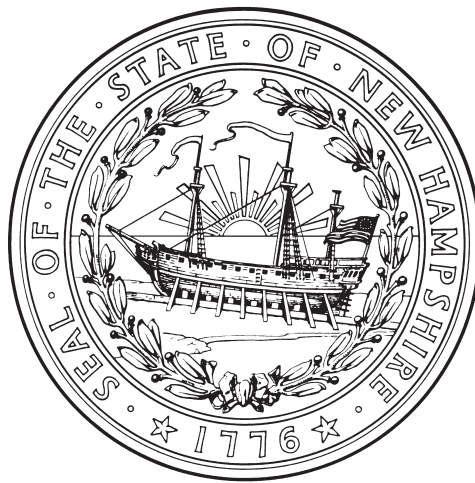


**March 10, 2016
Nos. 7-8**

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MARCH 3, 2016 SESSION
COMMENCEMENT – MARCH 10, 2016 SESSION**

SENATE JOURNAL 7 *(continued)*

March 3, 2016

HOUSE MESSAGE

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

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

HOUSE MESSAGE

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

SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 1210, relative to prescriptions for controlled drugs by telemedicine.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

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

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

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

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

HB 1105, establishing a committee to study third party mortgage processors.

HB 1113, requiring a performance audit of the sex offender treatment program in the department of corrections.

HB 1114, relative to the number of inspectors of election.

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

HB 1152, relative to the definition of specialty beer.

HB 1164, relative to contributions by a city to the county or state.

HB 1170, relative to special permits for OHRV operation in Jericho Mountain State Park.

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

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

HB 1181, relative to designating an alternate cemetery trustee.

HB 1195, relative to prepayment contracts for petroleum products.

HB 1197, relative to conservation number plate funds.

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

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

HB 1203, relative to voting on variances.

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

HB 1220, relative to disqualification of election officers.

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

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

HB 1267, relative to the family hike safe card for fish and game search and recovery expenses.
HB 1268, relative to liability for payment of expenses of search and rescue recovery by the fish and game department.
HB 1271, making certain length and width exemptions concerning commercial vehicles.
HB 1279, relative to grounds for termination of parental rights.
HB 1283, relative to school notification of a change in placement.
HB 1286, relative to days when fishing without a license is permitted.
HB 1287, repealing a provision of the harassment statute.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 1302, relative to driver's license requirements for operation of a mixed use school bus.
HB 1307, relative to the procedure for amendment of condominium instruments.
HB 1313-FN, relative to eligibility to vote and relative to availability of voter information.
HB 1315, adding mixed-use development to the definition of business and industrial facility.
HB 1316, relative to hospital rates for self-pay patients.
HB 1355, relative to poultry producers exempted from meat inspection requirements.
HB 1388-FN, expanding crossbow use into muzzleloader season.
HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.
HB 1396, relative to OHRV operation on certain highways in Grafton County.
HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial.
HB 1403, relative to reinsurance.
HB 1408-FN, relative to a school building inventory.
HB 1415, relative to escape from official custody.
HB 1418-LOCAL, relative to the minutes of nonpublic sessions of public bodies.
HB 1419, relative to voting records in nonpublic sessions of public bodies.
HB 1430-FN, relative to registration of compact utility tractors.
HB 1450, relative to risk-based capital for insurers.
HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials.
HB 1453, relative to qualifying medical conditions for purposes of therapeutic cannabis.
HB 1486, relative to membership of the state house bicentennial commission.
HB 1490, relative to collaborative practice between pharmacists and health care practitioners.
HB 1503, relative to distributing campaign materials at the polling place.
HB 1534, relative to reports of death of voters.
HB 1570-FN, repealing the law governing access to reproductive health care facilities.
HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission.
HB 1587, relative to limitations on capital reserve funds of counties.
HB 1624-FN, relative to electioneering by public employees.
HB 1628-FN, relative to human trafficking involving persons under 18 years of age.
HB 1656-FN, relative to exceptions to the real estate transfer tax.
HB 1665-FN, adopting the interstate medical licensure compact.
HB 1689, relative to operator requirements under the meals and rooms tax.
HCR 12, urging support of the 65/25 initiative in New Hampshire.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 1118, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility.
HB 1121, relative to the academic areas that comprise the statewide assessment.
HB 1124, (New Title) relative to the membership of the occupational therapy governing board.
HB 1138, relative to access to investigational drugs, biological products, and devices.
HB 1141, defining "agritourism."
HB 1147, (New Title) requiring a report on federal landholdings within the state.
HB 1156, relative to interference with traffic devices.
HB 1161, relative to the traffic safety commission.

HB 1165, changing “incapacitated” to “vulnerable” in the adult protective services laws.
HB 1175-FN, relative to post-judgment real estate liens.
HB 1186, repealing the law prohibiting coasting of vehicles.
HB 1204, relative to payment of rent pending the stay of an eviction proceeding.
HB 1211, relative to requirements for certain alcoholic beverage licenses.
HB 1226, relative to administration of pharmaceutical agents by optometrists.
HB 1239, relative to certain terminology in the education statutes.
HB 1244-LOCAL, relative to municipal cemeteries.
HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.
HB 1246-FN, relative to speech-language assistants.
HB 1264, relative to carnival or amusement ride inspections.
HB 1266, (New Title) legalizing firecrackers.
HB 1269, (New Title) extending the New Hampshire health care quality assurance commission and relative to the membership of the commission.
HB 1270, relative to a jury’s determination as to the applicability of a law.
HB 1285, relative to the donation of food that has passed its expiration date.
HB 1289, making technical corrections to certain tax laws.
HB 1290, relative to filing dates for business taxes.
HB 1293, relative to the procedure for charter amendments.
HB 1294, relative to exemptions from licensure as a massage therapist.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 1303, (New Title) establishing a commission to study issues relating to pre-existing districts withdrawing from a cooperative school district.
HB 1305, (New Title) relative to the use of an ignition interlock device.
HB 1331, relative to the membership of the compensation appeals board.
HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.
HB 1353, relative to the notice required of a law enforcement officer prior to making an audio recording of a routine stop.
HB 1354, establishing a committee to study livestock and meat inspection.
HB 1356, (New Title) relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.”
HB 1357, relative to the duties of the department of cultural resources.
HB 1372, permitting a child with a disability to use audio or video recording devices in the classroom.
HB 1377, relative to receipt of absentee ballots.
HB 1378, relative to disabled voters requiring assistance.
HB 1381-FN, (New Title) relative to the sale of smoke bombs.
HB 1385-FN-A, relative to the sale or exchange of an interest in a business organization under the business profits tax.
HB 1394, (New Title) relative to the appropriation for developmental services.
HB 1395, relative to municipal electronic records.
HB 1409, relative to life, accident, and health insurance.
HB 1410, relative to motor vehicle coverage.
HB 1423-FN, relative to rulemaking for prescribing controlled drugs.
HB 1426-FN, (New Title) relative to earned time credits for prisoners participating in educational programming.
HB 1428-FN-A-LOCAL, (New Title) establishing the clean water state revolving fund non-program fund account in the department of environmental services for the purpose of funding eligible and completed wastewater projects under the state aid grant program.
HB 1459, relative to commercial coverage.
HB 1461, relative to the definition of and criteria for protection instream flow.
HB 1467, relative to notice of village district elections.
HB 1468, relative to sessions for correction of the checklist.
HB 1482, (New Title) relative to the Interstate Voter Registration Crosscheck Program.
HB 1493, relative to ownership of DNA.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

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

HB 1529-FN, relative to reporting of felony convictions for voter checklist updates.

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

HB 1586-FN, prohibiting the impersonation of an emergency medical technician or firefighter.

HB 1588, (New Title) repealing certain prohibitions on employment of state employees.

HB 1589-FN, (New Title) prohibiting the transport of aquatic plants and aquatic weeds.

HB 1591-FN-A, (New Title) relative to the health care premium contribution for retired state employees who are eligible for Medicare Parts A and B due to age or disability, relative to funding of retiree health benefits, and making an appropriation to the department of administrative services.

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

HB 1601, relative to certain continuing care communities.

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

HB 1618, relative to debt adjustment services.

HB 1633-FN, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation.

HB 1654-FN, (New Title) relative to flying a drone above a correctional facility.

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

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

HB 1680-FN, extending the suspension of prior authorization requirements for a community mental health program on drugs used to treat mental illness.

February 11, 2016

2016-0500-EBA

06/03

Enrolled Bill Amendment to SB 144

The Committee on Enrolled Bills to which was referred SB 144

AN ACT relative to carry-over coverall bingo and shared carry-over coverall bingo.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 144

This enrolled bill amendment incorporates changes made to RSA 287-E:3 by 2015, 276.

This enrolled bill amendment also makes a technical correction.

Enrolled Bill Amendment to SB 144

Amend the bill by replacing section 2 with the following:

2 Shared Carry-Over Coverall Games of Bingo. Amend RSA 287-E:3, XIV-XV to read as follows:

XIV. A carry-over coverall game or a shared carry-over coverall game, including the application process for host halls.

XV. Other matters related to the proper administration of this chapter.

[XV] XVI. The issuance of subpoenas pursuant to RSA 287-E:14-a.

Amend RSA 287-E:13-a, IX as inserted by section 6 of the bill by replacing line 7 with the following:

shared carry-over coverall bingo game. If the host hall is a charitable organization the charitable

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

February 12, 2016
2016-0519-EBA
03/01

Enrolled Bill Amendment to SB 265-FN

The Committee on Enrolled Bills to which was referred SB 265-FN

AN ACT establishing the achieving a better life experience (ABLE) savings account program.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 265-FN

This enrolled bill amendment renumbers bill sections and corrects references in the bill

Enrolled Bill Amendment to SB 265-FN

Amend the bill renumbering sections 3-6 to read as 2-5, respectively.

Amend RSA 195-K:5, I as inserted by section 1 of the bill by replacing line1 with the following:

I. Within 6 months of the issuance of regulations by the Internal Revenue Service

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

4 Contingency. Section 3 of this act shall take effect upon the earlier of the following:

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

not issued regulations governing implementation of any state savings account programs

Amend paragraph I of section 5 of the bill by replacing it with the following:

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

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

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled Senate Bills numbered 144, 146, 157, 227 and 265.

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

Out of Recess. Call Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

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

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 8

March 10, 2016

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

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

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

God, our creator, who has given us this good land for a heritage. We humbly ask that we may always prove ourselves, and keep mindful of all of our blessings. May we continue to bless our community with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and

arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought to New Hampshire out of many nations and tongues. We thank you for the noble men and women who we have elected and entrusted with the authority of government. We thank you that they have heard the call to serve all the people of New Hampshire with their best selves. Give them the spirit of wisdom that there may be justice and peace at home, and that through obedience to the law we might show forth all that is good and honorable. In the time of prosperity, fill our hearts with thankfulness, and in the day of trouble, give us courage to face the obstacles ahead. Amen.

Senator Pierce led the Pledge of Allegiance.

