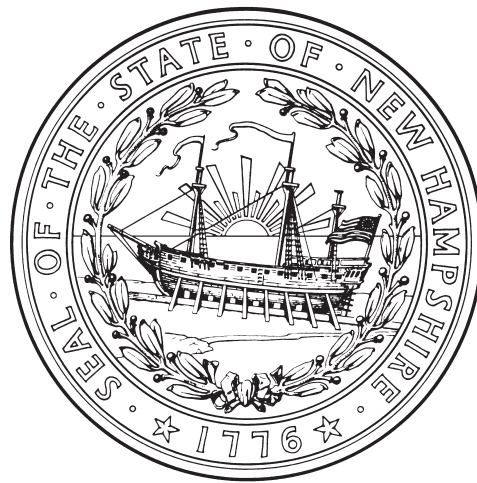


December 7, 2016
No. 1

STATE OF NEW HAMPSHIRE

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165th Session of the New Hampshire General Court
Legislative Proceedings

SENATE JOURNAL

ORGANIZATION DAY – DECEMBER 7, 2016 SESSION

SENATE JOURNAL 1

December 7, 2016

ORGANIZATION DAY

The Honorable Tammy L. Wright, Clerk of the Senate, called the Senate to order at 10:00 a.m.

The Reverend Jon Hopkins, chaplain to the Senate, offered the following prayer:

Let us pray:

Loving and gracious God we give you thanks for giving us another day. Now that the votes have been cast and these honorable people have been elected to serve, we ask today that you bless the members of the New Hampshire Senate to be the best and most faithful servants of the people they serve. May they be filled with gratitude at the opportunity they have to serve in this place. We thank you for the abilities they have been given to do their work; to contribute to the common good. As this session begins, and once again legislative business weighs heavily on us, we ask for your spirit of wisdom and truth from this assembly; give each member clarity of thought and purity of motive so that they may render their service as their best selves. Be present, O God of wisdom, and direct the counsels of this honorable assembly. Enable them to settle things on the best and surest foundation; that order, harmony, and peace may be effectively restored, and truth and justice, religion and piety prevail and flourish among the people. Preserve the health of their bodies and vigor of their minds. Shower down on them in the millions they represent such temporal blessings as Thou seest expedient for them in this world. In this time of waiting, bless our nation with peace and good will; may all Americans, of whatever faith or background, work together to build a better commonwealth. Amen.

Senator Woodburn led the Pledge of Allegiance.

The Honorable Tammy L. Wright, Clerk of the Senate, called the Roll of the Senate for attendance. There were 24 members present.

OATH OF OFFICE FOR SENATORS

At this time, on the first Wednesday in December, in the year of our Lord, two thousand and sixteen, being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble and the Honorable Margaret Wood Hassan, Governor of the State of New Hampshire, accompanied by the Honorable Executive Council, will come into the Senate chamber, and will now subscribe the oaths of office and witness the signing of the oath by each individual Senator, and verify that these are duly qualified as Senators agreeably to the provision of the Constitution.

Recess. Out of recess.

The Clerk recognized the Sergeant-at-Arms.

The Sergeant-at-Arms announced the Honorable Executive Council, and the Honorable Governor Margaret Wood Hassan.

The Clerk recognized the Honorable Margaret Wood Hassan.

GOVERNOR MARGARET WOOD HASSAN: Thank you. Good morning. Well, good morning everybody and congratulations. Now, if you would raise your right hand, and where appropriate state your name and town, and repeat after me:

I, state your name, of your town, do solemnly swear, that I will bear faith and true allegiance to the United States of America and the state of New Hampshire, and will support the constitution thereof. So help me God.

I, state your name, do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all duties incumbent on me as State Senator according to the best of my abilities, agreeably to the rules and regulations of this constitution and laws of the state of New Hampshire. So help me God.

GOVERNOR MARGARET WOOD HASSAN: Congratulations, and please sign your oaths at this time.

WHEREUPON, the Governor and Council witnessed the signing of the oath by each of the following individual Senators, verifying that these are duly qualified as Senators pursuant to the provisions of the New Hampshire Constitution:

District No. 1	Jeff Woodburn
District No. 2	Robert J. Giuda
District No. 3	Jeb Bradley
District No. 4	David H. Watters
District No. 5	Martha S. Hennessey
District No. 6	James P. Gray
District No. 7	Harold F. French
District No. 8	Ruth Ward
District No. 9	Andy Sanborn
District No. 10	Jay Kahn
District No. 11	Gary L. Daniels
District No. 12	Kevin A. Avard
District No. 13	Bette R. Lasky
District No. 14	Sharon M. Carson
District No. 15	Dan Feltes
District No. 16	Scott McGilvray
District No. 17	John Reagan
District No. 18	Donna M. Soucy
District No. 19	Regina Birdsell
District No. 20	Lou D'Allesandro
District No. 21	Martha Fuller Clark
District No. 22	Chuck Morse
District No. 23	William M. Gannon
District No. 24	Daniel E. Innis

ELECTION OF THE PRESIDENT OF THE SENATE

The Honorable Tammy L. Wright, Clerk of the Senate, stated that nominations for President of the Senate are in order.

(The Clerk recognized Senator Bradley for a nomination.)

SENATOR BRADLEY: It's a fine morning as we reconvene here for the next two years. There are a lot of new faces in this room this morning; great to see all of you. I'm still trying to learn everybody's name. But there is one name that I think I know pretty well that those of us who have served here in the past know very well, and that's Chuck Morse. We don't call him Senator Morse, we don't call him Mister President, when we talk to Chuck – he's Chuck. And it's because, like all the rest of us, he pulls his pants on the same way we all do, one leg at a time. However, that doesn't mean that he's not an incredibly effective leader. When we use words like integrity, and honesty, and hard work in this building, Chuck is the embodiment of those words. When we look for leadership, it's not do it my way because I'm the leader, Chuck leads first by example with his hard work, his honesty, his integrity, but he also leads by listening, by understanding the needs of twenty-four people, by understanding the needs of all of you in the gallery, all the people that – the 1.3 plus million people that we represent – he listens to staff, he even listens to the kids that are having a good time over on the couch; that's what's most important is the legacy that we try to leave for the people that we represent. And in order to represent the people that we do, we need somebody who's fair, who's impartial, who looks to getting the job done; who is principled, but who knows when to compromise, and who, more than anything else, is willing to listen to all of us to work together in the smallest elective body, I believe, in the United States of America, twenty-four members in the state Senate. Now I've had the opportunity to serve in two of the largest elective bodies in the English speaking world, and I'll never serve in the third, which is the British Parliament. But here in this room we have to agree and we have to disagree, and we have to do it in as agreeable a fashion as possible; that's the hallmark of Senator Chuck Morse. That's the hallmark of Chuck, it's the

hallmark that he has when he's in the podium, it's the hallmark that he has when he's on the floor here, it's the hallmark that he has when he's in his district selling poinsettias and talking to the people of the state of New Hampshire. That's why I'm incredibly proud and honored to be able to nominate, again, somebody that is not only my friend but somebody who is one of the most effective people I've ever worked with anywhere in government, and that being Chuck Morse. Thank you very much, Madam President.

(The Clerk recognized Senator Woodburn for a second.)

