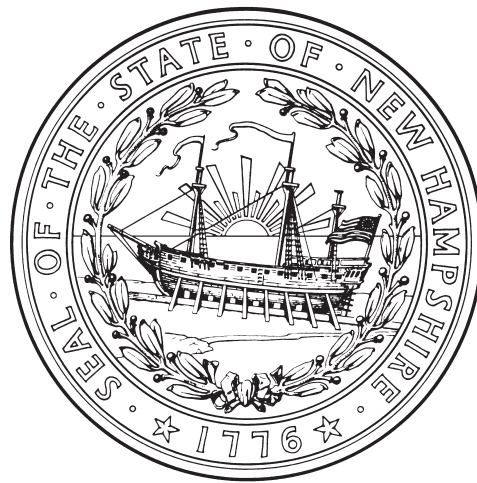


**March 9, 2017
Nos. 7-8**

STATE OF NEW HAMPSHIRE

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



**First Year of the 165th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – FEBRUARY 23, 2017 SESSION
COMMENCEMENT – MARCH 9, 2017 SESSION**

SENATE JOURNAL 7 *(continued)*

February 23, 2017

Out of Recess. Call the 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 9, 2017

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

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

Let us pray.

Dear God, we give thanks for our government, for the democracy that is alive in our country and our state. We give thanks that you have created everyone equal, and for endowing us with unalienable rights, among them life, liberty and the pursuit of happiness. We give you thanks for governments that are instituted by and for the people so that we might live under the blessings of liberty. We pray for all the men and women having heard the call to serve in the senate of the state of New Hampshire; cause them to be men and women of integrity; help them to establish justice, ensure domestic tranquility, promote the general welfare, and secure the blessings of liberty. Let wisdom enter their hearts, and let knowledge be pleasant to them. Let discretion preserve them, and understanding keep them. Help them to serve with the wisdom to know how best to respond, courage to do the right thing, and compassion to make laws for the good of all. Under their leadership may the people flourish, may there be lasting peace and plenty for all. Give us faith that we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood and sisterhood; with this faith we will be able to work together, to pray together, to struggle together, to stand up for freedom together. Let everyone who enjoys the freedom of this country, in this state, pitch in and do their part to make our country and state a better place to live. Amen.

Senator Kahn led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

Senator Reagan introduced students from Pembroke Hill School visiting in the gallery.

Senator Feltes introduced Sarah Gudas, a Concord resident attending Holderness School in Plymouth.

INTRODUCTION OF PAGES

Senator Birdsell introduced Megan Qualters and Cole Fournier of Pinkerton Academy in Derry, serving as Senate Pages for the day.

SPECIAL ORDER

Without objection the following bill is special ordered to the next session.

FINANCE

SB 216-FN, relative to differential pay for state troopers and relative to crowd control by marine patrol officers.

FN REPORT FOR MARCH 9, 2017

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

REGULAR CALENDAR:

COMMERCE

SB 245-FN-A, relative to the financial sustainability of the unemployment compensation fund.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 137-FN, relative to licensure by endorsement granted by the board of nursing.

PUBLIC AND MUNICIPAL AFFAIRS

SB 202-FN, allowing community investment in a development finance institution.

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

REGULAR CALENDAR:

CAPITAL BUDGET

SB 94-FN-A, making a capital appropriation for affordable housing.

COMMERCE

SB 41-FN-A, establishing a fund to forgive certain educational debt and making an appropriation therefor.
SB 189-FN, requiring insurance policies to cover 3-D mammography. (If Re-Refer to Committee recommendation is overturned.)

ELECTION LAW AND INTERNAL AFFAIRS

SB 194-FN, authorizing online voter registration. (If Inexpedient to Legislate recommendation is overturned.)

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 214-FN, relative to privatization of state services. (If Re-Refer to Committee recommendation is overturned.)
SB 215-FN, permitting the community college system to participate in the state health care plan.

HEALTH AND HUMAN SERVICES

SB 235-FN, relative to Medicaid reimbursement to schools for students with medical needs and establishing a home and community based behavioral health services program for children.
SB 237-FN, relative to telemedicine services.

WAYS AND MEANS

SB 74-FN, relative to economic revitalization zone tax credits.
SB 75-FN, establishing a tax credit against business profits taxes for donations to career and technical education centers. (If Re-Refer to Committee recommendation is overturned.)
SB 76-FN-A, establishing an option to rebate the research and development tax credit against business profits taxes, and making an appropriation therefor. (If Re-Refer to Committee recommendation is overturned.)
SB 77-FN-A, relative to expense deductions under the business profits tax.
SB 183-FN, establishing the New Hampshire technology sector marketing tax credit. (If Re-Refer to Committee recommendation is overturned.)
SB 188-FN, establishing a nonpartisan revenue estimator position in the department of administrative services. (If Inexpedient to Legislate recommendation is overturned.)