Senator Fuller Clark is excused for the day.

INTRODUCTION OF GUESTS

Senator Reagan introduced students from Deerfield Community School visiting in the gallery.

INTRODUCTION OF PAGES

Senator Stiles introduced Isabelle Domingos and Jana Bushway of Winnacunnet High School in Hampton serving as Senate Pages for the day.

SPECIAL ORDER

Without objection, the following bills were special ordered to Thursday, March 17, 2016.

COMMERCE

SB 488-FN-L, requiring reasonable accommodations for pregnant workers.

Ought to Pass with Amendment, Vote 5-0.

Senator Soucy for the committee.

EDUCATION

SB 470, relative to eligibility of school district employees for Family and Medical Leave Act coverage.

Inexpedient to Legislate, Vote 2-2.

Senator Avarð for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 462-FN, allowing part-time circuit court judges to retire and elect senior active status.

Inexpedient to Legislate, Vote 3-0.

Senator Soucy for the committee.

HEALTH AND HUMAN SERVICES

SB 540-FN, prohibiting the possession, use, or sale of kratom.

Ought to Pass with Amendment, Vote 4-0.

Senator Fuller Clark for the committee.

PUBLIC AND MUNICIPAL AFFAIRS

SB 482-FN-L, enabling municipalities to license and regulate short-term rental businesses.

Interim Study, Vote 4-1.

Senator Boutin for the committee.

FN REPORT FOR MARCH 10, 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 448-FN, relative to rates for self-pay patients and notice of allowable benefits.

SB 501-FN, prohibiting the possession of powdered or crystalline alcohol.

EDUCATION

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

REGULAR CALENDAR:

COMMERCE

SB 523-FN, relative to the controlled drug prescription health and safety program.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

SB 462-FN, allowing part-time circuit court judges to retire and elect senior active status.

HEALTH AND HUMAN SERVICES

SB 540-FN, prohibiting the possession, use, or sale of kratom.

JUDICIARY

SB 465-FN, relative to the dissemination of images depicting sexually explicit conduct.

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

PUBLIC AND MUNICIPAL AFFAIRS

SB 482-FN-L, enabling municipalities to license and regulate short-term rental businesses.

TRANSPORTATION

SB 490-FN, establishing a donate life number plate.

SB 549-FN, relative to public-private partnerships for intermodal infrastructure and transportation and establishing the public-private infrastructure oversight commission.

SB 550-FN, relative to the maximum gross weight for dump trailers.

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

REGULAR CALENDAR:

COMMERCE

SB 488-FN-L, requiring reasonable accommodations for pregnant workers.

EDUCATION

SB 326, relative to the membership of the community college system of New Hampshire board of trustees.

SB 470, relative to eligibility of school district employees for Family and Medical Leave Act coverage—if Inexpedient to Legislate recommendation is overturned.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 476-FN, relative to the certification of school nurses.

HEALTH AND HUMAN SERVICES

SB 515-FN, relative to child neglect and other changes to the child protection act—if Inexpedient to Legislate recommendation is overturned.

SB 531-FN, extending the New Hampshire health protection act—if Inexpedient to Legislate recommendation is overturned.

SB 532-FN, relative to prior authorization for substance abuse treatment.

SB 533-FN-A-L, relative to drug law enforcement and penalties, insurance coverage for substance use disorders, a statewide drug court grant program, and drug abuse prevention; and making appropriations therefor—if Inexpedient to Legislate recommendation is overturned.

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

JUDICIARY

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case.

PUBLIC AND MUNICIPAL AFFAIRS

SB 346-FN-L, relative to hours of polling.

SB 507-FN, authorizing online voter registration.

SB 509-FN, relative to voter registration forms and relative to voter identity verification.

Without objection, the FN Report is adopted.

CONSENT CALENDAR

Senator Bradley moved that the Consent Calendar, with the relevant amendments as printed in the day's Calendar be adopted and that all such bills found Ought-to-Pass be ordered to Third Reading.

COMMERCE

SB 448-FN, relative to rates for self-pay patients and notice of allowable benefits. Interim Study, Vote 5-0. Senator Prescott for the committee.

This bill clarifies billing rates for self-pay patients and requires claims to be cross accumulated against insurance deductibles. Ultimately the committee felt that this bill had too many issues to move forward and that more time is needed to allow for input from all interested parties.

SB 449, relative to payment of workers' compensation benefits by direct deposit. Ought to Pass with Amendment, Vote 5-0. Senator Soucy for the committee.

This bill would allow employees to request workers compensation payment via direct deposit. There are situations where paper checks get delayed and cause hardship to injured workers. Direct deposit would only be available for employees who remain out of work for at least 6 weeks.

Commerce

March 2, 2016

2016-0850s

01/05

Amendment to SB 449

Amend RSA 281-A:40 as inserted by section 1 of the bill by replacing it with the following:

281-A:40 Memorandum of Payment. An employer or the employer's insurance carrier shall make payment of compensation in the amount and manner provided by this chapter. ***Payment shall be made by direct deposit 6 weeks from the date of disability if the injured worker elects this payment method. The employer or the employer's insurance carrier shall notify the injured worker in writing of his or her right to payment by direct deposit. If no election is made, payment shall be made by paper check mailed to the injured worker.*** The employer shall file memoranda of [such] payments with the commissioner in accordance with rules adopted by the commissioner under RSA 281-A:60.

SB 501-FN, prohibiting the possession of powdered or crystalline alcohol. Ought to Pass, Vote 5-0. Senator Soucy for the committee.

This bill would prohibit the possession of powdered or crystalline alcohol. The committee heard testimony on how if used incorrectly, powdered or crystalline alcohol can be very dangerous and toxic. Over 20 other states have banned this product already and others are currently in the process of banning it. The Liquor Commission, Department of Safety and the Attorney General support this bill.

EDUCATION

HB 1604-FN-A-L, relative to instructional methods to enable students to acquire and apply requisite knowledge and skills. Inexpedient to Legislate, Vote 5-0. Senator Stiles for the committee.

This bill would have specified instructional methods designed to enable students to acquire and apply requisite knowledge and skills. The committee believes that it is unnecessary to move forward with this language at this time.

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

REGULAR CALENDAR

COMMERCE

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

Senator Sanborn offered a floor amendment.

Sen. Sanborn, Dist 9
March 3, 2016
2016-0907s
03/10

Floor Amendment to SB 512

Amend RSA 151:33, II-b as inserted by section 1 of the bill by deleting subparagraph (d).

Amend RSA 151:33 as inserted by section 1 of the bill by deleting paragraph II-c.

Amend RSA 151:33, IV-V as inserted by section 1 of the bill by replacing it with the following:

IV. The commissioner of the department shall adopt rules, pursuant to RSA 541-A, for hospital, end-stage renal dialysis center, nursing and residential care facility, the New Hampshire veterans' home, assisted living residence, and ambulatory surgical facility identification, tracking, and reporting of infections which shall be consistent with the recommendations of recognized centers of expertise in the identification and prevention of infections including, but not limited to the National Health Care Safety Network and the Healthcare Infection Control Practices Advisory Committee of the Centers for Disease Control and Prevention or its successor, the Joint Commission on the Accreditation of Healthcare Organizations, the Centers for Medicare and Medicaid Services, the Hospital Quality Alliance, the National Quality Forum, and the New Hampshire health care quality assurance commission under RSA 151-G.

V. Each hospital, end-stage renal dialysis center, nursing and residential care facility, the New Hampshire veterans' home, assisted living residence, and ambulatory surgical facility shall regularly report to the department hospital, end-stage renal dialysis center, nursing and residential care facility, the New Hampshire veterans' home, assisted living residence, and ambulatory surgical facility acquired infections and the infection data it has collected. Such reporting shall be done in the manner directed by the department in accordance with rules adopted pursuant to RSA 541-A. The commissioner shall establish data collection and analytical methodologies that meet accepted standards for validity and reliability. In no case shall the frequency of reporting be required to be more frequently than once every 3 months, and reports shall be submitted not more than 60 days after the close of the reporting period.

Amend RSA 151:34, I as inserted by section 1 of the bill by replacing it with the following:

I. The department shall [establish] maintain a statewide database of all reported infection information for the purpose of monitoring quality improvement and infection control activities in hospitals, end-stage renal dialysis centers, nursing and other residential care facilities, the New Hampshire veterans' home, assisted living residences, and ambulatory surgical facilities. The database shall be organized so that consumers, hospitals, end-stage renal dialysis centers, nursing and other residential care facilities, the New Hampshire veterans' home, assisted living residences, ambulatory surgical facilities, health care professionals, purchasers, and payers may compare individual hospital, end-stage renal dialysis center, nursing and other residential care facility, the New Hampshire veterans' home, assisted living residence, and ambulatory surgical facility experience with that of other individual hospitals, end-stage renal dialysis centers, nursing and other residential care facilities, the New Hampshire veterans' home, assisted living residences, and ambulatory surgical facilities as well as regional and statewide averages and, where available, national data.

Amend RSA 151:34, II(a) as inserted by section 1 of the bill by replacing it with the following:

II.(a) Subject to subparagraph [(c)] (b), on or before August 1 of each year, provided that the data collection and analytical methodologies meet accepted standards for validity and reliability, the commissioner shall report on the department's web site infection rates [both exclusive and inclusive of adjustments for potential differences in risk factors] for each reporting hospital, end-stage renal dialysis center, nursing and other residential care facility, the New Hampshire veterans' home, assisted living facility, and ambulatory surgical facility, an analysis of trends in the prevention and control of infection rates in hospitals, end-stage renal dialysis centers, nursing and other residential care facilities, the New Hampshire veterans' home, assisted living residences, and ambulatory surgical facilities across the state, regional and, if available, national comparisons for the purpose of comparing individual hospital, end-stage renal dialysis center, nursing and other residential care facility, the New Hampshire veterans' home, assisted living facility, and ambulatory surgical facility performance, and a narrative describing lessons for safety and quality improvement that can be learned from leadership hospitals and programs.

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

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 512.

SB 523-FN, relative to the controlled drug prescription health and safety program. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Commerce

March 2, 2016

2016-0852s

01/05

Amendment to SB 523-FN

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

AN ACT relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form.

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

1 Controlled Drug Prescription Health and Safety Program; Definitions. Amend RSA 318-B:31, VI to read as follows:

VI. "Practitioner" means a physician, dentist, podiatrist, veterinarian, pharmacist, APRN, physician assistant, ***naturopath***, or other person licensed or otherwise permitted to prescribe, dispense, or administer a controlled substance in the course of licensed professional practice. ***"Practitioner" shall also include practitioners with a federal license to prescribe or administer a controlled substance.***

2 New Sections; Opioid Agreements; Commission to Study Requiring Controlled Drugs and Controlled Drug Analogs to be Sold in Tamper-Proof Form. Amend RSA 318-B by inserting after section 40 the following new sections:

318-B:41 Opioid Agreements Required. A practitioner and his or her patient shall enter into an opioid treatment agreement if the patient is using opioids for more than 90 days within any 6-month period. The agreement shall include, but not be limited to:

I. The medical basis for the use of opioids.

II. A statement of the risks and potential side effects of long-term use of opioids.

III. The patient's agreement to seek opioids only from the practitioner with whom the agreement is made and to not share the medication with others.

