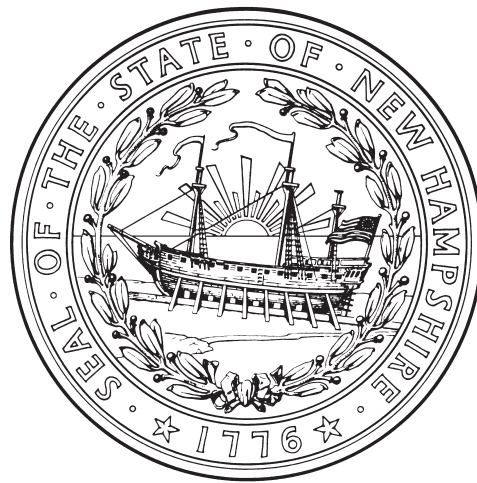


April 19, 2018
Nos. 12-13

STATE OF NEW HAMPSHIRE

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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – APRIL 12, 2018 SESSION
COMMENCEMENT – APRIL 19, 2018 SESSION**

SENATE JOURNAL 12 *(continued)*

April 12, 2018

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 410, relative to the legislative youth advisory council.

HB 1252-FN, relative to certificates of insurance.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 333, relative to pharmacy interns and vaccinations.

SB 345, naming a bridge in the town of Lincoln in honor of the Clark Family.

SB 360, establishing a commission to study whether the department of education should be required to conduct criminal history records checks, via a fingerprint check, on all applicants for teacher certification.

SB 392, establishing a commission to study and evaluate the impact of the discharge of state prisoners.

SB 436, relative to tuition in the community college system.

SB 442, relative to surety indemnification requirements for private postsecondary career schools.

SB 470-FN, relative to positions within the insurance department.

SB 484, reestablishing the commission to address child hunger in New Hampshire.

SB 516, prohibiting motorcycle-only checkpoints.

SB 517, establishing an electric vehicle charging stations infrastructure commission.

HOUSE MESSAGE

The House of Representatives has referred for Interim Study the following entitled Bills sent down from the Senate:

SB 301-FN, temporarily reducing the real estate transfer tax for first-time home buyers.

SB 514-FN, establishing a commission to create a New Hampshire recovery memorial.

SB 518, relative to agency reports of real property owned or leased by the department.

SB 524-FN, relative to head injury policies for the community college system of New Hampshire and the university system of New Hampshire.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 164-FN, establishing a commission to study repealing the statute of limitations and limitations on actions for sexual assault.

SB 532-FN, relative to group II status of certain department of corrections officials.

SB 559-FN-A, establishing a committee to study the construction of sound barriers on type I and type II highways.

April 12, 2018

2018-1496-EBA

06/03

Enrolled Bill Amendment to SB 315

The Committee on Enrolled Bills to which was referred SB 315

AN ACT relative to the definitions of beverage and of mead.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 315

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 315

Amend RSA 175:1, XLVIII-a as inserted by section 2 of the bill by replacing line 3 with the following:
has completed, except that the ratio of fermentable sugars from honey must exceed 50 percent of the
Senator Avarad moved adoption of the Enrolled Bill Amendment. Adopted.

April 11, 2018
2018-1460-EBA
08/04

Enrolled Bill Amendment to SB 469

The Committee on Enrolled Bills to which was referred SB 469
AN ACT relative to the appropriation of funds from the equipment inventory fund.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 469

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 469

Amend RSA 228:24-b, III inserted by section 1 of the bill by replacing line 13 with the following:
fund [to] **within** the mechanical services bureau.

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

April 12, 2018
2018-1498-EBA
03/01

Enrolled Bill Amendment to HB 1258

The Committee on Enrolled Bills to which was referred HB 1258
AN ACT relative to the advanced manufacturing education advisory council.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1258

This enrolled bill amendment inserts omitted statutory text.

Enrolled Bill Amendment to HB 1258

Amend RSA 188-E:23 as inserted by section 2 of the bill by replacing lines 4-8 with the following:

[I:] **(a)** Curriculum expansion and revision.

[H:] **(b)** Curriculum eligibility requirements.

[HH:] **(c)** Curriculum quality.

[IV:] **(d)** Fund raising from private and other sources.

[V:] **(e)** Allocation of funds necessary for the curriculum.

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

April 12, 2018
2018-1494-EBA
06/05

Enrolled Bill Amendment to HB 1378

The Committee on Enrolled Bills to which was referred HB 1378
AN ACT relative to domestic insurance company investments.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1378

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1378

Amend RSA 402:29-d, I(a) as inserted by section 1 of the bill by replacing line 4 with the following: guaranteed by a single person; ***provided, that this subparagraph shall not apply to general***
Senator Avarð moved adoption of the Enrolled Bill Amendment. Adopted.