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 39, relative to automobile insurance cancellation.
Inexpedient to Legislate, Vote 5-0. Senator Sanborn for the committee.

New Hampshire is unique in that it doesn't require citizens of this state to carry car insurance. In 2002, a law was put into place requiring a NH resident to sign a residency form. Our rates were very low and many were crossing the state line to purchase insurance here. This bill would have deleted the requirement to sign a residency form, proponents of the bill feel that the forms can get misplaced causing unintended

consequences. Unfortunately, this bill may lead to bigger unintended consequences than just misplacing a form. The law should be kept the way it is currently written in order to protect the citizens of this state. This is the reason the Commerce committee voted inexpedient to legislate

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

REGULAR CALENDAR

CAPITAL BUDGET

SB 94-FN-A, making a capital appropriation for affordable housing.
Ought to Pass with Amendment, Vote 4-0. Senator D'Allesandro for the committee.

Capital Budget
February 23, 2017
2017-0594s
05/01

Amendment to SB 94-FN-A

Amend the bill by replacing section 1 with the following:

1 Capital Appropriation; Housing Finance Authority; Affordable Housing Fund. The sum of \$5,000,000 for the biennium ending June 30, 2019, is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established in RSA 204-C:57, for the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be in addition to any other funds appropriated to the housing finance authority.

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

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

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

The following Senators voted Yes: Woodburn, Bradley, Watters, Hennessey, Gray, Ward, Kahn, Daniels, Avard, Lasky, Carson, Feltes, McGilvray, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis.

The following Senators voted No: Giuda, French, Sanborn, Reagan, Morse.

Roll Call, Yeas: 19 - Nays: 5. Adopted.

Senator Bradley moved to Lay on the Table SB 94-FN-A. Adopted.

COMMERCE

SB 22, relative to employer immunity for disclosure of certain worker employment information.
Inexpedient to Legislate, Vote 3-2. Senator French for the committee.

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

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

The following Senators voted Yes: Woodburn, Giuda, Watters, Hennessey, Gray, French, Kahn, Avard, Lasky, Carson, Feltes, McGilvray, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: Bradley, Ward, Sanborn, Daniels.

Roll Call, Yeas: 20 - Nays: 4. Adopted.

SB 41-FN-A, establishing a fund to forgive certain educational debt and making an appropriation therefor.
Ought to Pass with Amendment, Vote 3-2. Senator Innis for the committee.

Commerce
February 22, 2017
2017-0555s
04/05

Amendment to SB 41-FN-A

Amend the bill by replacing sections 1-2 with the following:

1 New Section; Skilled Technology Worker Recruiting Fund. Amend RSA 6 by inserting after section 38 the following new section:

6:38-a Skilled Technology Worker Recruiting Fund.

I. There is hereby established in the office of the treasurer the skilled technology worker recruiting fund which shall be kept distinct and separate from all other funds. Annual state appropriations and other funds from state or federal sources, and any gifts, grants, or donations, shall be credited to the fund which shall be administered by the New Hampshire Higher Education Assistance Foundation to provide educational debt relief of up to \$5,000 for each skilled technology worker who is employed in the technology sector in the state. The New Hampshire Higher Education Assistance Foundation shall establish the application, award, and disbursement procedures necessary to comply with this section.

II. The state treasurer shall invest the fund in accordance with RSA 6:8. Any earnings on fund moneys shall be added to the fund.

III. All moneys in the fund shall be nonlapsing and shall be continually appropriated to the fund for the purpose of providing skilled technology worker educational debt relief as provided in this section.

2 Appropriation. The sum of \$2,000,000 for the fiscal year ending June 30, 2018, and the sum of \$2,000,000 for the fiscal year ending June 30, 2019, are hereby appropriated to the skilled technology worker recruiting fund established in RSA 6:38-a. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2017-0555s

AMENDED ANALYSIS

This bill establishes a skilled technology worker recruiting fund in the office of the state treasurer to provide educational debt relief to skilled technology workers who are employed in the technology sector in the state and makes an appropriation for the biennium ending June 30, 2019.

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

Senator Innis offered a floor amendment.

Sen. Innis, Dist 24
Sen. Bradley, Dist 3
March 8, 2017
2017-0808s
04/10

Floor Amendment to SB 41-FN-A

Amend RSA 6:38-a, I as inserted by section 1 of the bill by replacing it with the following:

I. There is hereby established in the office of the treasurer the skilled technology worker recruiting fund which shall be kept distinct and separate from all other funds. Annual state appropriations and other funds from state or federal sources, and any gifts, grants, or donations, shall be credited to the fund. The fund shall be administered by the New Hampshire Higher Education Assistance Foundation for the purpose of providing a matching grant for education debt relief of up to \$2,500 for each skilled technology worker who is employed in the technology sector in the state for at least 3 years and who receives an employer-provided grant for the purpose of education debt relief. Any person who does not work for at least 3 years in the technology sector shall reimburse all employer-provided and state matching grants received under this section. The New Hampshire Higher Education Assistance Foundation shall establish the application, award, disbursement, and reimbursement procedures necessary to comply with this section.