IV. The name of the single pharmacy at which the prescription will be filled.

V. The patient's agreement to forego opioids not included in the pain management agreement.

VI. Permission for the practitioner to conduct random drug tests to verify the proper use of the opioid prescription.

VII. A statement of the consequences of violating the agreement, including that if the patient breaches the agreement, the practitioner may stop prescribing the pain-control medicines or terminate the practitioner-patient relationship.

VIII. Any other provisions to which the patient and the practitioner agree.

318-B:42 Commission Established; Membership; Duties.

I. There is established a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form.

(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 pharmacist, appointed by the board.

(5) Two licensed physicians, one of whom shall specialize in pain medicine, appointed by the board of medicine.

(6) A representative of a drug manufacturer, appointed by the governor.

(7) A representative of an insurance company, appointed by the governor.

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

II.(a) The commission shall study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form. The commission's study shall include, but not be limited to:

(1) The cost effectiveness of requiring such drugs to be sold in tamper-proof form.

(2) Whether the tamper-proof forms of the drugs work.

(3) Whether the tamper-proof forms of such drugs are readily available.

(4) The effect of requiring such drugs to be sold in tamper-proof forms will have on insurance premiums.

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

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

IV. The commission shall make a report on or before November 1, 2016 indicating 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.

3 Repeal. RSA 318-B:42, relative to a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect November 1, 2016.

II. RSA 318-B:42 as inserted by section 2 of this act shall take effect upon its passage.

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

2016-0852s

AMENDED ANALYSIS

This bill:

I. Adds naturopaths to the definition of practitioner for the purposes of the controlled drug prescription health and safety program.

II. Requires opioid agreements between prescribers and patients if the patient is using opioids for more than 90 days within any 6-month period.

III. Establishes a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form.

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.

EDUCATION

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.

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

Senator Carson asserts Rule 6-25 on SB 326.

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 Bradley is in opposition to the motion of Ought to Pass with Amendment on SB 326.

Senator Carson asserts Rule 6-25 on SB 326.

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. Ought to Pass, Vote 4-0. Senator Watters for the committee.

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

INTRODUCTION OF GUESTS

Senator Sanborn introduced students from The Well School of Peterborough visiting in the gallery.

HB 471, relative to the duties of school boards. Inexpedient to Legislate, Vote 3-2. Senator Kelly for the committee.

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

HB 527, requiring school districts employing school resource officers to adopt a written agreement. Ought to Pass, Vote 4-0. Senator Avard for the committee.

Senator Stiles offered a floor amendment.

Sen. Stiles, Dist 24
 Sen. Avard, Dist 12
 March 7, 2016
 2016-0915s
 04/05

Floor Amendment to HB 527

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

1 New Paragraph; State Board of Education; School Resource Officers. Amend RSA 186:11 by inserting after paragraph XXXVI the following new paragraph:

XXXVII. School Resource Officers. Require each school district in the state to which a school resource officer is assigned to develop and implement a policy which shall include, at a minimum, a requirement for a signed memorandum of understanding between the school district and the law enforcement agency from which the school resource officer is deployed.

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

2016-0915s

AMENDED ANALYSIS

This bill requires each school district in the state to which a school resource officer is assigned to develop and implement a policy regarding the use of a school resource officer.

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.

HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools. Ought to Pass, Vote 4-0. Senator Stiles for the committee.

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

HB 1272-FN, relative to bus transportation for chartered public school students. Ought to Pass with Amendment, Vote 4-0. Senator Watters for the committee.

Senate Education

March 1, 2016

2016-0810s

04/05

Amendment to HB 1272-FN

Amend RSA 194-B:2, V as inserted by section 1 of the bill by replacing it with the following:

V. Attendance at a chartered public school for the purposes of transportation shall not constitute assignment under the provisions of RSA 189:6 and RSA 189:8. Pupils who reside in the school district in which the chartered public school is located shall be provided transportation to that school by the district on the same terms and conditions as provided for [in RSA 189:6 and RSA 189:8 and that transportation is provided to pupils attending other] non-chartered public schools [within that] in the district and utilizing the same regular bus schedules and routes that are provided to pupils attending non-chartered public schools within that district. [However, any added costs for such transportation services shall be borne by the chartered public school.]

2016-0810s

AMENDED ANALYSIS

This bill provides that students attending a chartered public school shall be provided bus transportation to their school on the same terms and conditions provided for students attending non-chartered public schools. The bill also removes the requirement that a chartered public school is liable for additional costs for transporting students to a chartered public school within the student's school district.

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

CLERK'S NOTE

The Committee Amendment for HB 1272-FN was inadvertently not voted on. Therefore, subsequent action was taken up on the bill further along in the Senate session.

ENERGY AND NATURAL RESOURCES

SB 383, establishing a commission to study the importance of hiking trails, trail maintenance, and New Hampshire's trail network. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Energy and Natural Resources

March 2, 2016

2016-0867s

04/10

Amendment to SB 383

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

1 New Subdivision; Multi-use Statewide Trail System; Commission to Study the Importance of Hiking Trails, Trail Maintenance, and New Hampshire's Trail Network. Amend RSA 216-F by inserting after section 6 the following new subdivision:

Commission to Study the Importance of Hiking Trails, Trail Maintenance,
and New Hampshire's Trail Network

216-F:7 Commission Established; Membership.

I. There is established a commission to study The members of the commission shall be as follows:

- (a) One member of the senate, appointed by the president of the senate.
- (b) One member of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The director of the department of resources and economic development, division of state parks, or designee.
- (d) One representative from the Appalachian Mountain Club, appointed by the club.
- (e) One representative from The Wonalancet Outdoor Club, appointed by the club.
- (f) One representative from the Dartmouth Outdoor Program/Dartmouth Outing Club, appointed by that organization.
- (g) One representative from the Randolph Mountain Club, appointed by the club.
- (h) One representative from Trailwrights, appointed by the organization.
- (i) One member representing the interests of the White Mountain National Forest, appointed by the administrator of the White Mountain National Forest.
- (j) One member from the Cardigan Highlanders Volunteer Trail Crew, appointed by that organization.
- (k) One member from the Monadnock-Sunapee Greenway Trail Club, appointed by that organization.

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

III. The commission shall:

- (a) Study the importance of hiking trails, trail maintenance, and how various groups might better work together on maintenance and repair of New Hampshire's trail network.
- (b) Understand the scope of the trail system in New Hampshire and the role of trail maintenance groups.
- (c) Create a list of who maintains which trails and which trails are not maintained by any organized group.
- (d) Examine the historical management of trails in New Hampshire.
- (e) Create strategic recommendations for a more sustainable trail network in New Hampshire.
- (f) Examine the cost and volunteer efforts required in maintaining these trails as well as liability protections for trail maintainers.
- (g) Solicit the opinions of volunteer trail maintainers.
- (h) Study the economic impact of trails in the state of New Hampshire.
- (i) Make recommendations for creating a sustainable model for trail management while accommodating the growing use of the trails.
- (j) Research additional funding sources that could enhance trail maintenance in New Hampshire.
- (k) Solicit the advice of educational institutions which may want to be involved in trail maintenance and or trail maintenance research.

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. Six 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 216-F:7, relative to the commission to study the importance of hiking trails, trail maintenance, and New Hampshire's trail network, 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.

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 386, adding biodiesel to electric renewable energy sources. Ought to Pass with Amendment, Vote 4-0. Senator Feltes for the committee.

Energy and Natural Resources

February 29, 2016

2016-0871s

06/09

Amendment to SB 386

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

1 New Subparagraph; Electric Renewable Energy Classes. Amend RSA 362-F:4, I by inserting after subparagraph (l) the following new subparagraph:

(m) The production of biodiesel, as defined in RSA 362-A:1-a, I-b, by any facility in New Hampshire, may be used to meet no more than 1/8 of a provider's non-thermal class I requirements in any given year under RSA 362-F:3, provided all applicable air emission and water discharge standards are met by the facility producing the biodiesel, the facility producing the biodiesel can document the sale of the biodiesel into the thermal energy market, and there is documentation of end-user efficiency rating, or where such documentation is not practicable, assuming the average end-user efficiency rating by customer class.

2 New Paragraph; Electric Renewable Portfolio Standard; Rulemaking. Amend RSA 362-F:13 by inserting after paragraph VI-a the following new paragraph:

VI-b. Establish procedures for the metering, verification, and reporting of useful thermal energy output for producers of biodiesel no later than December 31, 2017.

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

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

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

SB 489, requiring a demonstration project using a Stirling engine system. Ought to Pass with Amendment, Vote 5-0. Senator Sanborn for the committee.

Energy and Natural Resources

March 2, 2016

2016-0868s

10/04

Amendment to SB 489

Amend the bill by replacing section 1 with the following:

1 Stirling Engine System; Demonstration Project; State Building.

I. The office of energy and planning and the department of administrative services shall identify a state building or facility that would be a suitable candidate for a demonstration project for installation of a Stirling engine system to provide electricity and/or heating needs for that building or facility.

II. The goal of the demonstration project will be to ascertain the reliability, commercial viability, and cost effectiveness of supplying electricity and/or heat to a state-owned building using a Stirling engine system, provided that the project shall not increase the energy or heating costs of operating a state building for the period of the demonstration project.

III. The director of the office of energy and planning, in coordination with the commissioner of administrative services, shall enter into a contract, in accordance with RSA 21-I, for the demonstration project to be undertaken by a willing provider of a Stirling engine system. Any such contract that requires changes to the infrastructure of the state building would be at the expense of the provider of the Stirling engine system. The state of New Hampshire shall negotiate a contract that results in reimbursing the provider of the Stirling engine technology for electricity and/or cost of heat provided at no more than the cost of the electricity and/or heat based on the current market rate, or the rate under any state contract for energy, whichever is lower. At the end of the demonstration project, the department of administrative services may retain any equipment provided it is in the best interest of the efficient operation of the building. If the department does not wish to retain the equipment, the provider shall remove the equipment at no expense to the state.

IV. The office of energy and planning and the department of administrative services shall prepare a report to the governor, the senate president, the speaker of the house of representatives, and the chairman of the public utilities commission presenting the results of any demonstration project no later than 6 months after the end of the project, or within 6 months after a year of data is available, whichever is sooner. The report shall include any recommendations related to future use of Stirling engine technology if appropriate.

2016-0868s

AMENDED ANALYSIS

This bill requires the office of energy and planning and the department of administrative services to undertake a demonstration project for the use of a Stirling engine system to provide electricity and/or heat to a state building.

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.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 424-FN, relative to licensure of alcohol and drug abuse counselors from other jurisdictions. Ought to Pass with Amendment, Vote 3-0. Senator Soucy for the committee.