SENATOR WOODBURN: Thank you, Madam Chair. I rise to second the nomination of Senator Chuck Morse for senate president. I want to congratulate, first, each member and thank them for their service, especially those new members. I welcome them and their families as they enjoy, and I take this solemn opportunity to thank them for their service. Our country today is polarized, and New Hampshire's nearly evenly split and I think if you look around the election results is that the closeness is a razor thin margin, and it's a mandate for us to come together and work together, and that has been the tradition of this senate, and it's long been a voice of restraint and reason, and it is for that purpose that we are so fortunate to have someone of Chuck Morse's capacity and kindness and concern to be leading us. Quite frankly, I can't think of a better person to lead us. Well, actually I can. Senator Morse, having had an opportunity to finish election, I have the greatest respect and admiration for his skills, his abilities, his decency, and really proud of the work that we've been able to do in this building because of his leadership. Things like expanding healthcare, fighting the opioid addiction issue that is on the concerns of our constituents, and improving highways and other areas. He's done a terrific job, and I think I speak for all democrats in thanking him for his service and knowing that he will be a fair and decent person, and we look forward to another two years of success. Thank you very much.

Hearing no further nominations, the Clerk declared nominations to be closed.

Adopted. Senator Chuck Morse was elected President of the Senate.

The Honorable Tammy L. Wright, Clerk of the Senate, requested Senator Birdsell and Senator Daniels to escort Senator Chuck Morse, President of the Senate, to the rostrum.

SENATE PRESIDENT'S MESSAGE TO THE SENATE

PRESIDENT OF THE SENATE, SENATOR CHUCK MORSE: Let me first take one moment to recognize the significance of today. As you know, today marks the 75th anniversary of the attacks on Pearl Harbor. Thousands of citizens were killed on December 7th in 1941 in a surprise attack in Hawaii. Many of whom had dedicated their lives to defending the freedom of our nation. Let us take a moment of silence and honor those who lost their lives on this tragic day.

I want to thank you for the honor of being Senate President again this session. There's no greater compliment than being voted into this position by each and every one of you, so I thank you. It's a true honor to serve alongside all of you, and a privilege that I take very seriously. For each of us being sworn into the senate today, none of us could have been here without the support of those back home. I'd like to take the time to thank my wife Susan, who is back home, and my daughter Emma, who is at school, for their love and their support and the sacrifice that enables me this opportunity. I thank all of the spouses and significant others in the others in the audience and their families for letting the people serve in the senate. To the new people you will find out what a sacrifice that is, and your families will certainly find out what a sacrifice that is.

I believe there is an incredible responsibility associated with this in a role to ensure that we are making progress in the state of New Hampshire. I remain committed to moving forward in this new session with strong legislation that supports initiatives that are essential to our communities whether it is continuing to cut business taxes and support our small businesses in the state, education reform, reducing energy costs, or continuing to make progress towards curbing the opioid crisis facing our communities. While we may not always agree on every issue, I have a deep respect for all of you in the work and the commitment that you have made and will make to serve the citizens of your communities because, really, we are all here for the same reason.

You know, about two weeks ago I came in and I was asked to come in and see a class, and I was rushed in, I certainly had a thousand things on my mind, just like you do, and you will find during the session that everything you do is important to somebody. Now I came in here and there was a young boy in a fourth grade class sitting in my seat, and when I walked in the door they were telling him how important senate district 22 was. And so, wouldn't you know it, the first question out of – the whole room had their hands up, which was a great fourth grade class – the first question came from that young boy and he says don't you know my grandfather Ray Pelletier? And I said I bet you I do. But that wasn't good enough because I went home last night, after getting up at 2:30 in the morning looking for ice and not selling poinsettias, but I stayed awake

that whole day so by the end of the day I was exhausted. As usual I met my wife, Susan, and we went to grab dinner; this was 5:30. And when we walked in I was greeted by the grandfather saying I'm disappointed in you; you didn't recognize the fact that you knew me personally. So we took a picture together and he sent it to his grandchild. Don't underestimate what it means to be a New Hampshire senator. You carry great weight on your shoulders and – like Blue Ear in the audience, his grandfather's so proud of him – make sure you recognize people, and make sure you do it in the way that a New Hampshire senator should do it.

The work never gets easier, but as senate president I want to let you know that I'm here for you. My door is always open to you. I want you to do good work, and I want you to make sure you have what you need to address the most critical issues in your community. I hope that we can help each other this session, learn from each other, offer advice and support, participate in civil, respectful, and effective debate on tough issues so that we do the very best we can for the people of New Hampshire. I thank you for supporting me today as continuing as senate president, and I am looking forward to what we can do together this session. Thank you very much.

RESOLUTION NO. 1 RULES ADOPTION

Senator Bradley offered the following Resolution:

RESOLVED, that the rules of the 2015-2016 session be adopted as the rules of the 2017-2018 session, with the changes which have been provided here today.

PROPOSED RULE CHANGES FOR ORGANIZATION DAY

AMENDMENT TO SENATE RULES:

1. Amend Senate Rule 3-5 as follows:

3-5 Drafting Requests After Deadline - Notwithstanding the drafting deadline established in Rule 7-1, a Senate bill, Senate joint resolution, or Senate concurrent resolution may be accepted by the Office of Legislative Services for drafting and introduced into the Senate at any time prior to the crossover deadline established by Senate rules if the drafting request is approved by a majority of the ***Rules and Enrolled Bills Committee***.

2. Amend Senate Rule 4-7 as follows:

4-7 Standing Committees - The standing committees of the Senate shall be as follows: the Committee on Capital Budget, the Committee on Commerce, the Committee on Education, ***the Committee on Election Law and Internal Affairs***, the Committee on Energy and Natural Resources, the Committee on Executive Departments and Administration, the Committee on Finance, the Committee on Health and Human Services, the Committee on Judiciary, the Committee on Public and Municipal Affairs, ***the Committee on Rules and Enrolled Bills***, the Committee on Transportation, and the Committee on Ways and Means.

3. Amend Senate Rule 7-1 as follows:

7-1 Deadlines

- (a) Tuesday, December 13, 2016 – Deadline for the Office of Legislative Services to accept drafting of a Senate Bill, Senate Concurrent Resolution, or Senate Joint Resolution with complete information for the 2017 Session.
- (b) Friday, January 06, 2017 – Deadline for prime sponsors to sign off on legislation.
- (c) Friday, January 13, 2017 – Deadline for co-sponsors to sign off on legislation.
- (d) Monday, February 27, 2017 – Friday, March 03, 2017: SENATE BREAK.
- (e) Thursday, March 09, 2017 – Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
- (f) Thursday, March 30, 2017 – CROSSOVER – Deadline to ACT on all Senate bills.
- (g) Thursday, May 11, 2017 – Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
- (h) Thursday, June 01, 2017 – Deadline to ACT on all House bills.

(i) Thursday, June 08, 2017 – Deadline to FORM Committees of Conference.

(j) Thursday, June 15, 2017 – Deadline to SIGN Committee of Conference Reports.

(k) Thursday, June 22, 2017 – Deadline to ACT on Committee of Conference Reports.

Adopted.

ELECTION OF THE CLERK OF THE SENATE

President Morse stated that nominations for Clerk of the Senate are in order.

(The Chair recognized Senator Bradley for a nomination.)

SENATOR BRADLEY: Thank you very much. Just as it was an honor for me to nominate Senator Morse as our senate president, it's also an honor to nominate who I think, Tammy Wright, as our clerk. For the twenty-four of us and the people that we represent to function smoothly and efficiently, we need a clerk whose integrity is impeccable, whose hard work outlasts us all, who has always assembled a staff that, bar none, is excellent, and who is known and respected on both sides of the aisle for her fairness and her impartiality. I've known Tammy for a long, long time having served in this building a long time. I've also known her outside of this building as a yoga instructor. Imagine that, Tammy instructing me in yoga. But it's true, and the reason I bring that up is that more than anything else, Tammy Wright is here to help all of us be the best senator that we can be, and to make sure that we understand the rules, that we understand the process, that the process is adopted impartially and fairly. I just can't say enough good about Tammy's attributes – do I see a tear there? Not quite. Tammy and her staff do a great job, and I think all of us will be thrilled to have her again as Clerk for the next two years. So, I'm very proud to be able to nominate Tammy Wright to continue as our Clerk.