2017-0808s

AMENDED ANALYSIS

This bill establishes a skilled technology worker recruiting fund in the office of the state treasurer to provide matching grants for education debt relief to skilled technology workers who are employed for at least 3 years in the technology sector in the state, and makes an appropriation for the biennium ending June 30, 2019.

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

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

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

The following Senators voted Yes: Woodburn, Bradley, Watters, Hennessey, Gray, Ward, Kahn, Lasky, Carson, Feltes, McGilvray, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis.

The following Senators voted No: Giuda, French, Sanborn, Daniels, Avard, Reagan, Morse.

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

SB 189-FN, requiring insurance policies to cover 3-D mammography.

Re-refer to Committee, Vote 4-1. Senator Sanborn for the committee.

The question is on the adoption of the motion to Re-refer to Committee. Adopted.

SB 245-FN-A, relative to the financial sustainability of the unemployment compensation fund.

Ought to Pass with Amendment, Vote 5-0. Senator Innis for the committee.

Commerce

February 22, 2017

2017-0556s

08/04

Amendment to SB 245-FN-A

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

AN ACT establishing a committee to study unemployment tax discounts.

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

1 Committee Established. There is established a committee to study unemployment tax discounts.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study unemployment tax discounts based on higher balances in the unemployment trust fund and the possibility of implementing a flat unemployment tax rate. The committee shall also solicit input from the department of employment security and the unemployment compensation advisory council.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

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

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

2017-0556s

AMENDED ANALYSIS

This bill establishes a committee to study unemployment tax discounts.

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

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

ELECTION LAW AND INTERNAL AFFAIRS

SB 108, relative to absentee ballot applications.

Ought to Pass, Vote 4-1. Senator Soucy for the committee.

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

SB 112, establishing a council on the creative economy.

Inexpedient to Legislate, Vote 3-2. Senator Sanborn for the committee.

Senator Bradley moved to Lay on the Table SB 112. Adopted.

Recess. Out of recess.

SB 113, relative to an electronic poll book trial program.

Ought to Pass with Amendment, Vote 5-0. Senator Soucy for the committee.

Election Law and Internal Affairs

February 21, 2017

2017-0538s

03/01

Amendment to SB 113

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Electronic Poll Books. Amend RSA 652 by inserting after section 26 the following new subdivision:

Electronic Poll Books

652:27 Electronic Poll Books.

I. Cities and towns are hereby authorized to conduct a trial of electronic poll book devices for voter registration and check-in for elections. The trial shall be compliant with all statutes directly or indirectly related to voter checklists and maintenance of the statewide centralized voter registration database including the processes related to voter registration and check-in, the processing of absentee ballots, the collection of all fields of data required for registration or check-in, and the delivery of that data to the secretary of state in a format compatible with the statewide centralized voter registration database. The provisions of RSA 654:34, RSA 659:55, RSA 659:13, and RSA 659:102, as they relate to manual entries on a paper checklist, are hereby waived in order to accommodate an electronic poll book, provided the same information required of the voter is obtained and recorded by the electronic poll book. In addition, as required in statute, nonpublic data related to individual voters shall remain confidential, and no voter data shall be used by an electronic poll book vendor or its agents for any purpose other than conducting a program under this section. Adequate back-up systems shall be in place as determined by the local election officials for local elections and the secretary of state for all other elections.

II. The cities and towns shall assume all costs associated with electronic poll books. No electronic poll book program may proceed unless the electronic poll books system and application has been certified by an existing qualified certification organization using certification requirements established by the secretary of state. The secretary of state shall designate at least one certification organization within 2 weeks of the effective date of this section. The secretary of state, within 2 weeks of the effective date of this section, shall prepare requirements for a memorandum of understanding that outlines specific conditions that must be met for compliance with this section. No electronic poll book program may proceed unless the memorandum of understanding is signed by the secretary of state and the mayor or governing body of the town no later than one month prior to the election.

III. Within one month after the initial use of electronic poll books in accordance with this section, the city or town shall submit a report to the secretary of state, who shall review such reports and forward them to the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate standing committees with jurisdiction over election law. Each report shall describe the outcome of the program, addressing voter experiences, wait times, voter throughput times, personnel costs, hardware and software costs, and the completeness and accuracy of the data recorded, reported, and submitted for import to the statewide centralized voter registration database.