Senate Executive Departments and Administration

March 2, 2016

2016-0855s

10/05

Amendment to SB 424-FN

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

AN ACT relative to transition provisions for licensure of master licensed alcohol and drug counselors, and establishing a committee to study licensure of alcohol and drug counselors.

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

1 Transition Provisions; 2010 Act; Master Licensed Alcohol and Drug Counselors. Amend 2010, 294:24 to read as follows:

249:24 Transition Provisions; MLADC.

I. An individual who obtained a license as a MLADC prior to [the effective date of this act] September 4, 2010:

(a) Shall, in the event that his/her masters degree is less than a 60 hour degree, have [5] 10 years from [the effective date of this act] September 4, 2010 to satisfactorily complete the necessary additional hours of course work in co-occurring disorders pursuant to standards established by the board pursuant to paragraph VI; and

(b) Shall, in the event that he or she does not hold a current license issued by the board of mental health practice, have [5] 10 years from [the effective date of this act] September 4, 2010 to either:

(1) Obtain a license issued by the board of mental health practice; or

(2) Pass the examination approved by the board of licensing for alcohol and other drug use professionals to demonstrate competence in providing co-occurring disorder treatment within the context of substance use counseling.

II. An individual subject to paragraph I shall, prior to his or her completion of the requirements set forth in paragraph I, conduct his or her practice as an MLADC in full compliance with RSA 330-C: 10.

III. An individual subject to the requirements of this section shall notify the board in writing that he or she has completed the requirements in paragraph I.

IV. In the event that an individual subject to the requirements of this section does not satisfy the requirements of this section within [5] 10 years after [the effective date of this act] September 4, 2010, the board shall not renew the individual's MLADC license but shall, if the individual meets all the requirements for licensure as a LADC, issue a LADC license to the individual.

V. An individual who received his or her MLADC license pursuant to the independent practice provisions of 2008, 189:2, and to whom the board issues a LADC license pursuant to paragraph IV of this section shall be permitted to continue to engage in independent practice upon participating in peer collaboration requirements as required by the board and all continuing education requirements for licensure as a licensed alcohol and drug counselor.

VI. The board of licensing for alcohol and other drug use professionals may adopt rules pursuant to RSA 541-A as necessary to implement this section.

2 Committee to Study Licensure of Alcohol and Drug Counselors Established.

I. There is established a committee to study licensure of alcohol and drug counselors.

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

(a) One member of the senate, who shall be a member of the executive departments and administration committee, appointed by the president of the senate.

(b) Two members of the house of representatives, who shall be members of the executive departments and administration committee, appointed by the speaker of the house of representatives.

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

IV. The committee shall:

(a) Study the licensure of alcohol and drug counselors under RSA 330-C.

(b) Make recommendations on the addition of other levels of licensure and/or certification of alcohol and drug counselors in New Hampshire.

(c) Make recommendations concerning the structure of the board of licensing for alcohol and other drug use professionals in RSA 330-C.

V. 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 senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

VI. 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.

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

2016-0855s

AMENDED ANALYSIS

This bill extends from 5 years to 10 years the 2010 transition provisions for licensure of master licensed alcohol and drug counselors. The bill also establishes a committee to study the licensure of alcohol and drug counselors.

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 446, relative to requirements of the state building code. Ought to Pass, Vote 2-1. Senator Reagan 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 476-FN, relative to the certification of school nurses. Ought to Pass, Vote 3-0. Senator Woodburn for the committee.

Senator Carson moved to Lay on the Table SB 476-FN. Adopted.

MOTION OF RECONSIDERATION

The Chair rescinded ordering HB 1272-FN to the Committee on Finance (Rule 4-5).

Senator Bradley, having voted on the prevailing side, moved to reconsider HB 1272-FN, the bill having previously been found Ought to Pass. Adopted.

HB 1272-FN, relative to bus transportation for chartered public school students. Ought to Pass with Amendment, Vote 4-0. Senator Watters for the committee.

Senate Education

March 1, 2016

2016-0810s

04/05

Amendment to HB 1272-FN

Amend RSA 194-B:2, V as inserted by section 1 of the bill by replacing it with the following:

V. Attendance at a chartered public school for the purposes of transportation shall not constitute assignment under the provisions of RSA 189:6 and RSA 189:8. Pupils who reside in the school district in which the chartered public school is located shall be provided transportation to that school by the district on the same terms and conditions as provided for [in RSA 189:6 and RSA 189:8 and that transportation is provided to pupils attending other] non-chartered public schools [within that] in the district and utilizing the same regular bus schedules and routes that are provided to pupils attending non-chartered public schools within that district. [However, any added costs for such transportation services shall be borne by the chartered public school.]

2016-0810s

AMENDED ANALYSIS

This bill provides that students attending a chartered public school shall be provided bus transportation to their school on the same terms and conditions provided for students attending non-chartered public schools. The bill also removes the requirement that a chartered public school is liable for additional costs for transporting students to a chartered public school within the student's school district.

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).

FINANCE

SB 321, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. Ought to Pass, Vote 6-0. Senator Little for the committee.

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

SB 344-FN, relative to tax credits applicable to client companies of employee leasing companies. 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 368-FN-A, making a capital appropriation for department of environmental services monitoring equipment. Ought to Pass, Vote 4-2. Senator Hosmer 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 368-FN-A.

SB 500-FN, relative to student health insurance plans. Ought to Pass, Vote 6-0. Senator Reagan for the committee.

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

HEALTH AND HUMAN SERVICES

SB 323, relative to the powers of hospital security staff. Ought to Pass with Amendment, Vote 4-0. Senator Avarð for the committee.

Health and Human Services
March 2, 2016
2016-0865s
08/10

Amendment to SB 323

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

AN ACT relative to the use of force by employees of hospitals or other health care facilities.

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

1 Physical Force by Persons With Special Responsibilities; Hospital and Health Care Facilities. Amend RSA 627:6, V to read as follows:

V. A person authorized by law to maintain decorum or safety in a vessel, aircraft, vehicle, train or other carrier, in a hospital or other health care facility, or in a place where others are assembled may use non-deadly force when and to the extent that he or she reasonably believes it necessary for such purposes, but [he] the person may use deadly force only when he or she reasonably believes it necessary to prevent death or serious bodily injury.

2 New Paragraph; Hospitals and Health Care Facilities; Use of Non-Deadly Force. Amend RSA 627:6 by inserting after paragraph VII the following new paragraph:

VIII. An employee authorized by a hospital or other health care facility may use non-deadly force when and to the extent that he or she reasonably believes it necessary to maintain decorum or safety and may use deadly force only when he or she reasonably believes it necessary to prevent death or serious bodily injury.

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

2016-0865s

AMENDED ANALYSIS

This bill gives employees of hospitals or other health care facilities the power to use force in certain cases.

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 515-FN, relative to child neglect and other changes to the child protection act. Inexpedient to Legislate, Vote 2-2. Senator Avarð for the committee.

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

Senator Bradley moved Ought to Pass.

Senator Kelly offered a floor amendment.

Sen. Kelly, Dist 10
March 9, 2016
2016-0964s
05/10

Floor Amendment to SB 515-FN

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

1 Statement of Findings. The general court finds and declares that the state of New Hampshire is facing an epidemic regarding the misuse and abuse of opiates, including, but not limited to, heroin and fentanyl. A parent's use of these drugs can pose a substantial threat to the safety of the children living in the home. Consistent with the purposes of the child protection act, this act will help the department to insure the safety

of the children living in the home, will enable the department to provide services to the parents and family to help them address their drug use so that they can safely parent their children and shall be administered to insure the preservation and unity of the family whenever possible.

2 Child Protection Act; Definition of a Neglected Child. Amend RSA 169-C:3, XIX(b) to read as follows:

(b) Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, when it is established that his health has suffered or is very likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian or custodian. A medical diagnosis of neonatal abstinence syndrome based on the parent's use of non-prescription drugs or evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, shall constitute prima facie evidence that the child's health has suffered or is very likely to suffer serious impairment; or

3 New Section; Child Protection Act; Court Ordered Alcohol and Drug Testing. Amend RSA 169-C by inserting after section 12-c the following new section:

169-C:12-d Court-Ordered Alcohol and Drug Testing. The court may order alcohol or drug testing at any stage of the proceeding where substance abuse is an ongoing issue in the case, where alcohol or drug use is a disputed issue of fact, or where there is reason to believe that alcohol or drug use may be substantially interfering with a parent's ability to adhere to the case plan. Unless otherwise ordered by the court, the frequency and type of such testing shall be at the discretion of the department.

4 Child Protection Act; Liability of Expenses and Hearing on Liability. Amend RSA 169-C:27, I(b) to read as follows:

(b) Subparagraph (a) shall not apply to expenses incurred for special education and related services, or to expenses incurred for evaluation, care, and treatment of the child at the New Hampshire hospital or to expenses incurred for the cost of accompanied transportation [or to expenses incurred for the cost of alcohol and drug testing].

5 Child Protection Act; Definition of a Neglected Child; Effective July 1, 2020. RSA 169-C:3, XIX(b) is repealed and reenacted to read as follows:

(b) Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, when it is established that his health has suffered or is very likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian or custodian; or

6 Effective Date.

I. Section 5 of this act shall take effect July 1, 2020.

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

2016-0964s

AMENDED ANALYSIS

This bill temporarily amends the definition of a neglected child to provide that a medical diagnosis of neonatal syndrome based on a parent's use of non-prescription drugs or evidence of a custodial parent's opioid drug abuse or dependence shall constitute evidence of child neglect. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

The bill is a request of the department of health and human services.

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

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

SB 531-FN, extending the New Hampshire health protection act. Inexpedient to Legislate, Vote 2-2. Senator Sanborn for the committee.

Senator Sanborn moved to Lay on the Table SB 531-FN. Adopted.

SB 532-FN, relative to prior authorization for substance abuse treatment. Ought to Pass with Amendment, Vote 4-0. Senator Sanborn for the committee.

Health and Human Services
March 2, 2016
2016-0857s
01/09

Amendment to SB 532-FN

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

3 New Section; Prior Authorization for Substance Abuse Treatment. Amend RSA 415-A by inserting after section 6 the following new section:

415-A:7 Prior Authorization.

I. All policies issued or renewed after July 1, 2016 shall either:

(a) Provide coverage for medically necessary acute treatment services and medically necessary clinical stabilization services without prior authorization prior to obtaining such acute treatment services or clinical stabilization services for up to 72 hours; provided, that the facility shall provide the carrier notification of admission within 48 hours of the admission. Medical necessity shall be determined by the treating clinician; or

(b) Have a medical clinician or licensed alcohol and drug counselor available on a 24-hour hotline to provide a drug treatment assessment. If treatment is found to be a medical necessity by the clinician or counselor, prior authorization for services, such as acute treatment services or clinical stabilization services shall be granted within 12 hours of the initial call being made to the hotline.

II. If an insurance policy does not require prior authorization for acute treatment services or clinical stabilization services, subparagraphs I(a) and (b) shall not apply.