April 10, 2018
2018-1423-EBA
04/05

Enrolled Bill Amendment to HB 1389

The Committee on Enrolled Bills to which was referred HB 1389

AN ACT relative to commercial lines modernization.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1389

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1389

Amend RSA 412:5, I-a(c)(2) as inserted by section 2 of the bill by replacing line 2 with the following: established under RSA 404-C.

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

April 12, 2018
2018-1493-EBA
10/05

Enrolled Bill Amendment to HB 1453

The Committee on Enrolled Bills to which was referred HB 1453

AN ACT relative to the traffic safety commission.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1453

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1453

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

2 Traffic Safety Commission. Amend RSA 21-P:64, II and III to read as follows:

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

April 13, 2018
2018-1509-EBA
03/01

Enrolled Bill Amendment to HB 1551

The Committee on Enrolled Bills to which was referred HB 1551

AN ACT relative to the retention of records of individualized education programs.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1551

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1551

Amend RSA 186-C:10-a as inserted by section 1 of the bill by replacing lines 4-10 with the following:

program destroyed at that time or request that the records be retained until the student's twenty-sixth birthday. The parents may, at any time prior to the student's twenty-sixth birthday, request, in writing, that the records be retained until the student's thirtieth birthday.

II. Absent any request by a student's parents at the time of graduation, the local education agency shall destroy a student's records and final individualized education program within a reasonable time after the student's twenty-sixth birthday, provided that all such records be destroyed by the student's thirtieth birthday.

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

April 12, 2018
2018-1497-EBA
05/03

Enrolled Bill Amendment to HB 1575

The Committee on Enrolled Bills to which was referred HB 1575

AN ACT permitting hunting with an air rifle.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1575

This enrolled bill amendment inserts a gender neutral reference and makes a grammatical correction.

Enrolled Bill Amendment to HB 1575

Amend RSA 210:13 as inserted by section 7 of the bill by replacing line 3 with the following:

beaver through the ice during the open season therefor, shall visit his **or her** traps once in each 72 hours.

Amend RSA 210:13 as inserted by section 7 of the bill by replacing line 6 with the following:

traps at night by the use of a rifle, revolver, or pistol larger than a .22 caliber long rifle, **or air rifle**

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

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 1271, changing the name of Industrial Drive at the Hugh Gallen Office Park to Ratification Way.

HB 1278, naming the rest area in Colebrook in honor of Frederick W. King, Sr. and naming a bridge in Farmington in honor of Major John W. Lawrence, Jr.

HB 1663, establishing a committee to study reimbursement rates under automobile insurance policies.

SB 402, naming a portion of route 110 in Berlin in honor of Anthony B. Urban.

SB 539-FN-A, making appropriations to the department of education for adequate education grants and relative to certain provisions for Medicaid waivers.

SB 561-FN, naming a bridge over the Little River between the towns of Plaistow and Atkinson the Lance Corporal Dimitrios Gavriel bridge.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 305, clarifying lessee liability for month-to-month leases.
HB 492, relative to electric personal assistive mobility devices.
HB 1202-LOCAL, relative to town revolving funds for group net metering.
HB 1227, relative to an unattended idling vehicle on private property.
HB 1228, removing the limitation on a chartered public school incurring long term debt.
HB 1280-FN, relative to bow and arrow hunting licenses for permanently disabled military veterans.
HB 1281, establishing an executive order registry.
HB 1290, relative to vehicle registration for new residents to New Hampshire.
HB 1303, relative to the purposes of revolving funds in towns.
HB 1308-FN, relative to non-renewal of lines of business.
HB 1346, establishing a commission to study the New Hampshire veterans cemetery.
HB 1349, relative to biological products and diagnostic reagents for animal use.
HB 1363, relative to the waiver of vehicle registration suspension fees.
HB 1364, relative to use of amber lights on vehicles.
HB 1374, relative to financial regulation technicals.
HB 1379, relative to confidentiality of forms and rates.
HB 1421-FN, relative to the regulation of event tents.
HB 1446, relative to childhood cancer awareness month.
HB 1454, eliminating the commission to study recommendations of the National Transportation Safety Board.
HB 1455, relative to vehicle operation at uncontrolled intersections.
HB 1493, relative to the statewide assessment system of performance in schools.
HB 1494, relative to the definition of academic standards.
HB 1517, relative to vehicle inspection failures for rust.
HB 1518, repealing the requirement that motor vehicle lighting and safety equipment be approved by the director of the division of motor vehicles.
HB 1523, relative to heavy duty recovery vehicles.
HB 1683-FN, relative to the definition of child abuse.
HB 1731-FN, relative to regulating bicycles.
HB 1785, changing "hearing impaired" to "deaf" or "hard of hearing" in the New Hampshire laws.
HB 1795, eliminating the oversight commission on motor vehicle fines.
HB 1823-FN, relative to layered amortization of retirement system liabilities.
SB 324-FN, allowing an optional retirement system allowance to include a subsequent remarriage of a divorced retiree.
SB 328, relative to attorney general membership on certain committees and repealing the criminal justice information system.
SB 340, relative to the commissioner of revenue administration's assessment report.
SB 349, relative to course requirements in a career and technical education program.
SB 359, relative to notice to school districts of out-of-home placements.
SB 384, relative to written certification under the use of cannabis for therapeutic purposes law.
SB 406-FN, requiring background checks for access to Internal Revenue Service federal tax information.
SB 471, relative to the authority of municipalities to address potential natural threats.
SB 536-FN, relative to eligibility for death benefits for court security officers.
SB 574-FN, clarifying the repayment period for parental reimbursement.
SB 579-FN, relative to penalties for welfare fraud.
Senator Avard moved adoption of the Report of Committee on Enrolled Bills. Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 1370, relative to a school's emergency management plan.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