IV. The secretary of state shall, if necessary, update the requirements for a memorandum of understanding after consultation with the chairpersons of the house and senate standing committees with jurisdiction over election law.

Amend the bill by replacing section 3 with the following:

3 Effective Date.

I. Section 2 of this act shall take effect January 1, 2027.

II. The remainder of this act shall take effect 30 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 with Amendment. Adopted, bill ordered to Third Reading.

SB 114, prohibiting a candidate from receiving the nomination of more than one party.
Ought to Pass, Vote 4-0. Senator Sanborn for the committee.

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

Senator Morse is in opposition to the motion of Ought to Pass on SB 114.

SB 194-FN, authorizing online voter registration.
Inexpedient to Legislate, Vote 3-2. Senator Birdsell for the committee.

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

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, McGilvray, Soucy, D'Allesandro, Fuller Clark.

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

INTRODUCTION OF GUESTS

Senator Reagan introduced students from the Pembroke Hill School visiting in the gallery.

ENERGY AND NATURAL RESOURCES

SB 30, defining woodland buffers and relative to such woodland buffers for the purposes of the shoreland protection act.

Ought to Pass with Amendment, Vote 4-0. Senator Bradley for the committee.

Energy and Natural Resources

January 11, 2017

2017-0019s

08/10

Amendment to SB 30

Amend RSA 483-B:5-b, III as inserted by section 3 of the bill by replacing it with the following:

III. ***Applications for the*** construction of public roads, public utility lines and associated structures, ~~[and] facilities, [and] public water access facilities,~~ ***and projects solely funded by municipal, county, state, or federal entities*** shall be exempt from the permitting fees of paragraph I~~[-and the abutter notification requirements of paragraph IV-a].~~

Amend RSA 483-B:9, V(a)(2)(D)(iv) as inserted by section 7 of the bill by replacing it with the following:

(iv) If the total tree and sapling score in any ~~[50]~~ **25** foot by 50 foot segment exceeds ~~[50]~~ **25** points, then trees, saplings, and shrubs over 3 feet in height may be removed as long as the sum of the scores for the remaining trees and saplings in that segment does not total less than ~~[50]~~ **25** points. If for any reason there is insufficient area for a full segment, or the segment contains areas ***naturally*** incapable of supporting trees and saplings, such as areas of rock, ledge, or beaches, the point score requirement for the remaining vegetation in that partial segment shall be reduced proportionally to that required of a full segment. Vegetation shall not be removed from any segment which fails to meet the minimum point score for that segment. Owners are encouraged to take efforts to plan the maintenance of their waterfront buffer areas including the planting of additional non-invasive vegetation to increase point scores within segments, thus providing sufficient points to allow the future removal of vegetation as may become necessary while still meeting the requirements of this paragraph.

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

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

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

The following Senators voted Yes: Woodburn, Bradley, Watters, Hennessey, Gray, Ward, Kahn, Avard, Lasky, Carson, Feltes, McGilvray, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis.

The following Senators voted No: Giuda, French, Sanborn, Daniels, Reagan, Morse.

Roll Call, Yeas: 18 - Nays: 6. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

INTRODUCTION OF GUESTS

Senator Gray introduced former Senator Sam Cataldo visiting in the gallery.

Senator Bradley introduced Josh Arnold of Leadership New Hampshire visiting in the gallery.

SB 48, establishing a commission to study changes to the fish and game commission and department. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Energy and Natural Resources

February 2, 2017

2017-0275s

10/05

Amendment to SB 48

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

AN ACT establishing a commission to study the efficiency and effectiveness of the fish and game department's operations, governance, and management structure.

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

1 Declaration of Purpose. The duties of the fish and game department include management of the state's fish, wildlife, and habitat; off-highway recreational vehicle training and enforcement; conducting search and rescue operations; and administering the statewide public boat access program. Over the past several years, the department has seen declining revenue from license fees and an increase in operating expenses, including information technology, retiree health insurance, employee benefits, and utility costs. While the number of the department's hunting, fishing, and trapping constituents has been declining, non-consumptive users who benefit from the department's efforts to conserve and protect wildlife species and habitats have been on the rise. It was noted in the January 2008 audit of the department that this broader user base has not been well integrated into the governance, policy making, and financial support of the department. It is in the best interests of both wildlife and the people of New Hampshire that the financial operations, management, and governance of the department are structured in a way that is representative, efficient, effective, and financially secure.

2 New Section; Fish and Game; Study Commission Established. Amend RSA 206 by inserting after section 1-c the following new section:

206:1-d Commission Established.

I. There is established a commission to study the efficiency and effectiveness of the fish and game department's operations, governance, and management structure.

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

(a) One member of the senate appointed by the president of the senate.