4 Repeal. The following are repealed:

I. RSA 415-A:1, I-a relative to acute treatment services.

II. RSA 415-A:1, I-cc, relative to clinical stabilization services.

III. RSA 415-A:7, relative to prior authorization for substance abuse treatment.

5 Effective Date.

I. Section 4 of this act shall take effect July 1, 2018.

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

2016-0857s

AMENDED ANALYSIS

This bill requires carriers to provide either coverage for medically necessary substance abuse treatment without prior authorization for a certain period of time or a 24 - hour hotline for assessment by a medical clinician or licensed alcohol and drug counselor.

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 533-FN-A-L, relative to drug law enforcement and penalties, insurance coverage for substance use disorders, a statewide drug court grant program, and drug abuse prevention; and making appropriations therefor. Inexpedient to Legislate, Vote 2-2. Senator Sanborn for the committee.

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

Senator Sanborn moved Ought to Pass.

Senator Sanborn offered a floor amendment.

Sen. Sanborn, Dist. 9
Sen. Morse, Dist 22
Sen. Bradley, Dist. 3
March 10, 2016
2016-0965s
01/10

Floor Amendment to SB 533-FN-A-LOCAL

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

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services.

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

1 Commission Established. Amend the introductory paragraph of RSA 12-J:1 to read as follows:

12-J:1 Commission Established; Membership; Terms. There is hereby established a commission which shall serve in an advisory capacity to the governor and the general court regarding the delivery of effective and coordinated alcohol and drug abuse prevention, treatment, and recovery services throughout the state. The commission shall consist of the following members:

2 Commission Membership. RSA 12-J:1, I is repealed and reenacted to read as follows:

I. Seven public members, 2 of whom shall be professionals knowledgeable about alcohol and drug abuse prevention, one of whom shall be appointed by the governor and one of whom shall be appointed by the senate president; 2 of whom shall be professionals knowledgeable about alcohol and drug abuse treatment, one of whom shall be appointed by the governor and one of whom shall be appointed by the speaker of the house of representatives; 2 of whom shall be public members who are not professionals within the alcohol and drug addiction prevention and treatment system, one of whom shall be appointed by the senate president and one of whom shall be appointed by the speaker of the house of representatives; and one member in long-term recovery, appointed by the governor.

3 Organization of Commission. Amend RSA 12-J:2, I to read as follows:

I. The [governor and council] commission shall [designate a member of the commission] elect one of its members to serve as chairperson. The executive director of the commission shall be the director of the appropriate division responsible for alcohol and drug abuse prevention and recovery, who shall serve without additional compensation. Twelve members of the commission shall constitute a quorum.

4 Organization of Commission. Amend RSA 12-J:2, II-a to read as follows:

II-a. The chairperson shall create a budget task force comprised of the individuals listed in RSA 12-J:1, III(a) to report biannually on financial expenditures for substance abuse related work throughout state government as detailed in RSA 12-J:4, III and recommend budget policy priorities to the commission regarding the allocation of funding alcohol and drug prevention, treatment, and recovery services across state agencies and throughout the state.

5 Commission; Duties. Amend RSA 12-J:3 to read as follows:

12-J:3 Duties. The duties of the commission shall be to:

I. Develop and revise, as necessary, a statewide plan for the effective prevention of alcohol and drug abuse, particularly among youth, and a comprehensive system of treatment and recovery services for individuals and families affected by alcohol and drug abuse. The statewide plan shall:

- (a) Identify the causes, the nature and scope, and the impact of alcohol and drug abuse in New Hampshire.
- (b) Identify and prioritize unmet needs for prevention, treatment, and recovery services.
- (c) Recommend [initiatives] policy considerations to the general court to reduce the incidence of alcohol and drug abuse in New Hampshire.
- (d) Identify and quantify public and private resources available to support alcohol and drug abuse prevention, treatment, and recovery.

(e) Specify additional resources necessary to address unmet needs for prevention, treatment, and recovery.

(f) Specify evaluation and monitoring methodology.

II. Promote collaboration between and among state agencies and communities to foster the development of effective community-based alcohol and drug abuse prevention programs.

III. Advise the governor and the general court on and promote the development of treatment services to meet the needs of citizens addicted to alcohol or other drugs.

III-a. Advise the governor and the general court on and promote the development of recovery services to meet the needs of citizens in recovery from alcohol and other drug misuse.

IV. Identify unmet needs and the resources required to reduce the incidence of alcohol and drug abuse in New Hampshire and to make recommendations to the governor regarding legislation and funding to address such needs.

V. Authorize the disbursement of moneys from the alcohol abuse prevention and treatment fund, pursuant to RSA 176-A:1, III.

VI. Make presentations at least once each legislative session to the house and senate finance committees, the senate health and human services committee, the house health, human services, and elderly affairs committee, and quarterly to the joint fiscal committee of the general court.

6 Meetings and Reports. Amend RSA 12-J:4, II to read as follows:

II. The commission shall submit an annual report to the governor, speaker of the house of representatives, [and] president of the senate, chairpersons of the house and senate finance committees, chairperson of the health, human services and elderly affairs committee, and the chairperson of the health and human services committee by [December] October 1 of each year regarding the activities of the commission. [The first annual report shall be due November 1, 2008.] The annual report shall:

(a) Identify alcohol and drug abuse prevention, treatment, and recovery services and programs provided by state departments and agencies or funded in whole or in part by state or federal funds;

(b) Indicate the progress made during the prior year toward the implementation of the statewide plan developed by the commission pursuant to RSA 12-J:3, I;

(c) Recommend any revisions to the statewide plan developed pursuant to RSA 12-J:3, I;

(d) Identify and prioritize unmet needs for prevention, treatment, and recovery;

(e) Indicate the progress, or lack thereof, in addressing the unmet needs;

(f) Recommend [initiatives] policy considerations to the governor and the general court to address the unmet needs;

(g) Specify the resources and any legislation necessary to support existing programs for prevention, treatment, and recovery and to develop, implement, support, and evaluate the initiatives recommended by the commission; [and]

(h) In even-numbered years the report may include specific recommendations for funds to be included in the next state biennial budget to support alcohol and drug abuse prevention, treatment, and recovery services and programs[.]; and

(i) Incorporate the findings and recommendations of the report required under paragraph II-a and make specific findings and recommendations regarding public awareness, education, and legislation to address the dangers of synthetic drugs.

7 Meetings and Reports. RSA 12-J:4, III is repealed and reenacted to read as follows:

III.(a) The commission shall submit an quarterly report to the joint fiscal committee of the general court relative to the current state of drug abuse, prevention, and recovery, efforts including, but not limited to:

(1) The number of known drug overdoses, broken out by drug involved.

(2) The number of deaths attributable to overdoses, as reported by the chief medical examiner, broken out by drug involved.

(3) The number of people known to be in treatment or recovery programs supported by commission funding.

(4) The accessibility and availability of treatment programs, including waitlists.

(5) The number of individuals in drug court programs, as reported by the judicial branch.

(6) The number of individuals in diversion programs, as reported by the judicial branch.

(7) The number of convictions for drug related offenses, as reported by the judicial branch.

(8) The number of persons incarcerated for drug related offenses as reported by the department of corrections.

(9) Any other information requested by the joint fiscal committee.

(b) All data required in subparagraph (a) shall be presented in the aggregate to protect the privacy of the individual. The commission shall delete any data required in those paragraphs that enables the personal identification of an individual.

IV. The commission shall develop an evidence-based efficacy model to determine the efficacy of programs funded by the commission by October 1, 2017.

V. The commission shall submit a biannual report to the fiscal committee of the general court on June 1 and December 1 of each year regarding the funds spent combating substance abuse. This report shall include a consolidated overview detailing;

(a) The funds expended and balances remaining.

(b) The programs that were created or sustained by these funds.

(c) An estimate of the number of individuals served by these funds.

8 Reference Change; Commission on Post-Traumatic Stress Disorder and Traumatic Brain Injury; Membership. Amend RSA 115-D:2, I(g) to read as follows:

(g) The chairperson of the governor's commission on alcohol and drug abuse prevention, [intervention, and] treatment, and recovery or designee.

9 Contingency. RSA 12-J:1, I, as inserted by section 1 of this act, shall take effect upon the expiration of the terms of the commission members who are serving on the effective date of this act.

10 Department of Health and Human Services; Supplemental Appropriation for Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery.

I. In addition to any other sums appropriated for fiscal years 2016 and 2017, the sum of \$500,000 for the fiscal year ending June 30, 2016 and \$2,000,000 for the fiscal year ending June 30, 2017 are hereby appropriated to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, for the purpose of contracts for program services within the department of health and human services. For the purposes of funding said appropriations, the department of health and human services shall identify excess appropriations from sums appropriated to the department pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

II. The supplemental appropriation made for the governor's commission on alcohol and drug abuse prevention, treatment, and recovery in paragraph I, shall only be made upon the commission submitting and receiving approval of a spending plan for using the funds appropriated under paragraph I by the fiscal committee of the general court. The commission shall report to the fiscal committee quarterly as to how the supplemental funds are being disbursed. If all funds appropriated have been disbursed, the fiscal committee may waive the quarterly reporting requirement.

11 Department of Justice; Supplemental Appropriation for Attorney Position.

I. In addition to any other sums appropriated for fiscal years 2016 and 2017, the sum of \$20,830 for the fiscal year ending June 30, 2016 and \$104,492 for the fiscal year ending June 30, 2017 are hereby appropriated to the department of justice for the purpose of hiring an assistant attorney general dedicated to prosecuting drug cases. For the purposes of funding said appropriations, the department of justice shall identify excess

appropriations from sums appropriated to the department pursuant to 2015, 275 and 276, and shall transfer said sums to the class lines detailed in paragraph II. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

II. Transfer.

02	Administration of Justice and Public Protection		
20	Department of Justice		
2000	Department of Justice		
200510	Division of Public Protection		
2610	Criminal Justice		
		FY 2016	FY 2017
020	Current Expenses	\$125	\$500
030	Equipment	\$750	\$0
037	Technology Hardware	\$1,000	\$0
038	Technology Software	\$1,200	\$150
039	Telecommunications	\$35	\$70
059	Salary-Full Time Temp	\$12,000	\$70,250
060	Benefits	\$5,170	\$31,022
070	In-State Travel	\$200	\$1
080	Out of State Travel	\$350	\$1,500
TOTAL		\$20,830	\$104,492

12 Department of Health and Human Services; Supplemental Appropriation; Bureau of Drug and Alcohol Services.

I. In addition to any other sums appropriated for fiscal years 2016 and 2017, the sum of \$500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of health and human services, bureau of drug and alcohol services, for the purpose of establishing a grant program to support the creation, initiation, and operational costs for peer recovery support services. The bureau shall solicit information from the governor's commission on alcohol and drug abuse prevention, treatment, and recovery regarding the awarding of grants. For the purposes of funding said appropriations, the department of health and human services shall identify excess appropriations from sums appropriated to the department pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a and RSA 9:17-c.