SB 399, naming a bridge in Concord in honor of David E. Powelson.

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

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 13

April 19, 2018

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

The Pastor Mark Warren, chaplain to the Senate, offered the following prayer:

Let us pray.

God, we just take a moment to slow ourselves down from the business of getting to this meeting. We settle our minds, we settle our hearts, and we just take a deep breath in understanding that today's a new day, and everything's new each morning. We change our minds now, Lord, just to kind of appreciate these Senators who give so much of themselves to the citizens of this state of New Hampshire, and for that, God, we just pray a special blessing on them, prosperity on them. They have given of their time, their resources to serve this state and the people that reside in it. We thank you. There's some work to be done, Lord, today, and we just ask for your wisdom, your discernment, your guidance, your direction, to know that the decisions that are made in this room affect many people; so let us have compassion, let us have grace. Let our words be filled with grace. May the words of our mouth and the meditations of our heart be pleasing to you, O Lord. Amen.

Senator Cavanaugh led the Pledge of Allegiance.

INTRODUCTION OF PAGES

Senator Hennessey introduced Chase Johnson from Mascoma Valley Regional High School, serving as Senate Page for the day.

Senator Ward introduced Cameron A. Titus from Kearsarge Regional High School, serving as Senate Page for the day.

SPECIAL ORDER

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

EDUCATION

HB 1636, establishing a committee to study teacher preparation and education programs.

SPECIAL ORDER

Without objection, the following bills are special ordered to Thursday, May 3, 2018. Adopted.

COMMERCE

HB 1285, relative to dancers and entertainers in premises serving alcoholic beverages.

HB 1690-FN, relative to liquor licenses.

EDUCATION

HB 1498, relative to alternate certification pathways for career and technical education instructors.

ENERGY AND NATURAL RESOURCES

HB 1402, relative to ordinances regarding forestry activities.

HEALTH AND HUMAN SERVICES

HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order.

JUDICIARY

HB 1627-FN, prohibiting the transmission of images or sounds of another person who is on private property or to conduct surveillance activity.

FN REPORT FOR APRIL 19, 2018

Senator 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:

CONSENT CALENDAR:

ENERGY AND NATURAL RESOURCES

HB 1689-FN, repealing the repeal of the pollution prevention program of the department of environmental services.

HB 1777-FN, relative to energy infrastructure corridor revenue.

HEALTH AND HUMAN SERVICES

HB 1746-FN, relative to the practices of pharmacy benefit managers.

HB 1769-FN, relative to maintenance of certification by physicians or applicants for a license to practice medicine in New Hampshire—if Interim Study recommendation is overturned.

HB 1782-FN, establishing a committee to study insurance payments to ambulance providers and balance billing by ambulance providers.

REGULAR CALENDAR:

COMMERCE

HB 1690-FN, relative to liquor licenses.

HB 1692-FN, allowing liquor licensees to select an anniversary for renewal.

HB 1719-FN, relative to donations of liquor to nonprofits.

HB 1720-FN, relative to the storage of beverages produced by contract brewers.

HB 1725-FN, relative to wine samples and samples for consumption on the premises of a beverage manufacturer.

EDUCATION

HB 1698-FN-L, relative to the cost of special education services for foster children.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1506-FN, relative to regulation of graduate physicians.

HEALTH AND HUMAN SERVICES

HB 587-FN, relative to conversion therapy seeking to change a person's sexual orientation.

HB 1807-FN, relative to exploitation of elderly, disabled, or impaired adults and establishing a protective order for vulnerable adults.

HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order.

JUDICIARY

HB 134-FN, relative to causes for divorce.

HB 1477-FN, relative to annulment of arrests or convictions for possession of 3/4 of an ounce of marijuana, or less.