(The Chair recognized Senator Woodburn for a second.)

SENATOR WOODBURN: Thank you, Mister President, and congratulations to you. I'm pleased to second the nomination of Tammy Wright as clerk. We're fortunate to have someone of her enormous talents, her keen eye for detail, and her utmost love and respect for this body. This marks her 27th year serving as Clerk. I arrived in this building in 1984 serving my constituents of Dalton and Whitefield, and I met Tammy at that time, and my hair was dark, my physique was slim, but our clerk looks exactly the same, unchanged. The scales of justice that you see in this great hall that we meet in is a reminder of our solemn oath, and it's one that Tammy certainly epitomizes in her work, and the tough balance it always is to serve in the job that she does. But she serves each of us with respect and with dignity, and she runs the senate with deference to our history and to every senator who serves here. You know, there is a civic beauty that occurs when the clerk calls the roll: the glasses drop to the nose, those dark eyes lock on yours, and you feel the weight of history, and the weight of doing the right thing, the right thing; and you can't help but answer that call when the clerk makes that request. And thank you for your service, and I hope you all support her.

Hearing no further nominations, President Morse declared nominations to be closed.

Adopted. The Honorable Tammy Wright was elected Clerk of the Senate.

OATH OF OFFICE FOR SENATE OFFICER

President Morse duly administered the Oath of Office to the Clerk of the Senate:

PRESIDENT MORSE: Now, we'll try to do this the right way – you're going to repeat after me. Raise your right hand and where appropriate state your name and repeat after me:

I, state your name, do solemnly swear, that I will bear faith and true allegiance to the United States of America and the state of New Hampshire, and will support the constitution thereof. So help me God.

I, state your name, do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me as Senate Clerk, according to the best of my abilities, agreeably to the rules and regulations of this constitution and the laws of the state of New Hampshire. So help me God.

PRESIDENT MORSE: Congratulations.

SENATE CLERK: Thank you.

RESOLUTION NO. 2
OFFICIAL RETURN OF VOTES

Senator Bradley offered the following Resolution:

RESOLVED, that the Secretary of State be requested to furnish the Senate with the official return of votes from the various Senatorial Districts. Adopted.

(The Chair recognized the Honorable William M. Gardner, Secretary of State.)

The Honorable William M. Gardner, Secretary of State, appeared and presented the return of votes for State Senators from the various Senatorial Districts, as returned to the Secretary of State's Office from the General Election held November 8, 2016

HONORABLE WILLIAM M. GARDNER: Thank you Mister President, Madam Clerk, distinguished members of the senate in this body. The Constitution requires the Secretary of State to examine and compile the returns of votes that are sent to the Secretary of State's Office after the election in the towns and the cities across the state. This election, November 8th, we had 309 polling places, and those returns have been received, they've been examined and compiled, and the following is the results for the State Senate.

COMMITTEE REPORT

The selected committee to whom was referred the various returns of votes for State Senators from the several districts, having attended to their duties and having examined the returns made to the Secretary of State and the records in the office of said Secretary, report that they filed the state of the vote returned from the several districts as follows:

First District	
Jeff Woodburn, d	13,926
Dolly McPhaul, r	<u>11,590</u>
Plurality for Woodburn	2,336
Second District	
Bob Giuda, r	15,546
Charlie Chandler, d	<u>13,244</u>
Plurality for Giuda	2,302
Third District	
Jeb Bradley, r	20,091
John R. White, d	<u>11,111</u>
Plurality for Bradley	8,980
Fourth District	
David H. Watters, d	15,144
Bill O'Connor, r	<u>12,283</u>
Plurality for Watters	2,861
Fifth District	
Martha S. Hennessey, d	18,809
Marie Lozito, r	<u>9,998</u>
Plurality for Hennessey	8,811
Sixth District	
James P. Gray, r	14,481
Joe Casey, d	<u>11,793</u>
Plurality for Gray	2,688
Seventh District	
Harold F. French, r	13,880
Andrew J. Hosmer, d	<u>13,863</u>
Plurality for French	17

Eighth District

Ruth Ward, r	16,150
John Garvey, d	<u>14,289</u>
Plurality for Ward	1,861

Ninth District

Andy Sanborn, r	17,073
Lee C. Nyquist, d	<u>14,727</u>
Plurality for Sanborn	2,346

Tenth District

Jay Kahn, d	17,713
Chester Lapointe, r	<u>10,273</u>
Plurality for Kahn	7,440

Eleventh District

Gary L. Daniels, r	17,235
Roger Tilton, d	<u>13,227</u>
Plurality for Daniels	4,008

Twelfth District

Kevin A. Avard, r	15,942
Peggy Gilmour, d	<u>15,120</u>
Plurality for Avard	822

Thirteenth District

Bette R. Lasky, d	14,619
Joan M. Donahue, r	<u>9,897</u>
Plurality for Lasky	4,722

Fourteenth District

Sharon M. Carson, r	17,793
Tammy Siekmann, d	<u>9,989</u>
Plurality for Carson	7,804

Fifteenth District

Dan Feltes, d	17,658
Jeff Newman, r	<u>10,913</u>
Plurality for Feltes	6,745

Sixteenth District

Scott McGilvray, d	15,118
Joe Duarte, r	<u>14,503</u>
Plurality for McGilvray	615

Seventeenth District

John Reagan, r	18,252
Nancy R.B. Fraher, d	<u>11,522</u>
Plurality for Reagan	6,730

Eighteenth District

Donna M. Soucy, d	13,299
Ross W. Terrio, r	<u>10,869</u>
Plurality for Soucy	2,430

Nineteenth District

Regina Birdsell, r	16,505
Kristi St. Laurent, d	<u>11,825</u>
Plurality for Birdsell	4,680

Twentieth District

Lou D'Allesandro, d	13,187
Carla Gericke, r	<u>8,695</u>
Plurality for D'Allesandro	4,492

Twenty-First District

Martha Fuller Clark, d	20,883
Peter Macdonald, r	<u>10,607</u>
Plurality for Clark	10,276

Twenty-Second District

Chuck Morse, r	18,717
Richard J. O'Shaughnessy, d	<u>11,270</u>
Plurality for Morse	7,447

Twenty-Third District

Bill Gannon, r	17,337
Alexis Simpson, d	<u>13,343</u>
Plurality for Gannon	3,994

Twenty-Fourth District

Dan Innis, r	17,844
Tom Sherman, d	<u>16,373</u>
Plurality for Innis	1,471

HONORABLE WILLIAM M. GARDNER: Mister Senate President that completes the examination and compilation of the results in the Secretary of State's Office for the State Senate. Thank you.

RESOLUTION NO. 3**SELECT COMMITTEE OF THREE**

Senator Bradley offered the following Resolution:

RESOLVED, that the return of votes from the several Senatorial Districts be referred to a select committee of three with instructions to examine and count the same and report to the Senate where any vacancies or contest exists and if so, in what Senatorial District. Adopted.

President Morse appointed Senator Bradley, Senator Carson, and Senator Woodburn to serve as the Select Committee to examine the vote totals.

Recess. Out of recess.

SELECT COMMITTEE REPORT

Senator Bradley reported that the Select Committee to which was referred the various return of the votes for state Senators from the several districts, having attended to their duties and having examined the returns made to the Secretary of State, reports that it finds the state of the vote returned from the several districts to be correct.

Senator Bradley moved to adopt the report. Adopted.

RESOLUTION NO. 4**SALARY AND MILEAGE PAYMENTS**

Senator Bradley offered the following Resolution:

RESOLVED, that the biennium salary of the members of the Senate be paid in one undivided sum as early as practical after adoption of this resolution, and be it further RESOLVED, that the mileage of members of the Senate be paid every two weeks during the session. Adopted.