II. Existing and proposed peer recovery support services shall be eligible to receive a grant. However, no more than 2 grants shall be awarded per county. All other eligibility criteria shall be determined by the bureau of drug and alcohol services. The bureau shall forward information on selected grant recipients to the governor and council. No grant shall be awarded without the approval of the governor and council.

III. No later than December 31, 2017, the bureau of drug and alcohol services shall report to the fiscal committee of the general court the number of grants awards, which organizations received a grant, and the total number of individuals served as a result of said grants.

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

2016-0965s

AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill also makes supplemental appropriations to the commission, the department of justice, and the department of health and human services, bureau of drug and alcohol services.

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

Senator Kelly is in opposition to the Floor Amendment to SB 533-FN-A-L.

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).

Recess. Out of recess.

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education. Ought to Pass, Vote 4-0. Senator Fuller Clark for the committee.

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

SB 537, relative to record management of abuse and neglect reports. Ought to Pass with Amendment, Vote 4-0. Senator Kelly for the committee.

Health and Human Services

March 2, 2016

2016-0859s

05/10

Amendment to SB 537

Amend the bill by replacing section 3 with the following:

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

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

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

SB 538, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities. Ought to Pass, Vote 4-0. Senator Fuller Clark for the committee.

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

JUDICIARY

SB 465-FN, relative to the dissemination of images depicting sexually explicit conduct. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

Senate Judiciary

March 1, 2016

2016-0823s

04/09

Amendment to SB 465-FN

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

AN ACT relative to the nonconsensual dissemination of private sexual images.

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

1 New Section; Breaches of the Peace and Related Offenses; Nonconsensual Dissemination of Private Sexual Images. Amend RSA 644 by inserting after section 9 the following new section:

644:9-a Nonconsensual Dissemination of Private Sexual Images.

I. In this section:

(a) "Disseminate" means to import, publish, produce, print, manufacture, distribute, sell, lease, exhibit, or display.

(b) "Image" means a photograph, film, videotape, or digital image or recording.

(c) "Intimate parts" means the fully unclothed, partially unclothed, or transparently clothed genitals, pubic area, or anus, or, if the person is female, a partially or fully exposed nipple, including exposure through transparent clothing.

(d) "Sexual act" means sexual penetration, masturbation, or sexual activity.

(e) "Sexual activity" means any:

(1) Knowing touching or fondling by any person, either directly or through clothing, of the sex organs, anus, or breast of that person, or another person, or animal; or

(2) Any transfer or transmission of semen upon any part of the clothed or unclothed body of a person; or

(3) An act of urination within a sexual context; or

(4) Any bondage, fetter, or sadism masochism; or

(5) Sadomasochism abuse in any sexual context.

II. A person commits nonconsensual dissemination of private sexual images when he or she:

(a) Purposely, and with the intent to harass, intimidate, threaten, or coerce the depicted person, disseminates an image of such person:

(1) Who is identifiable from the image itself or information displayed in connection with the image; and

(2) Who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part; and

(b) Obtains the image under circumstances in which a reasonable person would know or understand that the person in the image intended that the image was to remain private; and

(c) Knows or should have known that the person in the image has not consented to the dissemination.

III. The intentional dissemination of an image of another identifiable person who is engaged in a sexual act or whose intimate parts are exposed is exempt from the provision of this section:

(a) When the dissemination is made for the purpose of a criminal investigation that is otherwise lawful.

(b) When the dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct.

(c) When the images involve voluntary exposure in public or commercial settings.

(d) When the dissemination serves a lawful public purpose.

(e) When the dissemination is done in compliance with a subpoena or court order.

IV. Nothing in this section shall be construed to impose liability upon the following entities solely as a result of content or information provided by another person:

(a) An interactive computer service, as defined in 47 U.S.C. section 230(f)(2);

(b) A provider of public cellular or mobile services or private radio services; or

(c) A telecommunications network or broadband provider.

V. Any property used in committing, or facilitating the commission of, any offense under this section shall be subject to forfeiture.

VI. Any person who violates the provisions of this section shall be guilty of a class B felony.

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

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

Senator Feltes is in opposition to the Committee Amendment on SB 465-FN.

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

Senator Feltes is in opposition to the motion of Ought to Pass as Amended on SB 465-FN.

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case. Ought to Pass, Vote 4-1. Senator Carson for the committee.

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

SB 543-FN, relative to private transferring of adopted children. Ought to Pass with Amendment, Vote 4-1. Senator Carson for the committee.

Senate Judiciary
March 1, 2016
2016-0824s
05/04

Amendment to SB 543-FN

Amend RSA 170-B:33 as inserted by section 1 of the bill by replacing it with the following:

170-B:33 Unlawful Placement of Child for Adoption. It shall be unlawful for a child's parent or legal guardian to knowingly place a child for adoption, or knowingly attempt to place a child for adoption through the use of a power of attorney or other legal document in this state unless such parent or legal guardian follows the procedures for adoption set out in this chapter. If a parent or legal guardian transfers physical custody of the child with the intent to permanently transfer physical and legal custody of the child to another and does not follow such procedures within 6 months of transferring physical custody of the child to another, he or she shall be deemed to have abandoned the child as described in RSA 170-C:5, I and shall be guilty of endangering the welfare of a child under RSA 639:3.

Amend the bill by replacing section 3 with the following:

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

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.

PUBLIC AND MUNICIPAL AFFAIRS

SB 346-FN-L, relative to hours of polling. Ought to Pass with Amendment, Vote 3-2. Senator Stiles for the committee.

Public and Municipal Affairs
March 2, 2016
2016-0883s
03/05

Amendment to SB 346-FN-LOCAL

Amend the bill by replacing sections 2-4 with the following:

2 Hours of Polling. Amend RSA 659:4 to read as follows:

659:4 Hours of Polling in Municipalities. At all state elections in towns and cities the polls shall open as deemed appropriate, but not later than [11 o'clock in the morning and shall close not earlier than 7] noon and noon and all polls shall close at 8 o'clock in the evening. In cities, the city council shall determine the polling hours no later than 30 days prior to a state election.

3 Change of Polling Hours in Towns. Amend RSA 659:4-a, I to read as follows:

I. At any annual town meeting, any town may vote to place a question on the state election ballot to change the hours at which polls shall open, provided that the polls shall not open later than [11 o'clock in the morning and shall not close earlier than 7] noon and shall close at 8 o'clock in the evening. Such vote shall be under an article inserted into the warrant pursuant to RSA 39:3. The wording of the question shall be as follows:

"Polling hours in the town of _____ (name of town) are now _____ (hour at which polls now open) to _____ (hour at which polls now close). Shall we place a question on the state election ballot to change polling hours so that polls shall open at _____ (proposed hour at which polls would open) and close at _____ (proposed hour at which polls would close) for all regular state elections beginning _____ (next state election)?"

4 Change of Polling Hours in Towns. Amend RSA 659:4-a, III to read as follows:

III. In a town with a town council as the legislative body, the town council may vote to place a question on the state election ballot to change the hours at which polls shall open, provided that the polls shall not

open later than [11 o'clock in the morning and shall not close earlier than 7] noon and shall close at 8 o'clock in the evening. The governing body shall notify the secretary of state of the question to be placed on the ballot in accordance with the requirements of paragraph II.

Senator Cataldo moved to Lay on the Table SB 346-FN-L.

A division vote was requested.

Division, Yeas: 10 - Nays: 10. Failed.

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

Senator Bradley moved to Lay on the Table SB 346-FN-L. Adopted.

SB 348, allowing municipalities to adopt a property tax exemption for certain disabled veterans. Interim Study, Vote 4-0. Senator Birdsell for the committee.

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

Senator Bradley moved Ought to Pass.

Senator Pierce moved to Lay on the Table SB 348.

A division vote was requested.

Division, Yeas: 22 - Nays: 0. Adopted.

INTRODUCTION OF GUESTS

Senator Woodburn introduced constituent Les Otten of Dixville, leading the revitalization of The Balsams, visiting in the gallery.

SB 351, establishing a commission to study the feasibility of implementing a clearinghouse model for political expenditures and contributions. Inexpedient to Legislate, Vote 3-2. Senator Boutin for the committee.

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

A division vote was requested.

Division, Yeas: 8 - Nays: 9. Failed.

Senator Pierce moved Ought to Pass.

A division vote was requested.

Division, Yeas: 10 - Nays: 10. Failed.

Senator Bradley moved to Lay on the Table SB 351. Adopted.

SB 507-FN, authorizing online voter registration. Ought to Pass with Amendment, Vote 5-0. Senator Lasky for the committee.

Public and Municipal Affairs

March 2, 2016

2016-0884s

03/05

Amendment to SB 507-FN

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

1 New Section; Online Voter Registration. Amend RSA 654 by inserting after section 7-c the following new section:

654:7-d Online Voter Registration.

I. Beginning July 1, 2018, a person may register to vote by submitting an online voter registration application in accordance with this section.

II. The secretary of state shall establish a secure Internet website to permit an applicant to:

(a) Submit an online voter registration form.

(b) Submit information necessary to establish an applicant's qualifications to vote, pursuant to RSA 654:12.

(c) Swear to the oath required by RSA 654:7.

III. The secretary of state shall establish appropriate technological security measures, including use of a unique identifier for each applicant, to prevent unauthorized persons from altering a voter's registration information.

IV.(a) No person without an identification issued by the New Hampshire department of safety, division of motor vehicles shall be able to register through the online voter registration system.

(b) The department of safety, division of motor vehicles shall provide the online voter registration application system all information necessary to effectuate the provisions of this section.

(c) The online voter registration application form shall require a valid electronic mail address for the voter in order to complete the online voter registration application.

(d) The online voter registration application system shall include a disclaimer to the applicant of possible criminal liability pursuant to paragraph XI.

V.(a) The online voter registration application system shall compare the New Hampshire driver's license number or New Hampshire nondriver's picture identification number submitted pursuant to this section with information maintained by the department of safety, division of motor vehicles, to confirm that the name and date of birth on the application are consistent with the records of the department of safety, division of motor vehicles.

(b) If the applicant's name and date of birth are consistent with the records of the department of safety, division of motor vehicles, the online voter registration application system shall transmit, using the statewide centralized voter registration database maintained pursuant to RSA 654:45, the applicant's submission, including the digital signature of the applicant, to the appropriate supervisors of the checklist to add the applicant's name to the checklist. The applicant's digital signature shall satisfy the signature requirement of RSA 654:7, IV. The applicant shall be required to submit an original signature to the supervisors of the checklist prior to voting in the first election after registering online. An online registrant shall not be eligible to receive an absentee ballot until his or her original signature is on file with the supervisors of the checklist.

(c) If the applicant's name, last 4 digits of his or her social security number, citizenship, legal and/or physical mailing addresses, and date of birth cannot be verified by the records of the department of safety, division of motor vehicles, or the applicant indicated that he or she has not been issued a New Hampshire driver's license or New Hampshire nondriver's picture identification card, the online voter registration application system shall notify the applicant by electronic mail that his or her online voter registration was ineffective and inform the applicant of alternative methods of registration.

