictions, submitted in the manner and in the form specified by the FBI's National Incident

Based Reporting System (NIBRS). Annual statistical reports shall be made available no later than July 1 of the following year, containing the number and nature of criminal offenses, arrests and clearances, and any other data determined to be appropriate relating to the method, frequency, cause, and prevention of crime. The department of safety shall make such reports available to the governor, the general court, and all law enforcement agencies. Upon request for such reports to the division of state police, uniform crime report (UCR) unit, the department shall provide copies of the reports to other federal and state agencies and members of the public.

2016-0586s

AMENDED ANALYSIS

This bill requires all law enforcement agencies operating within New Hampshire to file crime reports with the division of state police, department of safety, based on the Federal Bureau of Investigation's Uniform Crime Reporting Program. The bill also establishes requirements for release of copies of such reports.

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

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

SB 498-FN, relative to penalties for possession of certain controlled drugs. 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.

Senator Morse is in opposition to the motion of Ought to Pass on SB 498-FN.

SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration. Ought to Pass, Vote 3-1. Senator Pierce for the committee.

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

Senator Morse is in opposition to the motion of Ought to Pass on SB 517-FN.

PUBLIC AND MUNICIPAL AFFAIRS

SB 353, relative to names on ballots. Ought to Pass, Vote 2-0. Senator Boutin for the committee.

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

SB 410, relative to an optional ban on plastic bags. Inexpedient to Legislate, Vote 3-1. Senator Stiles for the committee.

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

A division vote was requested.

Division, Yeas: 12 - Nays: 8. Adopted.

SB 455-FN, relative to immunity for injuries from the possession or use of a firearm by an employee or official of a political subdivision. Ought to Pass with Amendment, Vote 3-0. Senator Boutin for the committee.

Public and Municipal Affairs

February 3, 2016

2016-0397s

04/05

Amendment to SB 455-FN

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

1 New Paragraph; Firearms, Ammunition, and Knives. Amend RSA 159:26 by inserting after paragraph II the following new paragraph:

III.(a) No political subdivision shall be liable for personal injury or property damage resulting from ownership, possession, use, or transportation of any firearm, firearm components, firearm supplies, or knife by an employee or official of the political subdivision, except for any employee or official who is required to possess or use the same as a condition of his or her official duties and who is acting in the course of such duties, and subject to any other defenses or immunities under the law.

(b) Subparagraph (a) shall not preclude liability if (1) an employee of a political subdivision poses an obvious risk to others based on past conduct known to the employer, (2) the employer, knowing that the employee regularly possesses a firearm or knife while performing his or her duties, fails to take measures to prevent the employee from causing harm to the public or other employees, and (3) as a result of such failure, the employee causes an injury for which an action for damages against the employer would otherwise be permitted under the laws of the state. In the case of an injury to or death of an employee of a political subdivision, this paragraph shall not affect any claim under RSA 281-A or any claim or benefit under any insurance policy, pension plan, or other benefit arrangement provided by the employer. Nothing in this paragraph shall create a cause of action if the political subdivision would otherwise be immune under RSA 507-B or any other law.

2 Applicability. This act shall apply to any injury for which an action to recover damages has not been commenced prior to the effective date of this act.

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

2016-0397s

AMENDED ANALYSIS

This bill provides immunity to a political subdivision for personal injury or property damage resulting from the ownership, possession, use, or transportation of a firearm or a knife by an employee or official of a political subdivision, and provides exceptions to this immunity under certain circumstances.

Senator Bradley moved to Lay on the Table SB 455-FN. Adopted.

SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees. Ought to Pass with Amendment, Vote 4-0. Senator Birdsell for the committee.