HB 1627-FN, prohibiting the transmission of images or sounds of another person who is on private property or to conduct surveillance activity.

HB 1672-FN, prohibiting release of certain information relative to users of therapeutic cannabis to federal agencies.

HB 1753-FN, relative to transportation of alcoholic beverages by a minor.

HB 1788-FN-L, relative to costs charged under the right-to-know law.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1473-FN, relative to the timber yield tax.

HB 1579-FN, requiring records to be kept for certain exempt convenings under the right-to-know law.

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

CONSENT CALENDAR:

HEALTH AND HUMAN SERVICES

HB 1102-FN, enabling the department of health and human services to contract with certain certified physicians.
 HB 1356, relative to data sharing between the department of environmental services and the department of health and human services.

REGULAR CALENDAR:

ENERGY AND NATURAL RESOURCES

HB 1592-FN, requiring the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1104-FN, relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; and relative to online filing with the secretary of state's office.
 HB 1427-FN, relative to membership in the retirement system for certain officials.

JUDICIARY

HB 1316-FN, relative to revenue collected from concealed carry licenses.

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

COMMERCE

HB 1578, (New Title) relative to samples from nano breweries.
 HB 1682-FN, (New Title) establishing a committee to study the pervasiveness of foreclosure practices that violate state or federal law.

HEALTH AND HUMAN SERVICES

HB 1562-FN, (New Title) relative to the role of foster parents.
 HB 1816-FN, relative to Medicaid managed care.

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 as follows:

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

ENERGY AND NATURAL RESOURCES

HB 1289, relative to trespassing domestic fowl.
 Ought to Pass, Vote 5-0. Senator Bradley for the committee.

This legislation establishes a penalty for trespassing domestic fowl and requires enforcement by local law enforcement officials. The bill seeks to protect one's property rights from a neighbor's trespassing domestic fowl. This bill does not prohibit the ownership of domestic fowl on one's own property.

HB 1689-FN, repealing the repeal of the pollution prevention program of the department of environmental services.

Ought to Pass, Vote 5-0. Senator Feltes for the committee.

This bill repeals the repeal of the NH Pollution Prevention Program of the NH Department of Environmental Services. The NH Pollution Prevention Program assists small businesses in preventing pollution and understanding compliance with environmental regulations. The program was established in 1996 with a repeal date of July 1st, 2002. The program's repeal has been extended twice due to its positive feedback. The committee believes it is important to maintain this regionally and nationally recognized program to assist New Hampshire's small businesses and organizations.

HB 1777-FN, relative to energy infrastructure corridor revenue.
 Ought to Pass, Vote 5-0. Senator Avard for the committee.

New Hampshire has designated four energy infrastructure corridors for the siting of large energy projects along I-89, I-93, I-95, and NH Route 101. Current statute requires that a developer's lease payments for

the use of these corridors go into the state highway fund. However, parts of the corridors are on state turnpikes rather than state maintained highways. This bill corrects an oversight and ensures that any lease payment generated from the use of land on a turnpike will be placed in the turnpike fund.

HB 1810, establishing a commission to study the effectiveness of the current statutes related to management of non-tidal public water ways and the construction or placement of structures within them.

Ought to Pass, Vote 5-0. Senator Bradley for the committee.

This bill establishes a commission to study the effectiveness of the current statutes related to management of non-tidal public water ways and the construction or placement of structures within them. The Committee to Study Temporary Seasonal Docks from the last legislative session examined seasonal docks, but found them to be part of a larger problem in the management of structures in non-tidal waters. This study commission would review the way New Hampshire's non-tidal public waters are utilized, their importance to various aspects of the economy, and the criteria and processes under which individuals and businesses are authorized to install structures within them.

HEALTH AND HUMAN SERVICES

HB 1102-FN, enabling the department of health and human services to contract with certain certified physicians.

Ought to Pass, Vote 5-0. Senator Fuller Clark for the committee.

This bill allows the Department of Health and Human services to contract with one or more physicians, who have been certified as addiction specialists, to review medication assisted treatment for opioid dependence. Such physicians would be responsible for providing consultation and guidance to the department. Passage of this legislation is just one more step in increasing mental health and drug addiction services in the state.

HB 1356, relative to data sharing between the department of environmental services and the department of health and human services.

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

This bill requires the department of environmental services and the department of health and human services to establish a protocol to share data regarding health and environmental information collected by each agency. This will ensure we are using our resources to protect the health and safety of our citizens. The amendment which had its own hearing would provide funding to the Department of Business and Economic Affairs to assist them in relocating their offices to a space more conducive to the job they have been tasked to do.