VI. Upon submission of a completed online voter registration application, the website shall generate an electronic confirmation that the supervisors of the checklist have received the application and shall provide instructions regarding the ability of an applicant to check the status of the application. Once the supervisors of the checklist have added the applicant to the checklist, the applicant shall be notified by electronic mail, including information about where the applicant is registered to vote.

VII. Except as otherwise provided in this section, the supervisor of elections shall process the application pursuant to RSA 654:13.

VIII. If a person submits an application pursuant to the provisions of this section after the 10th day before an election, the applicant shall not be added to the checklist until the day after the election. The supervisors of the checklist may contact such applicant, either by telephone or mail, in order to inform the applicant of the effect of the late-received application and the ability of the person to register in person on election day.

IX. The online voter registration system shall conform to nationally accepted standards for accessibility for individuals with disabilities such as section 508 of the Rehabilitation Act of 1973, section 255 of the Communications Act, and the Web Content Accessibility Guidelines of the World Wide Web Consortium to ensure equal access to voters with disabilities.

X. With the exception of the requirement that no person without an identification issued by the New Hampshire department of safety, division of motor vehicles shall be able to register, no legal distinction shall be made between online registration under this section and registration in person, by mail, or other methods provided by general law.

XI. A person using the online voter registration application system to register to vote using any name other than his or her own shall be considered to have violated RSA 659:34.

2 Centralized Voter Registration Database. Amend RSA 654:45, I to read as follows:

I. The secretary of state is authorized to plan, develop, equip, establish, site, and maintain a statewide centralized voter registration database and communications system, hereinafter referred to as the voter database, connecting users throughout the state. The voter database shall include the current information on the voter registration forms, the accepted absentee ballot applications, the voter checklists, and voter actions as recorded on the marked checklist maintained by each city, ward, and town in the state, including in accordance with the provisions and authority in RSA 654:7-d.

3 Funding of Implementation. The department of state shall fund the implementation of this act when general fund appropriations are made for that purpose to the department of state.

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

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

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

Senator Morse is in opposition to the motion of Ought to Pass with Amendment on SB 507-FN.

SB 509-FN, relative to voter registration forms and relative to voter identity verification. Ought to Pass with Amendment, Vote 3-2. Senator Birdsell for the committee.

Public and Municipal Affairs

February 24, 2016

2016-0703s

03/04

Amendment to SB 509-FN

Amend RSA 654:7, IV(b)-(c) as inserted by section 1 of the bill by replacing it with the following:

(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations, transfers, or updates other than those at the polling place on the date of a state general election, which shall be in substantially the following form:

___ NEW REGISTRATION I am not registered to vote in New Hampshire

___ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

___ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

Date _____

VOTER REGISTRATION FORM

(Please print or type)

1. Name _____

Last

(suffix) First

Full Middle Name

2. Domicile Address _____

Street

Ward Number

Town or City

Zip Code

3. Mailing Address if different than in 2 _____

Street

Town or City

Zip Code

4. Place and Date of Birth _____

Town or City

State

Date _____

5. Are you a citizen of the United States? Yes _____ No _____

If a naturalized citizen, give name of court where and date when naturalized _____

6. Place last registered to vote _____

Street

Ward Number

7. Name under which previously registered, if different from above _____

8. Party Affiliation (if any) _____

9. Driver's License Number _____ State _____

If you do not have a valid driver's license, provide the last four digits of your social security number _____

My name is _____ I am today registering to vote in the city/town of _____, New Hampshire. If a city, ward number _____.

I understand that to vote in this [city/town] ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [city/town] ward/town.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date

Signature of Applicant

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

(c) The secretary of state shall prescribe the form of the voter registration form to be used only for voter registrations, transfers, or updates at the polling place on the date of a state general election, which shall be in substantially the following form:

___ NEW REGISTRATION I am not registered to vote in New Hampshire

___ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

___ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

Date _____

VOTER REGISTRATION FORM

FOR USE AT THE POLLING PLACE ON THE DATE OF THE STATE GENERAL ELECTION

(Please print or type)

1. Name _____

Last

(suffix) First

Full Middle Name

2. Domicile Address _____

Street

Ward Number

Town or City

Zip Code

3. Mailing Address if different than in 2 _____

Street

Town or City

Zip Code

4. Place and Date of Birth _____

Town or City

State

Date _____

5. Are you a citizen of the United States? Yes _____ No _____

If a naturalized citizen, give name of court where and date when naturalized _____

6. Place last registered to vote _____

Street

Ward Number

7. Name under which previously registered, if different from above _____

8. Party Affiliation (if any) _____

9. Driver's License Number _____ State _____

If you do not have a valid driver's license, provide the last four digits of your social security number _____

My name is _____ I am today registering to vote in the city/town of _____, New Hampshire. If a city, ward number _____.

I understand that to vote in this [city/town] ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [city/town] ward/town.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date	Signature of Applicant
If this form is used in place of proof of identity, age, citizenship, or domicile, I hereby swear that such information is true and accurate to the best of my knowledge.	
This form was executed for purposes of proving (applicant shall circle yes or no and initial each item):	
Identity	yes/no
	_____ (initials)
Citizenship	yes/no
	_____ (initials)
Age	yes/no
	_____ (initials)
Domicile	yes/no
	_____ (initials)

Applicant	Election Official
Notary Public/Justice of the Peace/Official Authorized by RSA 659:30	

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

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).

TRANSPORTATION

SB 358, relative to use of navigation devices in motor vehicles. Ought to Pass with Amendment, Vote 3-0. Senator Daniels for the committee.

Senate Transportation
March 1, 2016
2016-0836s
03/09

Amendment to SB 358

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

1 New Paragraph; Mobile Electronic Device Prohibition; Navigation. Amend RSA 265:79-c by inserting after paragraph IV the following new paragraph:

V. Nothing in this section shall prohibit a driver, regardless of age, from receiving aural routing information from a hands-free global positioning device or navigation service; or receiving turn-by-turn routing information from the screen of a global positioning device or navigation service that is integrated into the vehicle or mounted on the dashboard, windshield, or visor of the vehicle.

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

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

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

SB 363, relative to the registration of an OHRV in the name of a trust. Ought to Pass with Amendment, Vote 3-0. Senator Birdsell for the committee.

Senate Transportation
March 1, 2016
2016-0834s
10/04

Amendment to SB 363

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

AN ACT relative to the definition of owner of an OHRV or snowmobile.

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

1 OHRVs; Definition; Owner. Amend RSA 215-A:1, IX to read as follows:

IX. "Owner" means any person[, other than a lienholder, having title to] having exclusive right to the use of an OHRV.

2 Snowmobiles; Definition; Owner. Amend RSA 215-C:1, X to read as follows:

X. "Owner" means any person[, other than a lienholder, having title to] having exclusive right to the use of a snowmobile.

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

2016-0834s

AMENDED ANALYSIS

This bill clarifies that the owner of an off highway recreational vehicle or snowmobile is the person who has exclusive right to the use of the vehicle.

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 433, relative to exclusions from seasonal highway weight limit regulation. Ought to Pass, Vote 4-0. Senator Stiles for the committee.

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

SB 490-FN, establishing a donate life number plate. Interim Study, Vote 4-0. Senator Daniels for the committee.

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

SB 548, naming a bridge in the city of Lebanon in honor of Korean War veterans. Interim Study, Vote 4-0. Senator Feltes for the committee.

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

SB 549-FN, relative to public-private partnerships for intermodal infrastructure and transportation and establishing the public-private infrastructure oversight commission. Ought to Pass with Amendment, Vote 3-0. Senator Watters for the committee.

Senate Transportation
March 3, 2016
2016-0904s
06/10

Amendment to SB 549-FN

Amend the bill by replacing section 1 with the following:

1 Purpose Statement. Public-private partnerships allow for the sharing of resources to finance, design, build, operate, and maintain intermodal transportation infrastructure projects and are especially effective when limited financial resources are available. Such partnerships provide for shared financial responsibilities between the private sector and a public agency. To accomplish that, a clear and succinct law needs to

be implemented that considers our infrastructure requirements, delineates responsibilities and commitments, and identifies risks and rewards of both parties. Public-private partnership legislation is designed to address these issues in order to attract the needed investment to sustain and promote growth while maintaining our intermodal infrastructure.

Amend RSA 228:21, III as inserted by section 2 of the bill by replacing it with the following:

III. The commissioner, upon the approval of the governor and council following the procedure in RSA 228:4, I(d), may enter into agreements with private entities for design-build-finance-operate-maintain or design-build-operate-maintain services for intermodal infrastructure and transportation projects under RSA 228:107 through RSA 228:113.

Amend RSA 228:107 as inserted by section 3 of the bill by replacing it with the following:

228:107 Public-Private Partnership Infrastructure Oversight Commission Established. There is established a public-private partnership infrastructure oversight commission to consider and recommend to the commissioner of transportation proposals and to approve or deny all requests for proposals for design-build-finance-operate-maintain or design-build-operate-maintain services and to act as an advisory board during the execution of a public-private partnership project.

Amend RSA 228:108, I and II as inserted by section 3 of the bill by replacing it with the following:

I. The commission established in RSA 228:107 shall have the following 9 members: the commissioner of the department of resources and economic development, or designee; 3 members who shall reside in different geographic regions of the state, to be appointed by the governor for terms of 2 years; 2 members to be appointed by the president of the senate for terms of 2 years; 2 members to be appointed by the speaker of the house of representatives for terms of 2 years; and one member to be appointed by the state treasurer, who shall not be an employee of the state treasurer, for a term of 2 years.

II. Each member of the commission shall be an expert with experience in the fields of transportation law, public policy, public finance, management consulting, transportation, or organizational change; provided, however, that one of the members appointed by the governor shall be an expert in the field of public finance, and one member appointed by the governor shall be an expert in the field of transportation. The governor shall appoint a chairperson from among the members. The members may be eligible for reappointment; provided, however, that no such member shall serve for more than 3 terms.

Amend RSA 228:109, VIII as inserted by section 3 of the bill by replacing it with the following:

VIII. Hold a minimum of 2 public hearings.

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

Senator Stiles offered a floor amendment.

Sen. Stiles, Dist 24

March 7, 2016

2016-0933s

06/10

Floor Amendment to SB 549-FN

Amend RSA 228:108, I as inserted by section 3 of the bill by replacing it with the following:

I. The commission established in RSA 228:107 shall have the following 7 members: 2 members who shall reside in different geographic regions of the state, to be appointed by the governor for terms of 2 years; 2 members to be appointed by the president of the senate for terms of 2 years; 2 members to be appointed by the speaker of the house of representatives for terms of 2 years; and one member to be appointed by the state treasurer, who shall not be an employee of the state treasurer, for a term of 2 years.

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.

SB 550-FN, relative to the maximum gross weight for dump trailers. Ought to Pass with Amendment, Vote 4-0. Senator Feltes for the committee.