(b) Three members of the house of representatives, at least one of whom shall be from the fish and game and marine resources committee, and one of whom shall be from the finance committee, appointed by the speaker of the house of representatives.

(c) The executive director of the fish and game department.

(d) One member of the fish and game commission, appointed by the chairperson of the fish and game commission.

(e) One person representing hunting, fishing, or trapping, appointed by the speaker of the house of representatives.

- (f) One person representing non-hunting wildlife interests, appointed by the president of the senate.
- (g) One person representing land conservation organizations, appointed by the governor.
- (h) One member representing the New Hampshire Guides' Association, appointed by the association.
- (i) One member representing recreational interests, appointed by the president of the senate.
- (j) One member representing the general public, appointed by the governor.

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

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

V. The commission shall make recommendations to improve the management, governance, and long-term financial health of the fish and game department, including but not limited to the fish and game commission membership and authority, the department's name, new revenue sources, and other organizational and structural improvements that will better enable the department to carry out its statutory responsibilities. In developing recommendations, the commission shall:

- (a) Review the findings of the 2008 legislative budget assistant's performance audit of the fish and game department.
- (b) Solicit input from the fish and game department, the fish and game commission, and the public.
- (c) Review governance structures and long-term funding mechanisms of other states' wildlife agencies.
- (d) Review additional reports and studies it deems appropriate to its purpose.

VI. Appropriate legislative research entities shall provide assistance and support to the commission as necessary and as requested by the chairperson.

VII. The commission may form subcommittees or appoint technical committees composed of commission members and nonmembers to advance the goals of this section.

VIII. The commission may accept financial support or other resources and expend such sums in the development of its work and reports.

IX. The commission shall report its findings and 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, the chairperson of the house fish and game and marine resources committee, the chairperson of the senate energy and natural resources committee, and the state library on or before January 1, 2018.

3 Repeal. RSA 206:1-d, relative to the commission to study changes to the fish and game commission and department, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect January 1, 2018.

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

2017-0275s

AMENDED ANALYSIS

This bill establishes a commission to study the efficiency and effectiveness of the fish and game department's operations, governance, and management structure.

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

Senator Bradley offered a floor amendment.

Sen. Bradley, Dist 3

March 9, 2017

2017-0817s

10/04

Floor Amendment to SB 48

Amend RSA 206:1-d, II(f)-(j) as inserted by section 2 of the bill by replacing them with the following:

- (f) One person representing the Nature Conservancy, appointed by the governor.
- (g) One member representing the New Hampshire Guides' Association, appointed by the association.
- (h) One member representing recreational interests, appointed by the president of the senate.
- (i) One member representing the general public with a background in agricultural interests, appointed by the governor.
- (j) One member of the general public, appointed by the senate president.

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

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 53, relative to regulation of appraisal management companies by the real estate appraiser board. Ought to Pass with Amendment, Vote 3-0. Senator Reagan for the committee.

Senate Executive Departments and Administration
February 22, 2017
2017-0570s
10/08

Amendment to SB 53

Amend RSA 310-B:2-a, XVI as inserted by section 1 of the bill by replacing it with the following:

XVI. "Uniform Standards of Professional Appraisal Practice" or "USPAP" means the current standards of the appraisal profession, developed for appraisers and users of appraisal services by the Appraisal Standards Board of the Appraisal Foundation.

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

2 New Sections; Appraisal Management Companies. Amend RSA 310-B by inserting after section 12-o the following new sections:

Amend section 2 of the bill by inserting after RSA 310-B:12-t the following new RSA section:

310-B:12-u Application; Appraisal Management Company Provisions. Nothing in RSA 310-B:12-b through RSA 310-B:12-t shall be construed to limit the board's ability to enforce the remainder of this chapter or the administrative rules adopted by the board against persons licensed or registered by the board.

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

3 Repeals. The following are repealed:

- I. RSA 310-B:2, XVII, relative to the definition of appraisal management company.
- II. RSA 310-B:2, XX, relative to the definition of appraiser panel.

2017-0570s

AMENDED ANALYSIS

This bill adds definitions and requirements for the operation in this state of appraisal management companies registered by the real estate appraiser board.

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

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

SB 137-FN, relative to licensure by endorsement granted by the board of nursing. Ought to Pass with Amendment, Vote 4-0. Senator Soucy for the committee.

Senate Executive Departments and Administration
February 22, 2017
2017-0565s
10/05

Amendment to SB 137-FN

Amend the bill by replacing section 1 with the following:

1 New Section; Nursing; Licensure By Endorsement; Vermont, Massachusetts, New York, Connecticut. Amend RSA 326-B by inserting after section 20 the following new section:

326-B:20-a Licensure by Endorsement; Vermont, Massachusetts, New York, Connecticut. Upon submission of a completed application for licensure by endorsement for an RN or LPN license under RSA 326-B:20 or an LNA license under RSA 326-B:21, and meeting the requirements in those sections, an applicant whose current or former residency is in the states of Vermont, Massachusetts, New York, or Connecticut, shall be granted a comparable license by the board.