INTRODUCTION OF GUESTS

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Since you've recognized me so many times I'd like to introduce my friend Karen McNiff.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. I've got a couple up in the gallery: my daughter, Christina; and my grandsons, Dominique and Anthony. And Anthony, as some of you know, some of you may know, is the Blue Ear. He's the super hero, and he's truly a great, great American. On the floor I have my wife, Patricia. And with kudos to my wife, we've been married for 55 years; we have 3 children, 9 grandchildren, 2 great-grandchildren. But she's tolerated me for 55 years and that in and of itself is a miracle. Thank you, Mister President.

(The Chair recognized Senator French.)

SENATOR FRENCH: Thank you. And I would like to introduce my wife, Liberty Jane, and she was also my campaign manager that got me the 17 votes I needed.

(The Chair recognized Senator Birdsell.)

SENATOR BIRDSELL: Thank you, Mister President. I'd like to introduce... I'll start with my step-daughter, Erica O'Shaughnessy; and my husband, Mark Skelly, who has been a very patient person in my life; and my big sister, Marietta Birdsell, who brought her CCI, she's a puppy raiser for Canine Companions for Independence, and Pax is laying on the floor up there.

(The Chair recognized Senator Soucy.)

SENATOR SOUCY: Thank you, Mister President. Mister President I'd like to make note of two people who couldn't be here with me today, but without whose love and support I would not have been elected: my dear mother, the Honorable Lillian Soucy, who served on the other side of this wall, who passed away a number of years ago but who is always with me in spirit; and my father, C. Arthur Soucy, whom I spoke with this morning. He is recuperating from a hip replacement, but was sorry he couldn't be here, but is certainly here in spirit as well. But I'd like to introduce one of my dearest friends, the Honorable Raymond Buckley, who is here as my guest today.

(The Chair recognized Senator Hennessey.)

SENATOR HENNESSEY: Thank you, Mister President. I am very pleased to introduce my two guests today. And along with Senator Feltes from District 15, I have two people who are from his district here on my behalf: Juliana Eades, who is the director of the New Hampshire Community Loan Fund, which was a very special organization in my family, still is; and the Honorable Senator Mary Louise Hancock, who is hard to describe because she is something to everybody. But I'll tell you why I have her here today. She is not only legendary for her commitment to the state of New Hampshire, but she also was, and I think still is, my dear mother's very best friend. And together we are able to talk about how it feels as though my mother is here in these chambers today. And I also would like to say that she has been an inspiration and a mentor to me since about the age of five, I think. So thank you for being here, both of you.

(The Chair recognized Senator Ward.)

SENATOR WARD: I'd like to introduce my husband, Fred Ward; and one of my three children, my daughter, Celia Pastoriza, who is here to witness this great occasion. Thank you.

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: Thank you, Mister President. I'd like to introduce to the body my mother and father who are down from Lebanon, New Hampshire as well as my older brother Ed who has broken away from skiing up at Killington for the day; my twin, Rick; and his daughter, Caroline; and a final acknowledgement to the girl of my dreams who happens to be on the other side of the wall today, Representative Laurie Sanborn.

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Mister President. With me today, first in spirit, my immigrant parents, my deceased dad, Carl; my mom, 91 years old who didn't make the trip, but I want to recognize them and the importance they played in my life. I also want to recognize my wife who has played the most important role in my life, Cheryl Kahn; and she is the patient grandmother of two lovely kids who my daughter and son-in-law, Mike and Denise Terra have escorted Joshua and Andrew on a tour of the senate building, maybe joining us at lunch afterwards. But at least they had the opportunity to meet the senate president. So, thank you for indulging any kind of distraction they may have provided, but appreciate your introduction.

PRESIDENT MORSE: The only indulgence in the Senate that we don't tolerate, and it cost you \$5 every time we find out about it – Senator Bradley and Senator Sanborn – is if you bring your cell phones to the floor. So, we are starting to build the food fund for lunches so we'll take mistakes anytime.

(The Chair recognized Senator Lasky.)

SENATOR LASKY: Thank you, Mister President. My guest this morning is my husband, the long-suffering Elliot Lasky, without whose love and support and encouragement I wouldn't be anywhere. So, thank you Elliot.

(The Chair recognized Senator Avard.)

SENATOR AVARD: Thank you, Mister President. First of all I'd like to introduce my wife, Tracy, who, without her help I could not do anything. She is an amazing person and she's also a fun date. And in the balcony I'd like to introduce my mother-in-law Fran, and my father-in-law Jack Martin; very wonderful people, very kind. The tall handsome boy right there is Kevin, my step-son. And the honor student sitting next to him is Kiley, my step-daughter, who helped me write the New Hampshire capital song. So when I sing to the fourth graders, they're my helpers. So, I want to welcome them and thank you for all your support.

(The Chair recognized Senator Daniels.)

SENATOR DANIELS: Thank you, Mister President. It's my honor today to have my wife, Loreen, with us, and I introduced her and thank her for her willingness to give me the time to serve in this capacity. Thank you.

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you, Mister President. Earlier you spoke about the importance of having family and friends at home that support us so we can come up here and do the jobs that we get elected to do, and I'm very, very fortunate to have with me today my husband, Greg, who I can honestly say got me into doing this. And, unfortunately, my two daughters are not able to be with us today. My daughter Alicia is home sick. But my daughter, Deirdre, First Lieutenant Deirdre Carson, is on active duty serving our country.

(The Chair recognized Senator McGilvray.)

SENATOR MCGILVRAY: Thank you, Mister President. It's my honor to introduce my mother, Mary, and my lovely wife, Patti, who both have been a great inspiration to me as well. And just on a side note, I'd like to welcome Senator Hancock. In fourth grade she helped me put through my first piece of legislation. Right? I came knocking on her door on a Sunday morning and asked her to sponsor a bill for me when I was in fourth grade. So it's wonderful to see her all these years later.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: I'll keep it brief. Thank you, Mister President. I rise to echo the wonderful remarks of my friend from District 5. And to say it is an honor to be sworn in as a senator for a second term in District 15 with the first woman and the first democratic senator from Senate District 15, Mary Louise Hancock, here, who is also a great friend and a great mentor. So let's give Mary Louise another round of applause.

(The Chair recognized Senator Gannon.)

SENATOR GANNON: Thank you, Mister President. I'd like to... I brought my campaign staff with me: Janice, my Chief of Staff is my wife, also my boss and friend; my son who understands numbers as good as anyone in the business, and also Chief of Staff, Billy; my daughters Katie, Kerry, and Colleen, who went to more houses knocking on doors all summer, thank you. And that's it, thanks.

(The Chair recognized Senator Fuller Clark.)

SENATOR FULLER CLARK: Thank you very much, Mister President. I would like first and foremost to thank my husband, Geoffrey; and my three adult children who are elsewhere, Caleb, Nathaniel, and Anna. All of them have provided me unfailing and ongoing support for my political endeavors throughout these years and I couldn't have done it without you Geoff and without them. So thank you, again. I'd also like to take this time to remember my mother, Marion Fuller Brown, who passed away at age 94 five years ago. She served in the Maine state legislature in the 1970s and went on to become republican national committee woman from the state of Maine. In addition, I would like to remember my father, Henry Morrill Fuller, country lawyer and gentleman farmer, who tragically died in an accident on his beloved farm at the age of 47. To them I owe my commitment to public service and the values that have shaped my life; values of hard work, integrity, and caring for others. Among the guests today I want to acknowledge and welcome Susan Duncan, a legislative

staff leader extraordinaire. Susan, I want you to know that all of us miss your smiling face, your warm heart, and your expert guidance. Additionally, I would also like to recognize Kaytlynn Jacobs-Brett and Keith McCrea. Together they were a superb team ensuring my most successful reelection. Thank you both from the bottom of my heart. Also I, too, would like to note Raymond Buckley, Chair of the New Hampshire Democratic Party, fearless leader, and a great friend. And, finally, Mary Louise Hancock, Grande dame of our senate; a most remarkable woman who has been a mentor to all of us who have followed in your footsteps, and it is just wonderful to have you here with us today.