Health and Human Services

April 11, 2018

2018-1465s

05/04

Amendment to HB 1356

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

AN ACT relative to data sharing between the department of environmental services and the department of health and human services and making an appropriation to the department of business and economic affairs for relocation costs.

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

2 Department of Business and Economic Affairs; Appropriation: Relocation and Lease Costs. The sum of \$75,000 for the fiscal year ending June 30, 2018, and the sum of \$392,304 for the fiscal year ending June 30, 2019, are hereby appropriated to the department of business and economic affairs for the costs of relocating the department's operations to a new premises and for the costs of leasing the premises. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

3 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

2018-1465s

AMENDED ANALYSIS

This bill:

I. Requires the department of environmental services and the department of health and human services to establish a data sharing protocol regarding certain health and environmental information collected by each agency.

II. Makes a supplemental appropriation to the department of business and economic affairs for relocation costs.

HB 1577, relative to the administration of anesthesia by dentists.

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

This bill regulates a dentist's use of anesthesia, sedation and moderate anesthesia as well as holding dentists accountable for professional misconduct. Comprehensive guidelines are given to dentists to ensure safety for patients as well as clarity for dentists. This will ensure that dentists have the proper training and oversight necessary to be providing anesthesia to patients in an in office setting.

Health and Human Services

April 11, 2018

2018-1471s

10/05

Amendment to HB 1577

Amend RSA 317-A:12, XII-a(g)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) In addition to the dentist performing the procedure, there shall be a dedicated anesthesia provider present to monitor the procedure and recovery from anesthesia. The dedicated anesthesia provider shall be a dentist who is qualified to administer general anesthesia or deep sedation, a physician anesthesiologist, or a certified registered nurse anesthetist (CRNA). The board may exempt dentists who are board eligible or board certified in either dental anesthesiology or oral and maxillofacial surgery from this requirement.

Amend the introductory paragraph of RSA 317-A:12, XII-c as inserted by section 1 of the bill by replacing it with the following:

XII-c. The use of minimal anesthesia in patients undergoing dental treatment under RSA 317-A:20, including:

HB 1746-FN, relative to the practices of pharmacy benefit managers.

Ought to Pass, Vote 5-0. Senator Fuller Clark for the committee.

This bill prohibits certain practices of pharmacy benefit managers until June 30, 2020. There was concern with a practice of pharmacy benefit managers requiring accreditation of pharmacies in order to fill prescriptions for certain drugs. These accreditation processes were often costly and onerous to pharmacies. This legislation would prohibit the practice until June 30, 2020 while the stakeholders work together to find a solution for the problem.

HB 1769-FN, relative to maintenance of certification by physicians or applicants for a license to practice medicine in New Hampshire.

Interim Study, Vote 5-0. Senator Bradley for the committee.

This bill prohibits differentiating among physicians based on maintenance of certification. The committee heard testimony that the certification board is continuing to work on making the recertification process more efficient and relevant to provider's specialties. The motion of interim study would allow the stakeholders to continue to try and find a compromise and bring future legislation forward.

HB 1782-FN, establishing a committee to study insurance payments to ambulance providers and balance billing by ambulance providers.

Ought to Pass, Vote 5-0. Senator Fuller Clark for the committee.

This bill establishes a committee to study insurance payments to ambulance providers and balance billing by ambulance providers. The committee heard testimony that municipal and private ambulance providers have difficulty in recovering payment from insurance carriers, and that patients receive bills

from ambulance providers for costs that are not reimbursed by insurance. This bill, with the amendment, establishes a committee to study insurance payments to ambulance providers and balance billing to patients by ambulance providers.

JUDICIARY

HB 1265, relative to the release of criminal conviction records.

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

This bill clarifies the law to permit the release of New Hampshire criminal conviction records to a defendant in a criminal proceeding or counsel for such defendant. Although it is regularly done, this will simply codify the practice of releasing these records to a defendant's counsel, ensuring the appropriate individuals have access to necessary records.

Senate Judiciary

April 10, 2018

2018-1430s

04/03

Amendment to HB 1265

Amend the bill by replacing section 1 with the following:

1 State Police; Criminal Records. Amend RSA 106-B:14, I-a(a) to read as follows:

(a) No individual, or public or private agency receiving criminal conviction record information from the division shall resell, rent, trade, transfer, make available, or otherwise disclose such information to another person for any purpose, other than to a client of the individual, ***a defendant in a criminal proceeding or counsel for a defendant in a criminal proceeding***, or public or private agency, without permission of the director.

2018-1430s

AMENDED ANALYSIS

This bill permits the release of criminal conviction records to a defendant in a criminal proceeding or counsel for the defendant.

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

REGULAR CALENDAR

COMMERCE

HB 523, establishing a committee to study the use and regulation of biometric information.

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

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

HB 1322, relative to risk-based capital for health maintenance organizations.