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

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

SB 139, relative to the licensure of medical imaging professionals.
Inexpedient to Legislate, Vote 3-0. Senator Carson for the committee.

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

SB 141, relative to warnings prior to the imposition of civil fines assessed by state agencies.
Inexpedient to Legislate, Vote 3-1. Senator Carson for the committee.

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

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

The following Senators voted Yes: Woodburn, Bradley, Watters, Hennessey, Gray, Ward, Kahn, Lasky, Carson, Feltes, McGilvray, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis.

The following Senators voted No: Giuda, French, Sanborn, Daniels, Avard, Morse.

Roll Call, Yeas: 18 - Nays: 6. Adopted.

SB 214-FN, relative to privatization of state services.
Re-refer to Committee, Vote 4-0. Senator Soucy for the committee.

The question is on the adoption of the motion to Re-refer to Committee. Adopted.

SB 215-FN, permitting the community college system to participate in the state health care plan.
Ought to Pass with Amendment, Vote 2-1. Senator Gannon for the committee.

Senate Executive Departments and Administration
February 22, 2017
2017-0568s
10/08

Amendment to SB 215-FN

Amend the bill by replacing sections 1-3 with the following:

1 State Employee Group Insurance; Community College System Added. Amend RSA 21-I:26 to read as follows:

21-I:26 Purpose and Policy. This subdivision is to provide permanent group life insurance and group hospitalization, hospital medical care, surgical care and other medical and surgical benefits for New Hampshire state employees and their families, and retired state employees and their spouses. ***This subdivision shall also provide access to such benefits, except permanent group life insurance, for the community college system at a cost to the applicable employer to be determined by the commissioner of the department of administrative services.*** In view of the accepted value of group insurance to the well-being and efficiency of employees on the part of small and large private employers and the other 5 New England states in obtaining benefits of this type of insurance for their employees, the state of New Hampshire implements this subdivision in order that the state shall compare favorably to the standards now commonly accepted by private employers and the state employees in the other 5 New England states by making available to state employees and their families and retired state employees and their spouses permanent group life insurance and group hospitalization, hospital medical care, surgical care and other medical and surgical insurance benefits.

2 New Paragraph; Medical and Surgical Benefits; Community College System Added. Amend RSA 21-I:30 by inserting after paragraph I the following new paragraph:

I-a. The community college system may participate in the group insurance plans provided that:

(a) Prior to any agreement between the department of administrative services and the community college system, the community college system shall provide the department of administrative services with a data file of its health and basic life plan members and the cost data associated with their medical and pharmacy insurance claims for the last 2 years and the department of administrative services shall undertake an assessment of the costs and benefits of the community college system's participation in such plans.

(b) The department of administrative services and the community college system agree on the effective date and the duration of community college system participation in such group insurance plans.

(c) The community college system agrees it would not offer third-party group insurance plans and it agrees to pay the department of administrative services all of associated administrative costs of managing the community college system employee and dependent participation, including any periodic cost increases, reserve adjustments, and reserve requirements.

(d) The community college system agrees to accept the terms of such plans that are collectively bargained every 2 years by the department of administrative services.

(e) The community college system agrees to maintain current employee records including eligibility and enrollment data as required by the department of administrative services.

3 Eligibility. Amend RSA 21-I:32 to read as follows:

21-I:32 Eligibility.

I. Only full time state employees shall be authorized to participate, on a voluntary basis, in the permanent group life insurance program. All full time state employees and retired state employees shall be authorized to participate, on a voluntary basis, in the group hospitalization, hospital medical care, surgical care and other medical and surgical benefits program.

II. Notwithstanding paragraph I, the community college system may participate in the group insurance plans, except permanent group life insurance, at a cost to the employer to be determined by the commissioner of the department of administrative services.

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

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

FINANCE

SB 117-FN, making an appropriation for stormwater management and flood resilience grants.
Ought to Pass, Vote 3-1. Senator D'Allesandro for the committee.

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

Senator Bradley moved to Lay on the Table SB 117-FN. Adopted.

SB 146-FN, requiring the department of health and human services to develop a centralized state system for transporting persons subject to involuntary emergency admission.
Inexpedient to Legislate, Vote 3-1. Senator Reagan for the committee.

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

A division vote was requested.

Yeas: 12 - Nays: 12. Failed.

Senator Bradley moved to Lay on the Table SB 146-FN. Adopted.

SB 153-FN-A, making an appropriation for early childhood intervention services.
Ought to Pass, Vote 4-0. Senator Reagan for the committee.