Public and Municipal Affairs

February 17, 2016

2016-0610s

03/01

Amendment to SB 456-FN

Amend RSA 664:9-b as inserted by section 1 of the bill by replacing it with the following:

664:9-b Reports of Receipts and Expenditures Filed Electronically. A political committee of a candidate or a candidate may electronically report receipts and expenditures, as required by RSA 664:6, 664:7, and 664:7-b, by uploading the report to the secretary of state's website. The report shall be publicly available on the website on or before the date that an itemized statement of receipts and expenditures is due. The committee or candidate may publicly release receipt and expenditure information under this section more frequently than is required by RSA 664:6, 664:7, and 664:7-b provided the receipt and expenditure report is up to date when due.

2016-0610s

AMENDED ANALYSIS

This bill authorizes an electronic system for reporting of political receipts and expenditures by candidates and candidate committees.

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

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

Senator Avard is excused for the afternoon.

SB 457-FN, relative to reporting of receipts and expenditures by political committees other than political committees of candidates. Inexpedient to Legislate, Vote 3-1. Senator Boutin for the committee.

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

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

The following Senators voted Yes: Forrester, Bradley, Cataldo, Little, Sanborn, Daniels, 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: 13 - Nays: 10. Adopted.

Senator Avard is excused.

TRANSPORTATION

SB 366, establishing a committee to study enforcement of the state right-of-way by the department of transportation. Inexpedient to Legislate, Vote 4-0. Senator Birdsell for the committee.

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

SB 471-FN, relative to parking for persons with disabilities. Ought to Pass with Amendment, Vote 4-1. Senator Stiles for the committee.

Senate Transportation

February 17, 2016

2016-0607s

03/09

Amendment to SB 471-FN

Amend the bill by replacing sections 3-5 with the following:

3 Parking Prohibitions. Amend RSA 265:69, I(j) to read as follows:

(j) In any parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign **or stenciling** as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol, unless that person has a special plate or placard issued or recognized pursuant to RSA 261:86 or RSA 261:88, and the person who qualifies for the plate or placard is being transported to or from the parking place. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph shall be fined ~~a minimum of~~ **\$250 of which \$50 is payable to the town or city where the violation occurred;**

4 Parking Signs. Amend RSA 265:73-a to read as follows:

265:73-a Parking Signs; Disabled. A parking space on private or public property that is reserved for persons who are disabled shall be marked by a sign affixed to a post or a building **or by visible stenciling on the pavement**. Said sign **or stenciling** shall be clearly visible to anyone directly approaching that particular space. **At least one parking space shall be designated as a van-accessible space, and one out of every 5 accessible parking spaces shall be designated as a van-accessible space.** Failure to comply with the sign placement requirements of this section shall subject the property owner to a \$250 fine, provided that the owner shall not be fined more than once in any 120-day period for the same violation.

5 Parking Violations. Amend RSA 265:74 to read as follows:

265:74 Parking Privileges for Persons With Walking Disability. Any motor vehicle carrying the special plates or hanging windshield placard issued to a person with a walking disability under RSA 261:88, or a similar license plate displaying the international accessibility symbol shall be allowed free parking in any city or town, including any state or municipal parking facility where a fee is charged. Each city or town shall have the discretion to set the time periods using guidelines which shall be provided by the governor's commission on disability. The free parking shall only be allowed if the person who qualifies for the special plates or hanging placard is being transported in the vehicle to or from the parking place. Parking places designated for persons with walking disabilities shall be utilized only if a person with a walking disability is being transported in the vehicle to or from the parking place. Notwithstanding the provisions of any local ordinance which has been adopted to regulate parking in places designated for persons with walking disabilities, any person who is convicted under this section shall be guilty of a violation and fined \$250 plus penalty assessment **of which \$50 payable to the town or city where the violation occurred.**

Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 7:

6 Obstruction of Parking Place for Persons With Walking Disability. Amend RSA 265:74-a, II-III to read as follows:

II. Paragraph I shall apply to both public and private property where a parking place or access aisle is specifically designated for a person with a walking disability by means of a sign ***or stenciling*** as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol.

III. Any property owner who violates this section shall be guilty of a violation and fined [~~up to~~] \$250 ***of which \$50 is payable to the town or city where the violation occurred.***

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

Senator Daniels offered a floor amendment.