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

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

HB 1407, repealing the prohibition on the use of milk containers.

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

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

HB 1660, relative to delinquent accounts of liquor licensees.

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

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

HB 1692-FN, allowing liquor licensees to select an anniversary for renewal.

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

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

HB 1719-FN, relative to donations of liquor to nonprofits.

Ought to Pass with Amendment, Vote 3-1. Senator Lasky for the committee.

Commerce
 April 11, 2018
 2018-1481s
 08/04

Amendment to HB 1719-FN

Amend the bill by replacing section 2 with the following:

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

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

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

HB 1720-FN, relative to the storage of beverages produced by contract brewers.
 Ought to Pass, Vote 4-0. Senator French 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.

HB 1725-FN, relative to wine samples and samples for consumption on the premises of a beverage manufacturer.

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

Commerce
 April 10, 2018
 2018-1482s
 08/10

Amendment to HB 1725-FN

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

AN ACT relative to beverage manufacturers and nano breweries and defining table wine.

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

1 Table Wine; Definition. Amend RSA 175:1, LXIX to read as follows:

LXIX. "Wine-table" means a product obtained by the fermentation of the natural content of fruit or other agricultural products containing sugar and containing ~~[more than 6 percent but not]~~ **no** more than 18 percent alcoholic content by volume at 60 degrees Fahrenheit. The commission may approve as a table wine a higher alcoholic content product, not to exceed 24 percent, that is obtained in the same manner.

2 Sales for Consumption; Beverage Manufacturers. Amend RSA 178:12, II-a to read as follows:

II-a. The holder of a beverage manufacturer license may sell beverage samples to visitors of legal drinking age for consumption on the premises where the beverages were manufactured. Sales of samples for consumption on the premises shall be limited to one 4-ounce glass per label ***per person and 2 pints*** per person. ***A maximum of 48 ounces total may be served to a person for consumption on the premises.***

3 Sales for Consumption; Nano Brewery. Amend RSA 178:12-a, II(e) to read as follows:

(e) Sales for consumption on the premises shall be limited to one 4-ounce glass per label ***per person and 2 pints*** per person. ***A maximum of 48 ounces total may be served to a person for consumption on the premises.***

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

2018-1482s

AMENDED ANALYSIS

This bill expands the definition of table wine and allows beverage manufacturers and nano breweries to sell one sample per label and 2 pints per person for consumption on premises with a maximum of 48 ounces per person.

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

Senator Innis offered a Floor Amendment.

Sen. Innis, Dist 24
April 19, 2018
2018-1658s
08/03

Floor Amendment to HB 1725-FN

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

AN ACT relative to food service for beverage manufacturer and wine manufacturer licensees.

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

1 New Paragraph; Beverage Manufacturers; Food Service. Amend RSA 178:12 by inserting after paragraph X the following new paragraph:

XI. Any beverage manufacturer licensee meeting and maintaining the requirements of a restaurant under RSA 178:20, except RSA 178:20, IV and paying an additional fee of \$240, may sell beverages for consumption on the premises and not be subject to the limitations in paragraph II-a. Such beverage manufacturer shall comply with the following:

(a) No beverage or liquor shall be served or consumed on the premises except that which is manufactured by the licensee on the premises or manufactured at a host brewer facility.

(b) The licensee may serve beverages to any visitor of legal drinking age by the glass or other suitable container.

(c) The licensee shall not allow any beverage or liquor to be served or sold to any person under the age of 21 on the premises

(d) Food and non-alcoholic beverages may be provided by a properly licensed third party food vendor, prepared on or off the premises.

2 New Paragraph; Wine Manufacturers; Food Service. Amend RSA 178:8 by inserting after paragraph VII the following new paragraph:

VIII. Any wine manufacturer licensee meeting and maintaining the requirements of a restaurant under RSA 178:20, except RSA 178:20, IV and paying an additional fee of \$240, may sell wine for consumption on the premises and not be subject to the limitations in paragraph III. Such manufacturer shall comply with the following:

(a) No wine shall be served or consumed on the premises except that which is manufactured by the licensee on the premises.

(b) The licensee may serve wine to any visitor of legal drinking age by the glass or other suitable container.

(c) The licensee shall not allow any wine to be served or sold to any person under the age of 21 on the premises

(d) Food and non-alcoholic beverages may be provided by a properly licensed third party food vendor, prepared on or off the premises.

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

2018-1658s

AMENDED ANALYSIS

This bill allows the sale of alcoholic beverages and wine produced by licensed manufacturers on their premises if food is served.

Recess. Out of recess.

Senator Innis withdrew Floor Amendment 2018-1658s.

Senator Bradley moved to Lay on the Table HB 1725-FN. Adopted.

EDUCATION

HB 1495, relative to standards for determining an adequate education.