Senate Transportation
March 1, 2016
2016-0835s
03/09

Amendment to SB 550-FN

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

1 New Subparagraph; Vehicle Weight; Dump Trailer. Amend RSA 266:18-b, III by inserting after subparagraph (j) the following new subparagraph:

(k) For a combination of truck-tractor and dump trailer equipped with 6 axles or more, the gross weight shall not exceed 99,000 pounds if the distance between the extreme axles, excluding the steering axle, is 28 feet or more. If the distance between the extreme axles is less than 28 feet, the maximum weight shall be determined under subparagraph (e).

2 Effective Date. This act shall take effect June 30, 2016.

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.

WAYS AND MEANS

HB 359, allowing all municipalities to adopt the property tax exemption to foster commercial and industrial construction. Inexpedient to Legislate, Vote 4-1. Senator D'Allesandro for the committee.

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

SECOND FN REPORT FOR MARCH 10, 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 448-FN, relative to rates for self-pay patients and notice of allowable benefits.

SB 501-FN, prohibiting the possession of powdered or crystalline alcohol.

EDUCATION

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

REGULAR CALENDAR:

COMMERCE

SB 488-FN-L, requiring reasonable accommodations for pregnant workers.

SB 523-FN, relative to the controlled drug prescription health and safety program.

EDUCATION

SB 470, relative to eligibility of school district employees for Family and Medical Leave Act coverage.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

SB 462-FN, allowing part-time circuit court judges to retire and elect senior active status.

SB 476-FN, relative to the certification of school nurses.

HEALTH AND HUMAN SERVICES

SB 540-FN, prohibiting the possession, use, or sale of kratom.

JUDICIARY

SB 465-FN, relative to the dissemination of images depicting sexually explicit conduct.

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

PUBLIC AND MUNICIPAL AFFAIRS

SB 482-FN-L, enabling municipalities to license and regulate short-term rental businesses.

TRANSPORTATION

SB 490-FN, establishing a donate life number plate.

SB 549-FN, relative to public-private partnerships for intermodal infrastructure and transportation and establishing the public-private infrastructure oversight commission.

SB 550-FN, relative to the maximum gross weight for dump trailers.

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

REGULAR CALENDAR:

EDUCATION

SB 326, relative to the membership of the community college system of New Hampshire board of trustees.

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

HEALTH AND HUMAN SERVICES

SB 515-FN, relative to child neglect and other changes to the child protection act—if Inexpedient to Legislate recommendation is overturned.

SB 531-FN, extending the New Hampshire health protection act—if Inexpedient to Legislate recommendation is overturned.

SB 532-FN, relative to prior authorization for substance abuse treatment.

SB 533-FN-A-L, relative to drug law enforcement and penalties, insurance coverage for substance use disorders, a statewide drug court grant program, and drug abuse prevention; and making appropriations therefor—if Inexpedient to Legislate recommendation is overturned.

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

JUDICIARY

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case.

PUBLIC AND MUNICIPAL AFFAIRS

SB 346-FN-L, relative to hours of polling.

SB 507-FN, authorizing online voter registration.

SB 509-FN, relative to voter registration forms and relative to voter identity verification.

Without objection, the Second FN Report is adopted.

Recess. Out of recess.

MOTION TO REMOVE FROM THE TABLE

Senator Stiles moved to remove SB 471-FN from the table. Adopted.

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

Senator Daniels withdrew Floor Amendment 0894s.

Senator Stiles offered a floor amendment.

Sen. Stiles, Dist 24

March 7, 2016

2016-0927s

03/09

Floor Amendment to SB 471-FN

Amend the bill by replacing sections 3-6 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 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 20 percent 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. Said sign shall be clearly visible to anyone directly approaching that particular space. Van-accessible spaces, shall be allocated according to the requirements of the Americans with Disabilities Act of 1990 and regulations and guidelines promulgated pursuant thereto. One "van only" spot for every 5 spaces which are reserved for persons who are disabled is recommended. 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 20 percent is payable to the town or city where the violation occurred.

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 20 percent is payable to the town or city where the violation occurred.

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.

MOTION TO REMOVE FROM THE TABLE

Senator Feltes moved to remove SB 351 from the table.

PUBLIC AND MUNICIPAL AFFAIRS

SB 351, establishing a commission to study the feasibility of implementing a clearinghouse model for political expenditures and contributions.

A division vote was requested.

Division, Yeas: 11 - Nays: 11. Failed.

HOUSE MESSAGE

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

SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission.

Senator Bradley moved concurrence. Adopted.

MOTION TO ADJOURN FROM EARLY SESSION

Senator Bradley moved that the Senate adjourn from the Early Session, that the business of the Late Session be in order at the present time, that all bills and resolutions ordered to Third Reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

Adopted. Adjournment from the Early Session.

LATE SESSION

LIST OF RULE 6-25'S FOR THE DAY

Senator Carson: SB 326.

ANNOUNCEMENTS

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you, Mister President. Personal privilege, please? Thank you. I'd like to thank my colleagues here in this room as well as my colleagues from across, through the wall, and the citizens of the state of New Hampshire. I received so much support from them on the passing of my mother either through phone calls, cards, e-mail, and I just want people to know that I am very, very thankful for their support during a very difficult time for my family. Thank you.

PRESIDENT MORSE: Thank you, Senator Carson.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you, Mister President. Mister President, the community of Concord was rocked with the deaths of two friends and community leaders this past Saturday. Jennifer Norton, the wife of Steve Norton, passed away at the age of 46. Don Crandlemire, the husband of Jennifer Frizzell, passed away at the age of 49. I'm going to read portions of their obituaries.

Jennifer Norton

Jennifer was a dedicated mother, daughter, partner, and friend who taught us all how to be better mortals. Jen believed in the responsibility to serve and dedicated her professional life to preserving and enhancing the prospects of the next generation of children. She served as a Justice and Peace intern at the United Church of Christ Social Action office in Washington, D.C. soon after college. She worked as a grass roots advocacy director for the American Public Health Association in Washington, D.C. She was health policy director for New Hampshire Governor Jeanne Shaheen, where she staffed the State's Kid's Cabinet. She served as a policy director for New Futures, a substance abuse treatment and prevention advocacy group, and worked with many partners across the state to build the Children's Behavioral Health Collaborative, among many other roles and jobs.

However, she found her truest avocation when she taught third grade at Broken Ground School in Concord, after receiving her teaching certificate in 2013 while undergoing treatment for colon cancer. She lived graciously and with courage, conviction and hope, and had an uncanny ability to build community and trust. She was attentive to and aware of the needs of many, and in her words and actions encouraged all of us to reach a bit higher. Neighbors and friends, colleagues in her public policy avocation, and her fellow teachers all agree that she left a legacy of community that will last well into the future, the effects of which are still rippling out.

She is survived by her husband, Steve Norton, and their children, Anders and Greta, of Concord; her parents, Richard and Linda Wierwille; her brother, Michael Wierwille and his wife, Noey, and their two children, Calvin and Vivian; her brother, Jeremy Wierwille; among many other friends and family.

Gifts in the memory of Jen may be made to the Jen Wierwille Norton Next Generation charitable fund at the New Hampshire Charitable Foundation website.

A memorial service honoring her life will be held on Saturday, April 2nd, at 2 p.m. at South Church in Concord.

(The Concord Monitor, March 9, 2016)

Don Crandlemier

Don focused on many pursuits throughout his 49 years, but the most important endeavor of his adult life was as a dedicated father to two boys...

(Senator Bradley read the remaining sentiments for Don Crandlemier.)

SENATOR BRADLEY:

Don focused on many pursuits throughout his 49 years, but the most important endeavor of his adult life was as a dedicated father to his two boys. Don died of a sudden heart attack at his home in Concord, Saturday, March 5th, 2016, leaving his wife of 19 years, Jennifer Frizzell, who we all know very well in this room – a former Chief of Staff when Senator Larsen was President – and his sons, Ethan (14) and Evan (11), the greatest joys of his life.

Don and Jennifer welcomed Ethan in 2001 and Evan in 2005. Don reveled in fatherhood, cherishing the big and the small and taking pride in the wonders of his boys' self-discoveries. He was equally adored by his children, with whom he shared the zest for life. He threw his energy behind the boys as they developed a love of hockey. Though Don was never a hockey player himself, he embraced the culture of the sport, demonstrating his enthusiasm for supporting whatever boys loved by eagerly transporting them to countless games as he zigzagged his way to hockey rinks around New England. He was quite proud of the "Crandlemire Rink," a self-crafted ice surface he put up each winter in the family's backyard.

Don often summoned his inner child when interacting with his boys, their friends, and his nine nieces and nephews. Jennifer fondly referred to him as the Pied Piper of sorts. Children of all ages, adults on down, gravitated to him for his mischievous spirit and his attentiveness to their playful natures. He was the dad who never tired of launching his own delighted children into the pool only to discover a cadre of kids, often strangers, forming a line behind them. He set a high bar for fatherhood. He was a man who cherished his many and important friendships.

(Union Leader, March 11, 2016)

Mister President, I would move that we have a moment of silence for both of these departed friends.

PRESIDENT MORSE: Amen.

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)

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you, Mister President. I, too, would like to thank all my colleagues for all the support that I've received over the last couple of weeks in the death of my mother, like Senator Carson. Thank you all very much. I'm grateful for the opportunity to serve in this room with all of you.

LATE SESSION

Third Reading and Final Passage

HB 301, (New Title) 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.

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

HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools. SB 321, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities.

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

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

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

SB 358, relative to use of navigation devices in motor vehicles.

SB 363, (New Title) relative to the definition of owner of an OHRV or snowmobile.

SB 368-FN-A, making a capital appropriation for department of environmental services monitoring equipment.

SB 383, establishing a commission to study the importance of hiking trails, trail maintenance, and New Hampshire's trail network.

SB 386, adding biodiesel to electric renewable energy sources.

SB 424-FN, (New Title) relative to transition provisions for licensure of master licensed alcohol and drug counselors, and establishing a committee to study licensure of alcohol and drug counselors.

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

SB 446, relative to requirements of the state building code.

SB 449, relative to payment of workers' compensation benefits by direct deposit.

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

SB 489, requiring a demonstration project using a Stirling engine system.

SB 500-FN, relative to student health insurance plans.

SB 501-FN, prohibiting the possession of powdered or crystalline alcohol.

SB 512, relative to health care associated infections.

SB 523-FN, (New Title) relative to the controlled drug prescription health and safety program and establishing a commission to study requiring controlled drugs and controlled drug analogs to be sold in tamper-proof form.

SB 537, relative to record management of abuse and neglect reports.

SB 538, relative to children taken into custody under the child protection act and relative to the commission to review child abuse fatalities.

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

SB 549-FN, relative to public-private partnerships for intermodal infrastructure and transportation and establishing the public-private infrastructure oversight commission.

SB 550-FN, relative to the maximum gross weight for dump trailers.

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.