(The Chair recognized Senator Innis.)

SENATOR INNIS: Up in the gallery I have four amazing people with me today: my daughter, Emily Innis is here recovering from shoulder surgery, thank you; my son, Benjamin Innis, is here, welcome, glad you're here; their mother, Margie Innis, who is truly an inspiration to them, to me, and to everyone that she meets, is with us today; and my spouse, Douglas Palardy, who was also campaign manager and chief nagger, is also here today. So welcome and thank you all for being here.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President. I am privileged to have been married to my spouse, Christine, for 35 incredible years. And we have the joy of having three wonderful children. We met as service people; Chris was a Navy nurse, I was a Marine Corps instructor attack pilot. We have three wonderful children, two of whom are here: my son Joseph, Lieutenant Joseph Giuda, United States Navy, who was on duty with the carrier task force the night we got bin Laden; his spouse, Naomi; my daughter, Stephanie; and our grandson, Hunter; Joan Randlett, a dear friend who helped greatly in my election; and Gary Gahan, a Marine Corps veteran from Vietnam era. To each of them I owe, in a very special way, the fact that I'm here today. I'm honored and I feel very much, Mister President, the weight of history and the challenges of tomorrow, and I look forward to serving. Thank you.

Recess. Out of recess.

HOUSE MESSAGE

The House of Representatives has organized and elected its officers:

Speaker of the House: Shawn N. Jasper

Clerk of the House: Paul C. Smith

Sergeant-at-Arms: Walter Sword

HOUSE MESSAGE

The House of Representatives has organized and is ready to meet with the Senate in Joint Convention for the purpose of electing a Secretary of State and a State Treasurer.

RESOLUTION NO. 5 JOINT CONVENTION

Senator Bradley offered the following Resolution:

RESOLVED, that the Senate meet in Joint Convention with the House of Representatives for the purpose of electing the Secretary of State and the State Treasurer. Adopted.

Recess. Out of Recess.

ADJOURNMENT FROM THE EARLY SESSION

Senator Bradley moved that the Senate now adjourn from the Early Session, that the business of the Late Session be in order at the present time; and that when we adjourn, we adjourn to Wednesday, January 4, 2017. Adopted. Adjourned from the Early Session.

LATE SESSION ANNOUNCEMENTS

Without objection all personal privileges or unanimous consent (other remarks) shall be entered into the permanent *Journal of the Senate*. (Rule 2-16 and Rule 2-17)

ADJOURNMENT

Senator Bradley moved that the Senate, having organized and completed its business for the day, adjourn to Wednesday, January 4, 2017.

Adopted. The Senate is adjourned to Wednesday, January 4, 2017.

RULES OF THE SENATE**2017 – 2018****12/07/2016****PART ONE****DUTIES OF THE SENATE PRESIDENT**

- 1-1 Determination of Quorum; Correction of Journal
- 1-2 Members, Conduct When Speaking
- 1-3 Members not to Speak More Than Twice
- 1-4 President Shall Recognize Whom
- 1-5 Questions of Order, Appeal
- 1-6 Galleries, Clearing of
- 1-7 President to Sign Bills, etc
- 1-8 President May Name Member to Chair

PART TWO**THE SENATE SESSION****DECORUM**

- 2-1 Absence of Members from Session
- 2-2 Decorum While Another is Speaking
- 2-3 Use of Electronic Devices
- 2-4 Recording and Broadcast Devices During Recess

DEBATE

- 2-10 Motions
- 2-11 Limitations on Renewal of Motions
- 2-12 No Substitution under Color of Amendment
- 2-13 Reconsideration Restrictions
- 2-14 Reconsideration Process
- 2-15 Division of the Question
- 2-16 Personal Privilege
- 2-17 Other Remarks (Unanimous Consent)

VOTING

- 2-20 General Rules on Voting
- 2-21 Abstaining from a Vote
- 2-22 Voice Vote
- 2-23 Division Vote
- 2-24 Recorded Voice or Division Vote
- 2-25 Roll Call Vote

MISCELLANEOUS

2-30 Visitors to the Senate

2-31 Hours of Meeting

2-32 Introduction of Petitions

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3-2 Marking and Numbering Bills and Resolutions

3-3 Confidential Filing Requests

3-4 Draft Provided to Legislative Budget Assistant

3-5 Drafting Requests After Deadline

POST-DRAFTING PROCESS

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3-21 Prohibition in Second-Year Session

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3-24 Reports on Budget Bills

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PART FIVE**COMMITTEES OF CONFERENCE**

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5-3 Replacement of Members

5-4 Operation of Committees of Conference

5-5 Chairperson of Committees of Conference

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PROHIBITIONS

5-10 Title Change Prohibited

5-11 Non-Germane Amendments Prohibited

5-12 Indefinitely Postponed Items Prohibited

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5-15 Action on Committee of Conference Reports

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PART SIX **OTHER RULES**

SENATE STAFF

6-1 Composition and Duties

6-2 Days of Employment

6-3 Requisition Approval Required

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6-5 Amending Rules

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MESSAGES

6-10 Messages Sent to House

6-11 Messages, When Received

CONSENT CALENDAR

6-20 Consent Calendar

6-21 Conditions for Inclusion

6-22 Prohibitions

6-23 Removal

MISCELLANEOUS

6-25 Conflict of Interest

6-26 Requests to the Legislative Budget Assistant

6-27 Committee of the Whole

PART SEVEN **DEADLINES**

7-1 Deadlines

PART ONE **DUTIES OF THE SENATE PRESIDENT**

1-1 Determination of Quorum; Correction of Journal - The President, having taken the chair, shall determine a quorum to be present. Any erroneous entry in the daily journal shall be corrected no later than the third succeeding legislative day, and the permanent journal corrected within one week after the permanent journal copy is placed in the hands of the Senate.

1-2 Members, Conduct When Speaking - Any member, wishing to speak, shall notify the President. When recognized to speak, the member shall rise and address the President, and when finished shall then sit down.

1-3 Members Not to Speak More Than Twice - No member shall speak more than twice on the same question on the same day without leave of the Senate President.

1-4 President Shall Recognize Whom - When more than one member wishes to speak at the same time, the President shall decide who shall speak first.

1-5 Questions of Order, Appeal - The President shall preserve decorum and order. If any member transgresses the rules of the Senate, the President shall, or any member may, call said member to order in which case the member so called to order shall immediately cease and desist, and the Senate, if appealed to, shall decide the case. But if there is no appeal, the decision of the President shall be conclusive.

1-6 Galleries, Clearing of - In case of any disturbance or disorderly conduct in the gallery, the President shall have the power to order the same to be cleared. The Chairman of the Committee of the Whole may restrict attendance to the duly elected Senators.

1-7 President to Sign Bills, etc - All warrants, subpoenas and other processes issued by order of the Senate shall be under the hand and seal of the President attested by the Clerk.

1-8 President May Name Member to Chair - The President when performing the duties of the Chair may, at any time, name any member to perform the duties of the Chair.

PART TWO

THE SENATE SESSION

DECORUM

2-1 Absence of Members from Session - No member shall absent himself or herself without permission from the Senate.

2-2 Decorum While Another is Speaking - No member shall hold conversation with another while a member is speaking in debate.

2-3 Use of Electronic Devices - The use of electronic devices, with the exception of Senate-issued devices and devices used by members of the media, is prohibited on the Senate floor during session, unless the Senate is in recess or unless otherwise approved by the Senate.