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

Senate Education
 March 27, 2018
 2018-1248s
 06/04

Amendment to HB 1495

Amend RSA 193-E:3, I as inserted by section 1 of the bill by replacing it with the following:

I. Annually, each school district shall report data to the department of education at the school and district levels on the indicators set forth in this paragraph. The report shall not contain personally identifiable information including but not limited to name, gender, or social security number. The department of education shall develop a reasonable schedule to collect the reporting of data required by state and federal law. The requirements for data keeping and the form of the report shall be established in accordance with rules adopted by the state board of education. Indicators shall include the following areas:

- (a) Attendance rates.
- (b) Annual and cumulative drop-out rates of high school students and annual drop-out rates for students in grades 7 and 8.
- (c) School environment indicators, such as safe-schools data.
- (d) Number and percentage of graduating high school students.
- (e) Number and percentage of graduating high school students going on to postsecondary education, military service, and an advanced learning program leading to a value added skill or career certification.
- (f) Number and percentage of students earning a career and technical education industry recognized credential.
- (g) Number and percentage of students completing a career pathway program of study.
- (h) Number and percentage of high school students who earned postsecondary credit of C or better for one or more concurrent or dual enrollment courses from a New Hampshire postsecondary college or university.
- (i) Number of students that completed a New Hampshire scholars program of study.
- (j) Number and percentage of students that completed and passed an advanced placement exam with a score of 3, 4 or 5; or International Baccalaureate exam with a score of 4, 5, 6, or 7.
- (k) Number of students that scored at least a level III on components of the ASVAB, as defined in RSA 186:68, I, that comprise the Armed Forces Qualification Test (AFQT).
- (l) The number and percentage of high school students that either met or exceeded the college and career ready benchmark established by the department for either the SAT or ACT.
- (m) Expulsion and suspension rates, including in-school and out-of-school suspensions including data identifying the percentage of out-of-school suspensions of more than 10 days for each school year. This indicator shall be categorized by district, school, and grade level with each category disaggregated and broken down by gender, race, IEP, and eligibility for free and reduced-price meal programs.
- (n) Teacher and administrative turnover rates at the school and district levels.

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.

HB 1496, relative to requirements for performance based accountability for an adequate education. Ought to Pass with Amendment, Vote 4-0. Senator Ward for the committee.

Senate Education
 March 27, 2018
 2018-1249s
 06/04

Amendment to HB 1496

Amend RSA 193-E:3-d as inserted by section 3 of the bill by replacing it with the following:

193-E:3-d Performance-Based School Accountability System; Verification Process. Prior to the submission of the final report pursuant to this section, the department shall undertake a process to verify and test the

integrity, accuracy, and validity of the performance-based accountability system utilizing the best available data from one school from each of the counties in the state. The commissioner shall ensure, to the greatest extent possible, that the verification process utilizes the best available data from a balance of elementary and secondary schools representing diverse socioeconomic conditions throughout the state. The commissioner shall work with school officials and faculty from the selected schools to implement the performance-based school accountability program and to develop a data collection system which will allow schools to easily report results to the department for analysis and reporting. ***The commissioner shall review and make recommendations regarding the performance-based accountability system to ensure that the system adequately measures the goals and indicators associated with student academic achievement and growth.***

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

Senator D'Allesandro offered a Floor Amendment.

Sen. D'Allesandro, Dist 20

Sen. Giuda, Dist 2

April 17, 2018

2018-1593s

04/06

Floor Amendment to HB 1496

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

AN ACT relative to requirements for performance based accountability for an adequate education and relative to reporting requirements for the civics competency assessment.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Civics Instruction. Amend RSA 189:11, II to read as follows:

II. As a component of instruction under paragraph I, a locally developed competency assessment of United States government and civics that includes, but is not limited to, the nature, purpose, structure, function, and history of the United States government, the rights and responsibilities of citizens, and noteworthy government and civic leaders, shall be administered to students as part of the high school course in history and government of the United States and New Hampshire. Students who attain a passing grade on the competency assessment shall be eligible for a certificate issued by the school district. The United States Citizenship and Immigration Services (USCIS) test ~~may~~ **shall** be used to satisfy the requirement of this paragraph. ***By June 30 of each year, each school district shall submit the results of the exam to the department of education. By September 30 of each year, the department shall provide a report to the senate and house education committees.***

2018-1593s

AMENDED ANALYSIS

This bill modifies requirements for performance based accountability for an adequate education.

This bill also adds reporting requirements for the civics competency assessment administered to high school students.

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.

HB 1497, relative to accountability for school performance.

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

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

HB 1499, relative to the focus and components of New Hampshire kindergartens.

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

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

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

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

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

Roll Call, Yeas: 13 - Nays: 11. Adopted, bill ordered to Third Reading.