Sen. Daniels, Dist. 11

March 2, 2016

2016-0894s

03/05

Floor Amendment to SB 471-FN

Amend the bill by replacing sections 3-5 with the following:

3 Parking Prohibitions. Amend RSA 265:69, I(j) to read as follows:

(j) In any parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign or stenciling as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol, unless that person has a special plate or placard issued or recognized pursuant to RSA 261:86 or RSA 261:88, and the person who qualifies for the plate or placard is being transported to or from the parking place. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph shall be fined [a minimum of] \$250 of which \$50 is payable to the town or city where the violation occurred;

4 Parking Signs. Amend RSA 265:73-a to read as follows:

265:73-a Parking Signs; Disabled. A parking space on private or public property that is reserved for persons who are disabled shall be marked by a sign affixed to a post or a building or by visible stenciling on the pavement. Said sign or stenciling shall be clearly visible to anyone directly approaching that particular space. At least one parking space shall be designated as a van-accessible space. Failure to comply with the sign placement requirements of this section shall subject the property owner to a \$250 fine, provided that the owner shall not be fined more than once in any 120-day period for the same violation.

5 Parking Violations. Amend RSA 265:74 to read as follows:

265:74 Parking Privileges for Persons With Walking Disability. Any motor vehicle carrying the special plates or hanging windshield placard issued to a person with a walking disability under RSA 261:88, or a similar license plate displaying the international accessibility symbol shall be allowed free parking in any city or town, including any state or municipal parking facility where a fee is charged. Each city or town shall have the discretion to set the time periods using guidelines which shall be provided by the governor's commission on disability. The free parking shall only be allowed if the person who qualifies for the special plates or hanging placard is being transported in the vehicle to or from the parking place. Parking places designated for persons with walking disabilities shall be utilized only if a person with a walking disability is being transported in the vehicle to or from the parking place. Notwithstanding the provisions of any local ordinance which has been adopted to regulate parking in places designated for persons with walking disabilities, any person who is convicted under this section shall be guilty of a violation and fined \$250 plus penalty assessment of which \$50 payable to the town or city where the violation occurred.

Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 7:

6 Obstruction of Parking Place for Persons With Walking Disability. Amend RSA 265:74-a, II-III to read as follows:

II. Paragraph I shall apply to both public and private property where a parking place or access aisle is specifically designated for a person with a walking disability by means of a sign or stenciling as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol.

III. Any property owner who violates this section shall be guilty of a violation and fined up to \$250 of which \$50 is payable to the town or city where the violation occurred.

Recess. Out of recess.

Recess. Out of recess.

Senator Bradley moved to Lay on the Table SB 471-FN. Adopted.

SB 493-FN-A, establishing a low-digit vanity number plate fee and dedicating the revenues collected to bridge aid for municipal bridges. Inexpedient to Legislate, Vote 4-1. Senator Daniels for the committee.

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

Senators Boutin, Carson, D'Allesandro, Forrester, Little, Morse, Soucy, and Stiles assert Rule 6-25 on SB 493-FN-A.

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club. Ought to Pass with Amendment, Vote 5-0. Senator Daniels for the committee.

Senate Transportation

February 17, 2016

2016-0614s

10/09

Amendment to SB 521-FN

Amend RSA 215-A:21, X(a)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) The first ~~[\$8.16]~~ **\$38.16** of each 2-wheeled trail bike registration or ~~[\$19.16]~~ **\$49.16** of each other OHRV registration ***registered by an individual who does not, at the time of registration, provide proof of membership in an organized New Hampshire nonprofit OHRV club, or \$8.16 of each 2-wheeled trail bike or \$19.16 of each other OHRV registration registered by an individual who provides proof of membership in an OHRV club*** shall be appropriated to the department of resources and economic development for the bureau's grant-in-aid program pursuant to RSA 215-A:23, VI.