2-4 Recording and Broadcast Devices During Recess - All recording and broadcast devices used on the Senate floor shall be paused or otherwise prevented from recording or broadcasting audio or video of members or staff while the Senate is in recess.

DEBATE

2-10 Motions - Motions during debate shall be considered according to the provisions of Table I, with said motions listed in order of decreasing precedence.

2-11 Limitations on Renewal of Motions - No motion to postpone indefinitely, to postpone to a certain day or time, or to refer (or rerefer, if applicable), being decided, shall be in order at the same stage of the bill or resolution, until after adjournment.

2-12 No Substitution under Color of Amendment. - No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

2-13 Reconsideration Restrictions - No vote shall be reconsidered unless the motion for reconsideration is made by a member who voted with the prevailing side and, if the vote applied to a bill or resolution, the bill or resolution to which the vote applied is in the possession of the Senate. Any request for reconsideration of a bill or resolution subject to a deadline established by Senate rules not acted on by said deadline shall be null and void.

2-14 Reconsideration Process - Reconsideration shall only be made in one of the following manners:

(a) A motion to reconsider shall be made in open session prior to adjournment from the early session on the same day on which the vote to be reconsidered was taken, in which case, unless otherwise ordered by the Senate, the reconsideration vote shall be taken up immediately, or

(b) A signed notice of reconsideration, by a member who voted with the prevailing side, shall be provided to the Clerk, on a form prescribed by the Clerk, within two business days of the taking of the vote to be reconsidered, in which case, unless otherwise ordered by the Senate, any reconsiderations shall be the first order of business on the next legislative day.

2-15 Division of the Question - Any member may call for the division of the question and when the sense will admit it, as determined by the President, the question shall be divided.

Table I - Motions

Privileged Motions

Motion	Debatable	Amendable	Notes
Adjourn	No	Yes	Amendments limited to the time to which to adjourn.
Recess	No	Yes	Amendments limited to length of the recess.

Incidental Motions (all become main motions if made when no question is pending or when not related to the business at hand)

Motion	Debatable	Amendable	Notes
Appeal	Yes	No	Debate limited to the specific decision of presiding officer from which appeal is made. Presiding officer is allowed to speak. The question to be put is, "Shall the decision of the president stand?" A tie vote also sustains the chair's ruling.
Point of Order	No	No	Calls attention to a violation of rules or order. May be raised when another member is speaking. Not technically a motion, but the presiding officer could submit the question to the Senate, at which point it becomes a motion open for debate, but not amendment.
Parliamentary Inquiry	No	No	Requests information from the presiding officer about parliamentary procedure or Senate rules. May be raised when another member is speaking only if it requires immediate attention. Not technically a motion.
Object to Reading of Papers	No	No	Reading from documents as part of a speech is generally allowed as a courtesy, provided the papers are relevant, short and not used as a delaying tactic. Any member may object during the reading, however, and the body decides whether permission to read is granted.
Suspend the Rules	No	No	Requires a 2/3 vote. See Rule 6-6

Subsidiary Motions

Motion	Debatable	Amendable	Notes
Lay Upon the Table	No	No	May be applied to a main motion with other pending motions, in which case the main motion, along with all pending motions, is laid on the table.
Previous Question	No	No	If not otherwise specified, ends debate and calls for a vote on the immediately pending question. May be used to end debate and call for votes on all pending questions.
Postpone to a Certain Day or Time	Yes	Yes	Merits of the main question must not be referred to any more than is necessary to enable the Senate to determine the propriety of postponement.
Refer (or Rerefer)	Yes	Yes	Debatable only as to the propriety of a referral. Amendments limited to the committee to which the matter will be referred and any instructions thereto.

Amend	Yes	Yes	Opens the main question for debate, since it involves the final disposition of the question. No part of a bill or resolution postponed indefinitely shall be acted on in any way (bill, amendment, resolution, conference report, etc.) for the rest of the biennium.
Postpone	Yes	No	
Indefinitely			

Main Motions (can only have one main motion before the Senate at a time)

Motion	Debatable	Amendable	Notes
Committee Reports	Yes	Yes	See Rule 4-2
Bills Amended by the House	Yes	No	See Rule 3-22
Take From Table	No	No	
Special Order	No	No	Moves consideration of a future scheduled item to another time by a simple majority vote.
Reconsider	Yes	No	Debatable to the extent the question being reconsidered is debatable. If so, it opens up the original question for debate.
Withdraw From Committee	Yes	No	Brings an item back from committee and puts it before the entire Senate.

2-16 Personal privilege - A Senator may, as a matter of personal privilege, defend his/her position on a bill or resolution, his/her integrity, his/her record, or his/her conduct, against unfair or unwarranted criticism, or may speak of an issue which relates to his/her rights, privileges or conveniences as a Senator; provided, however, the matters raised under personal privilege shall not be subject to questioning, answer, or debate, by another Senator. Personal Privilege remarks may be included in the Daily Journal if requested by the Senator, and in the Permanent Journal by vote of the Senate.

2-17 Other Remarks (Unanimous Consent) - A Senator may, when granted leave by the Senate, speak on other matters of his/her choosing and in such cases may be subject to questioning and/or answer according to the Rules of the Senate. These remarks may be included in the Daily Journal if requested by the Senator, and in the Permanent Journal by vote of the Senate.

VOTING

2-20 General Rules on Voting - All questions shall be put by the President, and no member who was absent when the question was put shall be required to vote.

2-21 Abstaining from a Vote - No member who was present when the question was put shall abstain from voting unless by reason of a conflict pursuant to Rule 6-25 or unless excused by the Senate for a special reason.

2-22 Voice Vote - When the question has been put, each member present shall signify assent or dissent by voting yea or nay.

2-23 Division Vote - If the President doubts or a division is called for, the Senate shall divide. Those in the affirmative on the question shall first rise from their seats and stand until they be counted. They shall then be seated and those in the negative on the question shall rise from their seats and stand until they be counted. The President shall rise and state the decision of the Senate.

2-24 Recorded Voice or Division Vote - Any member may, following a voice or division vote, have his or her vote recorded in the Journal by providing a signed notice of said vote to the Clerk, on a form prescribed by the Clerk, within two business days of the taking of said vote.

2-25 Roll Call Vote - When the yeas and nays have been moved by a member and duly seconded by another member, each member present shall declare assent or dissent to the question. The names of the persons so making the motion and the second shall be recorded in the Journal. The President shall determine the order of the roll call.

MISCELLANEOUS

2-30 Visitors to the Senate - No person except members of the Senate and its officers, the Governor, Council members, the Secretary of State, the Treasurer, the Speaker of the House of Representatives and its officers and clerks, shall be admitted to the floor of the Senate while the Senate is in session, except by the invitation of the President, or some member with the President's consent.

2-31 Hours of meeting - The Senate shall adjourn to meet on the subsequent legislative day for the early session at the time mentioned in the adjournment motion. The late session shall immediately follow the early session unless the Senate shall otherwise order.

2-32 Introduction of Petitions - Before any petition shall be received and read, a brief statement of the contents thereof shall be made by the member introducing the same.

PART THREE

BILLS AND RESOLUTIONS

DRAFTING

3-1 Office of Legislative Services to Prepare Items - All petitions, memorials and other papers addressed to the Senate and all bills and resolutions to be introduced in the Senate except those procedural and rules resolutions prepared by the Clerk, shall be delivered or caused to be delivered to the Office of Legislative Services, who shall prepare the items in proper form and present them to the sponsor(s) for signature and then to the Clerk.

3-2 Marking and Numbering Bills and Resolutions - Every bill and resolution, except those procedural and rules resolutions prepared by the Clerk, shall be numbered serially according to the type of bill or resolution. Each bill shall be marked on the first page "Senate Bill"; each joint resolution shall be marked "Senate Joint Resolution"; each concurrent resolution proposing a constitutional amendment shall be marked "Concurrent Resolution Proposing a Constitutional Amendment"; each concurrent resolution shall be marked "Senate Concurrent Resolution"; and each senate resolution shall be marked "Senate Resolution".