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

Senator Bradley moved to Lay on the Table SB 153-FN-A. Adopted.

SB 203-FN, requiring the department of transportation to alleviate safety issues at an intersection in Ossipee.
Ought to Pass, Vote 4-0. Senator D'Allesandro for the committee.

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

Senator Daniels moved to Lay on the Table SB 203-FN. Adopted.

SB 204-FN, relative to Purple Heart and Pearl Harbor survivor number plates.
Ought to Pass, Vote 3-1. Senator Daniels for the committee.

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

Recess. Out of recess.

HEALTH AND HUMAN SERVICES

SB 235-FN, relative to Medicaid reimbursement to schools for students with medical needs and establishing a home and community based behavioral health services program for children.
Ought to Pass, Vote 4-0. Senator Bradley for the committee.

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

Recess. Out of recess.

SPECIAL ORDER

Without objection Senator Bradley moved to special order the vote on SB 235-FN to after the Public and Municipal Affairs Committee. Adopted.

HEALTH AND HUMAN SERVICES

SB 235-FN, relative to Medicaid reimbursement to schools for students with medical needs and establishing a home and community based behavioral health services program for children.

SB 237-FN, relative to telemedicine services.
Ought to Pass, Vote 4-0. Senator Fuller Clark for the committee.

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

INTRODUCTION OF GUESTS

Senator Feltes introduced a Catholic tour group visiting in the gallery.

PUBLIC AND MUNICIPAL AFFAIRS

SB 72, including certificates of deposit in the public deposit investment pool.
Ought to Pass with Amendment, Vote 4-0. Senator Birdsell for the committee.

Public and Municipal Affairs

February 22, 2017

2017-0574s

10/01

Amendment to SB 72

Amend the title of the bill by10 replacing it with the following:

AN ACT establishing a committee to study certain investments by municipalities.

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

1 Committee Established. There is established a committee to study certain investments by municipalities.

2 Membership and Compensation.

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

(a) Two members of the senate, one from the senate finance committee and one from the public and municipal affairs committee, appointed by the president of the senate.

(b) Three members of the house of representatives, one of whom shall be from the house finance committee and one of whom shall be from the house ways and means committee, appointed by the speaker of the house of representatives.

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

3 Duties. The committee's study shall include, but not be limited to:

I. Allowing town treasurers to deposit money into certificates of deposit offered through the public deposit investment pool.

II. Permitting municipalities to invest in a development finance institution.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 60 days of the effective date of this section. Two members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2018.

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

2017-0574s

AMENDED ANALYSIS

This bill establishes a committee to study certain investments by municipalities.

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

INTRODUCTION OF GUESTS

Senator Feltes introduced a Catholic tour group visiting in the gallery.

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

SB 170, relative to the authority of towns to issue bonds for the expansion of broadband infrastructure. Inexpedient to Legislate, Vote 3-1. Senator Gray for the committee.

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

Senator Gray moved Re-refer to Committee. Adopted.

SB 174-L, relative to municipal parking surcharges and parking maintenance and operations. Ought to Pass, Vote 3-2. Senator Kahn for the committee.

Senator Feltes offered a floor amendment.

Sen. Feltes, Dist 15

Sen. Gray, Dist 6

February 27, 2017

2017-0646s

06/04

Floor Amendment to SB 174-LOCAL

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

AN ACT relative to municipal fees for registration permits.

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

1 Municipal Permits for Registration; Additional Fees for Registration Permits. Amend RSA 261:154 to read as follows:

261:154 Additional Fees for Registration Permits. The governing bodies of towns and cities ~~[of a population greater than 50,000 as determined by the last federal census]~~ may, subject to the provisions of RSA 261:155, direct the city treasurer or the town clerk to collect in addition to the fees imposed in RSA 261:153, fees for such permits as follows: a sum not to exceed 5 mills on each dollar of the maker's list price for a current model year vehicle, a sum not to exceed 4 mills on each dollar of the maker's list price for the first preceding model year vehicle, a sum not to exceed 3 mills on each dollar of the maker's list price for the second preceding model year vehicle, a sum not to exceed 2 mills on each dollar of the maker's list price for the third preceding model year vehicle, and a sum not to exceed one mill on each dollar of the maker's list price for the fourth preceding model year vehicle and any model year prior thereto. In no event, however, shall the fee be

less than one dollar. The director shall make the final determination of any vehicle model year in any case in which a dispute arises. All fees collected under this section shall be used for the construction, operation, and maintenance of public parking facilities as provided in RSA 231:114-129.

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

2017-0646s

AMENDED ANALYSIS

This bill permits any city or town to collect certain additional fees for registration permits.

The question is on the adoption of the Floor Amendment.

A division was requested.

Division, Yeas: 12 - Nays: 9. Adopted.