Amend RSA 215-A:21, X(b)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) The first ~~[\$16]~~ **\$46** of each 2-wheeled trail bike registration or ~~[\$26]~~ **\$56** of each other OHRV registration ***registered by an individual who does not, at the time of registration, provide proof of membership in an organized New Hampshire nonprofit OHRV club, or \$16 of each 2-wheeled trail bike or \$26 of each other OHRV registration registered by an individual who provides proof of membership in an OHRV club*** shall be appropriated to the department of resources and economic development for the bureau's grant-in-aid program pursuant to RSA 215-A:23, VI.

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

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

WAYS AND MEANS

SB 441-FN, relative to discounts and admission without charge at state parks. Ought to Pass with Amendment, Vote 5-0. Senator Feltes for the committee.

Senate Ways and Means

February 16, 2016

2016-0537s

10/06

Amendment to SB 441-FN

Amend the bill by replacing section 1 with the following:

1 State Parks; Admission Charges; Persons 65 Years of Age and Older. Amend RSA 218:5-c to read as follows:

218:5-c Admission Without Charge; ***Residents 65 Years of Age and Older***. Any person who is a resident of this state and who has attained the age of 65 shall, upon proper identification, be admitted to any state recreation area, including but not limited to parks, historical sites, ***and*** beaches~~[- and state-operated ski areas,]~~ without charge ***except on weekends and holidays***. Persons qualifying under this section shall be allowed to use any

state owned facility within the recreation area without charge for the use of the facility, except *those facilities operated by third parties*. Persons qualifying under this section [shall] *may* be charged *up to 2/3 of the usual fee for the use of so-called "uphill devices" on [Saturdays and Sundays] weekends and holidays, and up to 1/3 of the usual fee on weekdays*. Provided further that other special charges at state owned recreation areas, such as fees charged for parking at parking meters, shall be charged persons qualifying under this section at the usual rates. The *foregoing* provisions of this section shall not apply to state owned campsites or camping areas or state-owned ski areas operated by a lessee. *Additional discounts or admission without charge for persons qualifying under this section may be provided in accordance with RSA 216-A:3-g.*

2016-0537s

AMENDED ANALYSIS

This bill modifies the authority for the division of parks and recreation to offer admission without charge to persons 65 years of age and older for state parks and other areas, and repeals an authority to issue coupon books for state parks in summer months.

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.

SB 443, relative to taxation of qualifying historic residential structures. Interim Study, Vote 5-0. Senator Sanborn for the committee.

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

SB 445-FN-L, suspending the registration fee for the sale of municipal bonds in New Hampshire for 2 years. Ought to Pass with Amendment, Vote 4-1. Senator Sanborn for the committee.

Senate Ways and Means

February 16, 2016

2016-0572s

06/10

Amendment to SB 445-FN-LOCAL

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

2 Registration Fee for Sale of Municipal Bonds; Report. By November 1, 2017, the secretary of state shall report to the president of the senate and the speaker of the house of representatives on the number of applications for municipal bond registrations in the year prior to the suspension under section 1 and the number of applications for municipal bond registrations during such suspension.

2016-0572s

AMENDED ANALYSIS

This bill suspends the registration fee for the sale of municipal bonds in New Hampshire through the end of the biennium.

The question is on the adoption of the Committee Amendment.

A division vote was requested.

Division, Yeas: 8 - Nays: 14. Failed.

Recess. Out of recess.

Senator D'Allesandro moved to Lay on the Table SB 445-FN-L. Adopted.

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

SB 512, relative to health care associated infections. Ought to Pass, Vote 5-0. Senator Soucy for the committee.

This bill would add end-stage renal dialysis centers, Veterans Homes, Nursing Care facilities, and assisted living facilities to the list of healthcare facilities required to report health care associated infections. It would also require these facilities to report on the number of employees that receive a flu vaccine. It does not require people to get the flu vaccine. It just requires that the facilities report on the number of employees that receive it.