3-3 Confidential Filing Requests - If requested by the sponsor, a proposed bill, resolution or petition shall not be made public, except by the sponsor, until introduced into the Senate.

3-4 Draft Provided to Legislative Budget Assistant - If a drafting request for a bill or resolution has been filed with the Office of Legislative Services requiring a fiscal note as provided in RSA 14:44-47, the substance or a draft of the proposal may be provided to the Legislative Budget Assistant for preparation of the required fiscal note without the specific consent of the sponsor of the proposal, provided that the identity of the sponsor shall not be disclosed.

3-5 Drafting Requests After Deadline - Notwithstanding the drafting deadline established in Rule 7-1, a Senate bill, Senate joint resolution, or Senate concurrent resolution may be accepted by the Office of Legislative Services for drafting and introduced into the Senate at any time prior to the crossover deadline established by Senate rules if the drafting request is approved by a majority of the Rules and Enrolled Bills Committee.

POST-DRAFTING PROCESS

3-10 Reading of Bills and Resolutions - Every bill or resolution, except senate resolutions and those procedural and rules resolutions prepared by the Clerk, shall have three readings in the Senate previous to its passage. The first and second readings shall be by title only which may be accomplished by a conglomerate resolution, after which the bill or resolution shall be referred by the President to the appropriate committee and shall be printed as provided in Rule 3-11, unless otherwise ordered by the Senate. No bill or resolution after it has been read a second time shall have a third reading until after adjournment from the early session. The time assigned for the third reading of bills and resolutions shall be in the late session unless otherwise ordered by the Senate. The orders of the day for the reading of bills or resolutions shall hold for every succeeding day until disposed of.

3-11 Printing and Distribution - After every bill or resolution shall have been read a second time, and referred by the President to the appropriate committee, the Clerk shall procure a sufficient number of copies, printed on paper of uniform size, for the use of the legislature, and cause the same to be distributed to the members, and when printed the bill or resolution shall be immediately delivered to the committee to which it shall have been referred. Bills and resolutions received from the House shall be printed at the same stage of their procedure unless they have been printed in the House and copies distributed in the Senate, in which case any amendment made by the House shall be duplicated and distributed in the Senate.

3-12 Administrative Tasks During Adjournment - During any recess or adjournment the President may receive bills and resolutions for printing and for reference to committee, provided that no bill or resolution shall have a public hearing until it is formally introduced into the Senate, printed and available for distribution.

AMENDMENTS

3-15 Amendments Only on Second Reading - No amendment shall be made but upon the second reading of a bill or resolution; and all such amendments shall be in writing, with the name of the Senator and the district he or she represents, or in the case of a committee amendment the name of the committee that recommended it, thereon.

3-16 Review of Amendments by Office of Legislative Services - Amendments shall have been reviewed by the Office of Legislative Services for form, construction, statutory and chapter reference.

3-17 Non-Germane Amendments Prohibited - No amendment to any bill or resolution shall be allowed except it be germane. For the purposes of this rule, an amendment to a bill or resolution is germane if the subject matter of the amendment is the same as that of some portion of the bill or resolution. The prohibition on non-germane amendments shall not apply in the case of a bill or resolution previously found ought-to-pass by the Senate being added to a subsequent bill or resolution.

GENERAL RULES ON BILLS

3-20 Resolutions Treated as Bills - All resolutions which may require the signature of the Governor shall be treated in the same manner as bills.

3-21 Prohibition in Second-Year Session - No bill or resolution the subject matter of which has been indefinitely postponed or made inexpedient to legislate in the Senate in the first-year session shall be admitted into the second-year session whether as a bill, an amendment, a committee of conference report or in any other manner.

3-22 Bills Amended by the House - Any bill or resolution returned from the House with an amendment shall not be referred to committee but shall have one of the following recommendations considered by the full Senate: Concur, Nonconcur, Nonconcur and Request a Committee of Conference. Adoption of a motion to Nonconcur kills the bill or resolution.

3-23 First-Year Bills or Resolutions Laid on the Table - All bills or resolutions remaining on the table upon adjournment of the first-year session shall be made Inexpedient to Legislate at that time.

3-24 Reports on Budget Bills - Senate action on a report of the Committee on Finance on either the general appropriations (budget) bill or the capital budget bill shall not be taken by the Senate until said report has been available from the Senate Clerk twenty-four hours in advance, in written form. Footnotes to such bills (except footnotes in explanation of the principal text of such bills or designating the use or restriction of any funds or portions thereof) shall not be allowed.

3-25 Chapter Study Committees - Any bill or resolution creating a chapter study committee shall have membership limited to members of the General Court.

3-26 Types of Resolutions Allowed - The only resolutions that may be introduced into the Senate are: resolutions seeking an advisory opinion of the supreme court under the New Hampshire Constitution; joint resolutions sponsored by the Joint Legislative Committee on Administrative Rules; resolutions ratifying amendments to the U.S. Constitution; resolutions proposing amendment of the New Hampshire Constitution; procedural and rules resolutions prepared by the Clerk; concurrent resolutions for the purpose of joint rules; joint resolutions for the purpose of continuing resolutions; and concurrent resolutions to declare the office of Governor vacant by Pt. II, Art. 49-a. All other resolutions shall require a vote of two-thirds of members present and voting to be introduced for consideration by the body pursuant to Senate Rule 6-6. The vote on the question of whether to introduce the resolution for consideration by the body is non-debatable.

PART FOUR

COMMITTEES AND THEIR DUTIES

4-1 Public Hearings - A hearing shall be held upon each bill or resolution referred to a committee, and notice of such hearing shall be advertised at least 4 days before such hearing in the Senate Calendar. The Senate Calendar shall be available on the Internet for viewing as soon as it has been released for printing.

4-2 Committee Reports - All bills and resolutions in the possession of committees shall be reported out with one of the following recommendations: ought to pass, ought to pass with amendment, rerefer to committee, inexpedient to legislate, or refer for interim study. Rerefer to committee shall be a committee report only in the first year session and all such rereferred bills or resolutions shall be acted on by the fourth legislative day of the second year session. Refer for interim study shall be a committee report only in the second year session.

4-3 Tie Vote in Committee - In the event a committee is unable to reach a majority vote in favor of any recommendation, the bill or resolution shall be reported out of committee with a recommendation of inexpedient to legislate.

4-4 Amendments by Committee - When a bill or resolution is reported favorably with an amendment, the report of the committee shall state the amendment, and then recite the section of the bill or resolution in full as amended. The amendment shall be printed in the senate calendar on the date that the report is listed for action. If no action is taken on that day, then the amendment shall be printed on the day to which the bill or resolution has been referred. All bills and resolutions reported shall be retained by the Clerk and shall not be finally acted upon until the following legislative day, and a list of such bills and resolutions with the report of the committee thereon shall be published in the senate calendar for the day on which action shall be taken.

4-5 Referral to Finance Committee - Every bill and joint resolution appropriating money, and every other bill which is accompanied by a fiscal note pursuant to RSA 14:44, which has been referred to another committee and found ought-to-pass by the Senate, shall be referred to the Finance Committee for review, unless otherwise ordered by the Senate upon recommendation of the chair of the Finance Committee. Notwithstanding Senate Rule 4-1, a public hearing for any such bill or resolution shall not be required if a public hearing for the bill or resolution was previously held by another committee.

4-6 Committee Appointments - On all committees of the Senate, including Senate conference committees, both parties shall be represented. The President shall appoint the members of all committees after consultation with the minority leader.