Recess. Out of recess.

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

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

The following Senators voted Yes: Woodburn, Watters, Hennessey, Gray, Kahn, Lasky, Feltes, McGilvray, Soucy, D'Allesandro, Fuller Clark.

The following Senators voted No: Giuda, Bradley, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

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

Senator Bradley moved to Lay on the Table SB 174-L. Adopted.

INTRODUCTION OF GUESTS

Senator Carson introduced James Blaisdell visiting in the gallery.

SB 202-FN, allowing community investment in a development finance institution.
Inexpedient to Legislate, Vote 4-0. Senator Birdsell for the committee.

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

HEALTH AND HUMAN SERVICES

SB 235-FN, relative to Medicaid reimbursement to schools for students with medical needs and establishing a home and community based behavioral health services program for children.
Ought to Pass, Vote 4-0. Senator Bradley for the committee.

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

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

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Sanborn, Kahn, Daniels, Avard, Lasky, Carson, Feltes, McGilvray, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

WAYS AND MEANS

SB 74-FN, relative to economic revitalization zone tax credits.
Ought to Pass with Amendment, Vote 3-2. Senator Daniels for the committee.

Senate Ways and Means

February 22, 2017

2017-0572s

01/10

Amendment to SB 74-FN

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

2017-0572s

AMENDED ANALYSIS

This bill requires a taxpayer applying for economic revitalization zone tax credits to provide written certification to the commissioner of resources and economic development that it has expanded the commercial or industrial base in a designated economic revitalization zone and created new jobs in the state. This bill also requires the commissioner of resources and economic development to certify each application for an economic revitalization zone tax credit.

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

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

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, McGilvray, Soucy, D'Allesandro, Fuller Clark.

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

SB 75-FN, establishing a tax credit against business profits taxes for donations to career and technical education centers.

Re-refer to Committee, Vote 3-2. Senator Sanborn for the committee.

The question is on the adoption of the motion to Re-refer to Committee.

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, McGilvray, Soucy, D'Allesandro, Fuller Clark.

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

Recess. Out of recess.

SB 76-FN-A, establishing an option to rebate the research and development tax credit against business profits taxes, and making an appropriation therefor.

Re-refer to Committee, Vote 3-2. Senator Sanborn for the committee.

The question is on the adoption of the motion to Re-refer to Committee. Adopted.

Recess. Out of recess.

SB 77-FN-A, relative to expense deductions under the business profits tax.

Ought to Pass, Vote 3-2. Senator Sanborn for the committee.

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

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, McGilvray, Soucy, D'Allesandro, Fuller Clark.

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

Senator Bradley moved to Lay on the Table SB 77-FN-A. Adopted.

SPECIAL ORDER

Without objection Senator Morse moved to special order SB 183 and SB 188 to the next session. Adopted.

WAYS AND MEANS

SB 183-FN, establishing the New Hampshire technology sector marketing tax credit.

SB 188-FN, establishing a nonpartisan revenue estimator position in the department of administrative services.

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 Birdsell: SB 204-FN

Senator Bradley: SB 30

Senator Carson: SB 215-FN

Senator Daniels: SB 30

Senator Gray: SB 235-FN

Senator Innis: SB 30

Senator Kahn: SB 215-FN

Senator Morse: SB 139

Senator Sanborn: SB 22, SB 30, SB 39, SB 41-FN-A, SB 48, SB 53, SB 72, SB 74-FN, SB 75-FN, SB 76-FN-A, SB 77-FN-A, SB 94-FN-A, SB 108, SB 112, SB 113, SB 114, SB 117-FN, SB 137-FN, SB 139, SB 141, SB 146-FN, SB 153-FN-A, SB 170, SB 174-L, SB 183-FN, SB 188-FN, SB 189-FN, SB 194-FN, SB 202-FN, SB 203-FN, SB 204-FN, SB 214-FN, SB 215-FN, SB 216-FN, SB 235-FN, SB 237-FN, SB 245-FN-A

LATE SESSION

Third Reading and Final Passage

SB 30, defining woodland buffers and relative to such woodland buffers for the purposes of the shoreland protection act.

SB 48, establishing a commission to study the efficiency and effectiveness of the fish and game department's operations, governance, and management structure.

SB 53, relative to regulation of appraisal management companies by the real estate appraiser board.

SB 72, establishing a committee to study certain investments by municipalities.

SB 108, relative to absentee ballot applications.

SB 113, relative to an electronic poll book trial program.

SB 114, prohibiting a candidate from receiving the nomination of more than one party.

SB 137-FN, relative to licensure by endorsement granted by the board of nursing.

SB 204-FN, relative to Purple Heart and Pearl Harbor survivor number plates.

SB 245-FN-A, establishing a committee to study unemployment tax discounts.

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.