SPECIAL ORDER

Without objection, the SB 512 was special ordered to Thursday, March 10, 2016.

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 Hosmer: SB 436.

Senator Boutin: SB 473-FN-A-L.

Senators Boutin, Carson, D'Allesandro, Forrester, Little, Morse, Soucy, Stiles: SB 493-FN-A.

Senator Boutin: SB 503-FN-A.

ANNOUNCEMENTS

(The Chair recognized Senator Fuller Clark.)

SENATOR FULLER CLARK: Thank you, Mister President. I'd like personal privilege, please? I am here to present remarks honoring Eileen Dondero Foley. I am deeply saddened to report that a week ago Monday, on February 21st, a well loved Portsmouth treasure, and local icon, former city Mayor and past State Senator, Eileen Dondero Foley died at home, just five days shy of her 98th birthday.

Eileen became the second woman to serve as Mayor of the City of Portsmouth, serving eight terms as mayor. She also was elected seven times to the state Senate. Foley's mother, Marion Carey Dondero, was the city's first female mayor from 1945 to 1947. New Hampshire Democratic Party Chair Ray Buckley noted that, "Eileen, like her mother, broke down barriers, becoming the first woman of either party to be elected leader in the Senate or the House when she was elected New Hampshire State Democratic Leader." Additionally, she had the privilege of serving as an aide to the U.S. Senator Tom McIntyre, and her political involvement also extended to the national level, and she considered Vice President Joe Biden a personal friend.

Additionally, she became the preeminent ambassador for the city of Portsmouth making many trips and establishing long lasting ties to our sister cities in Japan, Ireland, and England.

The only way that I can think of conveying what she meant to so many of us and to capture a bit of Eileen for those of you who never had the privilege of knowing her personally, is to share with you some comments and stories about Eileen made by city, state, and national admirers over the past week.

Chairman Buckley notes that Foley "spent nearly a century dedicating her life to the people of New Hampshire. Her love for the city was in her blood, and her name is synonymous with Portsmouth, as her passion and devotion for the 'Old Town by the Sea' helped turn it into the cultural and economic bastion it is today."

Senator Jeanne Shaheen noted and commented: "Billy and I are very saddened to learn of the passing of Eileen Foley, and our thoughts are with her daughter, Mary Carey, and the entire Foley family." She carried on a great family tradition of public service, and played an invaluable role in Portsmouth's renaissance. She was not only an incredible advocate for the Seacoast region in New Hampshire, but also around the globe by helping to establish sister cities and international trade. So much of the local progress made in e-commerce, tourism, and historic preservation can be traced back to Eileen's leadership and foresight.

Governor Maggie Hassan issued the following statement on Eileen's passing: "Eileen Foley was beloved in Portsmouth and across the state. Through her service in the Women's Army Corp during World War II, her tenure as Portsmouth's Mayor, and her work in the state Senate, she reflected the spirit of public service that makes our state as strong as granite, and she is an important figure in our history of female leadership in New Hampshire."

Secretary of State Bill Gardner called her a "gentle giant."

Jamie French, a fellow Prescott Park Board member, commented on Eileen's role in helping to save the festival. Jamie noted that, "She had no problem coming down and steaming hot dogs" to raise money for the local arts program. "She never forgot people who didn't have a voice." Even though she knew every presidential candidate, she never forgot her roots.

And from Fires Lt. Bill McQuillen: "Eileen was a champion of city firefighters and fire department causes, over the years defending the city run ambulance service, as well as the fire station in the Pease International Tradeport when it face closure." Firefighters so appreciated her support, he said they would wash her car when she parked it in front of the downtown fire station on Saturdays to run her errands. McQuillen said, "She was genuine and always told you exactly what she thought whether you wanted to hear it or not. She was a great friend to us for so many years."