4-7 Standing Committees - The standing committees of the Senate shall be as follows: the Committee on Capital Budget, the Committee on Commerce, the Committee on Education, the Committee on Election Law and Internal Affairs, the Committee on Energy and Natural Resources, the Committee on Executive Departments and Administration, the Committee on Finance, the Committee on Health and Human Services, the Committee on Judiciary, the Committee on Public and Municipal Affairs, the Committee on Rules and Enrolled Bills, the Committee on Transportation, and the Committee on Ways and Means.

4-8 Committee Reports and Meetings - The committees shall promptly consider and report on all matters referred to them. The President may authorize such committees having a heavy load of investigation, re-drafting, research or amendments to meet as needed on non legislative days during the legislative session.

PART FIVE

COMMITTEES OF CONFERENCE

GENERAL RULES ON COMMITTEES OF CONFERENCE

5-1 Formation of Committees of Conference - Whenever there is any disagreement between the Senate and the House on the content of any bill or resolution, and whenever both bodies, voting separately, have agreed to establish a committee of conference, the President of the Senate shall appoint three members to the Senate committee of conference on the bill or resolution and the Speaker of the House shall appoint four members to the House committee of conference.

5-2 Exceptions to Number of Members - Notwithstanding Rule 5-1, the House committee of conference on the operating budget shall consist of five members and the number of members of any committee of conference may increase or decrease if the President and the Speaker both agree.

5-3 Replacement of Members - Notwithstanding Rule 4-6, the President may replace any member of a Senate committee of conference who asks to be replaced or who is unwilling or unable to support a proposed conference committee report.

5-4 Operation of Committees of Conference - The two committees of conference on a bill or resolution shall meet jointly but vote separately while in conference. A unanimous vote by both committees of conference shall be necessary for an agreed report to the Senate and the House by the committees of conference.

5-5 Chairperson of Committees of Conference - The first-named person on a Senate committee of conference shall chair the committee. The chair of the committee of conference of the body where the bill or resolution originated shall chair the joint meeting of the committees of conference and shall have the authority to call the time and place for their first meeting.

5-6 Bill Sponsor Granted a Hearing - The prime sponsor of any bill or resolution referred to committees of conference shall, upon his or her request, be granted a hearing before said committees prior to action thereon.

PROHIBITIONS

5-10 Title Change Prohibited - A committee of conference shall not change the title of the bill or resolution submitted to it.

5-11 Non-Germane Amendments Prohibited - A committee of conference shall not add to the bill or resolution submitted to it any amendment that is non-germane to either the House- or Senate-passed version of the bill or resolution. For the purposes of this rule, the criteria for determining germaneness, as described in Rule 3-17 shall apply.

5-12 Indefinitely Postponed Items Prohibited - A committee of conference shall not add to the bill or resolution submitted to it any measure that was indefinitely postponed in either body.

ACTIONS

5-15 Action on Committee of Conference Reports - No action shall be taken by the Senate on any committee of conference report earlier than some subsequent day to the filing of the report, and after the report has been placed on a member's desk.

5-16 Committees of Conference on Budget Bills - The report of the committee of conference on either the general appropriation bill or the capital improvements bill shall be printed in the journal or a supplement thereto, and shall be available for at least 24 hours in written form, before action on said report is taken on the floor. Footnotes to such bills (except footnotes in explanation of the principal text of such bills or designating the use or restriction of any funds or portions thereof) shall not be allowed.

PART SIX

OTHER RULES

SENATE STAFF

6-1 Composition and Duties - The staff of the Senate shall be comprised of:

- (1) A Clerk, who shall be elected by the Senate;
- (2) Clerk's office staff, who shall be nominated by the Clerk and appointed by the President; and
- (3) Such other personnel as the President shall appoint.

The President shall define the duties of all members of the Senate staff which are not fixed by statute or otherwise ordered by the Senate.

6-2 Days of Employment - Each member of the staff of the Senate shall be available on call to carry out the work of the Senate.

6-3 Requisition Approval Required - No officer or employee of the Senate during the session or any adjournment thereof shall purchase or contract for the purchase, pay, or promise to pay any sum of money on behalf of the Senate or issue any requisition or manifest without the approval of the Senate President.

SENATE RULES

6-5 Amending Rules - Any rule of the Senate may be amended by majority vote during the first four legislative days of the first-year session, after which a two-thirds majority shall be required.

6-6 Suspending Rules - No standing rule of the Senate shall be suspended unless two-thirds of the members present and voting vote in favor thereof.

6-7 Rescinding Rules - No rule shall be rescinded unless two days notice of the motion has been given and two-thirds of those present and voting vote therefore.

MESSAGES

6-10 Messages Sent to House - Messages shall be sent to the House of Representatives by the Clerk of the Senate.

6-11 Messages, When Received - Messages from the Governor or House of Representatives may be received at all times, except when the Senate is engaged in putting the question, in calling the yeas and nays, or in counting the ballots.

CONSENT CALENDAR

6-20 Consent Calendar - The Senate Calendar may have a Consent Calendar section containing reports on bills and resolutions believed to be non-controversial.

6-21 Conditions for Inclusion - No bill or resolution shall appear on the Consent Calendar unless all of the following conditions are met:

(a) All members of the committee to which the bill or resolution was referred vote in favor of the final committee recommendation in executive session.

(b) All members of the committee to which the bill or resolution was referred vote in favor of placing it on the Consent Calendar.

(c) A short explanation of the committee's recommendation, approved by the chairperson of the committee appears with the bill or resolution in the Consent Calendar.

6-22 Prohibitions - The following items shall not appear on the Consent Calendar:

- (a) Bills or resolutions recommended for passage by the Committee on Finance
- (b) Constitutional amendment concurrent resolutions
- (c) Committee of conference reports

6-23 Removal - Any member may request removal of any bill or resolution listed on the Consent Calendar. Any item removed from the Consent Calendar shall be taken up at the conclusion of the Regular Calendar. All items remaining on the Consent Calendar shall be acted upon without debate.

MISCELLANEOUS

6-25 Conflict of Interest - In all instances every member shall act in conformance with the duly adopted Ethical Guidelines and Opinions of the New Hampshire General Court.

6-26 Requests to the Legislative Budget Assistant - Any Senate member may make a request of the Office of the Legislative Budget Assistant Budget Division, for technical staff assistance in the areas of finance, accounting and budgeting. The Budget Division may respond to that request when doing so will not interfere with the Budget Division's principal responsibilities as outlined in RSA 14:31-b, as determined by the Legislative Budget Assistant.

6-27 Committee of the Whole - The Senate may resolve itself into a Committee of the Whole at any time on motion made for that purpose; and in forming a Committee of the Whole; the President shall leave the chair, and appoint a chairperson to preside in committee.

PART SEVEN

DEADLINES

7-1 Deadlines

(a) Tuesday, December 13, 2016 – Deadline for the Office of Legislative Services to accept drafting of a Senate Bill, Senate Concurrent Resolution, or Senate Joint Resolution with complete information for the 2017 Session.

(b) Friday, January 06, 2017 – Deadline for prime sponsors to sign off on legislation.

(c) Friday, January 13, 2017 – Deadline for co-sponsors to sign off on legislation.

(d) Monday, February 27, 2017 – Friday, March 03, 2017: SENATE BREAK.

(e) Thursday, March 09, 2017 – Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.

(f) Thursday, March 30, 2017 – CROSSOVER – Deadline to ACT on all Senate bills.

(g) Thursday, May 11, 2017 – Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.

(h) Thursday, June 01, 2017 – Deadline to ACT on all House bills.

(i) Thursday, June 08, 2017 – Deadline to FORM Committees of Conference.

(j) Thursday, June 15, 2017 – Deadline to SIGN Committee of Conference Reports.

(k) Thursday, June 22, 2017 – Deadline to ACT on Committee of Conference Reports.