Current Mayor Jack Blalock said, "She's the closest thing to royalty we have." And Assistant Mayor Jim Splaine added that, "Anyone who came up to her, she looked at them eye-to-eye and made them feel like there was no one more important in the world to her. Splaine also recalled Foley acting as a cheerleader for the Portsmouth Naval Shipyard when it faced closure, and how Foley joined hundreds of people who traveled to Boston in dozens of buses under police escort to save the shipyard. He was on the same bus with Foley as she chanted, "We're going to win, we're going to win, we're going to win!"

Bob Sullivan also shared with us a delightful story how Foley, when she attended hundreds of luncheons and dinners over the decades, that her invariable practice at all of them would be to find an item of food that she would wrap in her napkin, place in her purse, and take home to John, her beloved husband.

My favorite story of Eileen is how, when she was only 5 years old, during the time her mother was mayor, she was chosen to cut the ribbon and break a bottle of champagne for the opening of the original Memorial Bridge on August 17th, 1923. When the replacement bridge was reopened 90 years later, Eileen, at age 95, again was selected to cut the ribbon, which she did with verve and joy.

When she died, Monday a week ago, her daughter, Mary Carey, said her mother was in her Bow Street bedroom overlooking the Memorial Bridge.

My personal memories of Eileen are of a warm, and caring, and ever helpful friend sharing her political advice and support. Her love for our city was only matched by her love for the Boston Red Sox, Vice President Joe Biden, and her family, including Mary Carey, who has dedicated so much of her life these last fifteen years to looking after her mother.

Eileen had a great smile, an enduring twinkle in her eye, and an indomitable spirit. She was a woman of great compassion and integrity. And she has left an enduring legacy of public service to our city, the state, and the nation. Our hearts go out to her family as we all celebrate the life of a most remarkable woman. Thank you, Mister President.

(Acknowledgements to: <http://www.seacoastonline.com/article/20160222/NEWS/160229803>)

PRESIDENT MORSE: Well, like the Reverend Jon Hopkins this morning, I wanted to take a moment to recognize both Senator Bradley and Senator Carson who have both recently endured the loss of their mothers. On behalf of all of us in the Senate, I want to say how sorry we are for your loss. I hope that you will find some comfort in the fond memories and stories of the times you shared together, and that you continue to be reminded of the meaningful lives they lived, and the impact they had on your families. I would also like to remind you that both you and your families have remained in our thoughts and prayers during this time.

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you very much, Mister President. I would just take a moment of personal privilege to say thank you, and I find a lot of comfort in all of the people in this room, and I can't thank you enough.

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

SB 320, relative to non-academic surveys administered by a public school to its students.

SB 325, relative to vaccines administered by pharmacists.

SB 339-FN, relative to required DNA analysis for certain offenses.

SB 353, relative to names on ballots.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat.

SB 384, relative to the feeding of wild deer.
SB 389-FN, relative to the penalty for possession of multiple firearms.
SB 400, relative to executive branch ethics.
SB 403, relative to the sale of gift certificates with expiration dates.
SB 406-FN, relative to classification of certain state employee positions.
SB 419-FN, relative to requests by law enforcement officials under the law governing the therapeutic use of cannabis.
SB 420-FN, relative to aid to the permanently and totally disabled.
SB 436, relative to after market automobile parts.
SB 441-FN, relative to discounts and admission without charge at state parks.
SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms.
SB 468-FN, relative to changes to the sex offender registry.
SB 477-FN, relative to nonemergency involuntary admissions.
SB 478-FN, permitting the online renewal of a nondriver's picture identification card.
SB 483-FN, establishing a committee to study the necessity of creating a chartered public school program officer position and to study appropriations to chartered public schools for the 2016 and 2017 fiscal years.
SB 487, relative to missing vulnerable adults.
SB 498-FN, relative to penalties for possession of certain controlled drugs.
SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration.
SB 524, relative to state procurement card rebates.
SB 530-FN, establishing a commission to study volunteer health care services.
SB 534-FN, to implement a system of care for children's behavioral health.
SB 536, relative to emergency interim relief under the child protection act

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.