HB 1612, relative to data security in schools.

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

Senate Education

April 11, 2018

2018-1459s

06/04

Amendment to HB 1612

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

1 New Paragraph; Student and Teacher Information Protection; Data Inventory Security Plan. Amend RSA 189:66 by inserting after paragraph IV the following new paragraph:

V. The department shall establish minimum standards for privacy and security of student and employee data, based on best practices, for local education agencies. Each local education agency shall develop a data and privacy governance plan which shall be presented to the school board for review and approval by June 30, 2019. The plan shall be updated annually and presented to the school board. The plan shall include:

(a) An inventory of all software applications, digital tools, and extensions. The inventory shall include users of the applications, the provider, purpose, publisher, privacy statement, and terms of use.

(b) A review of all software applications, digital tools, and extensions and an assurance that they meet or exceed standards set by the department.

(c) Policies and procedures for access to data and protection of privacy for students and staff including acceptable use policy for applications, digital tools and extensions.

(d) A response plan for any breach of information.

(e) A requirement for a service provider to meet or exceed standards for data protection and privacy.

2 Student and Teacher Information Protection; Data Inventory Security Plan. Amend the introductory paragraph of RSA 189:66, IV to read as follows:

IV. The department **and each local education agency** shall make publicly available students' and parents' rights under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. section 1232g, et seq., and applicable state law including:

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

2018-1459s

AMENDED ANALYSIS

This bill requires each local education agency to develop a data security plan.

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.

HB 1637, requiring school districts to establish policies relating to suspensions and expulsions.

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

Senate Education

April 11, 2018

2018-1458s

06/04

Amendment to HB 1637

Amend RSA 186:11, XXXVIII(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Require each school district to establish a policy on school discipline that establishes the criteria for in-school suspensions, short term out-of-school suspensions, long term out-of-school suspensions and expulsions,

and the maximum length of long term suspensions. Such policy shall separately describe the criteria for imposition of each level of discipline, with reference to factors such as disruption of school activities, risk of property damage, actual or threatened bodily injury, or other factors determined relevant by the school district.

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

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

HB 1698-FN-L, relative to the cost of special education services for foster children.
Ought to Pass, Vote 4-0. Senator Giuda for the committee.

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

HB 1744, authorizing a parent to exempt his or her child from participating in the statewide assessment program.

Ought to Pass, Vote 3-1. Senator Ward for the committee.

Recess. Out of recess.

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

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

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, Cavanaugh, Soucy, D'Allesandro, Fuller Clark.

Roll Call, Yeas: 14 - Nays: 10. Adopted, bill ordered to Third Reading.

HB 1761, relative to the math learning communities program in secondary schools.
Ought to Pass with Amendment, Vote 4-0. Senator Kahn for the committee.

Senate Education
April 11, 2018
2018-1456s
06/04

Amendment to HB 1761

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

AN ACT relative to the math learning communities program in secondary schools and relative to dual and concurrent enrollment agreements between high schools and colleges and universities.

Amend RSA 193-I:2, II as inserted by section 2 of the bill by replacing it with the following:

II. Course I, advanced math foundations, is a review and expansion of a student's understanding and ability to apply fundamental competencies in algebra, geometry, probability, and statistics. This course provides one math credit toward high school graduation.

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

3 Dual and Concurrent Enrollment Program; Definitions. Amend RSA 188-E:25 to read as follows:

188-E:25 Definitions. In this subdivision:

I. "Concurrent enrollment" means courses taught at the high school by high school teachers approved by the community college system of New Hampshire (CCSNH) *or the university system of New Hampshire*, in which high school students earn both high school and college or university credit while students are still attending high school or a career technical education center.

II. "Dual enrollment" means college courses taught by instructors from the community college system of New Hampshire (CCSNH) *or the university system of New Hampshire* in which high school students earn college credit while students are still enrolled in high school or a career technical education center.

4 Dual and Concurrent Enrollment Program; Enrollment Requirements. Amend RSA 188-E:27, I to read as follows:

I. An interested high school student in grade 11 or 12 may enroll in a course that is designated by the CCSNH ***or the university system of New Hampshire*** as part of the dual and concurrent enrollment program.

5 Dual and Concurrent Enrollment Program; Enrollment Requirements. Amend RSA 188-E:27, III to read as follows:

III. The state shall pay up to \$250 to the CCSNH institution where a high school or career and technical education student successfully completes an approved course and the CCSNH shall accept such amount as full payment for course tuition. ***No state funds for dual and concurrent enrollment programs shall be paid to university system of New Hampshire institutions during fiscal year 2018 or fiscal year 2019.***

6 Dual and Concurrent Enrollment Program; School Board Policy. Amend RSA 188-E:28 to read as follows:

188-E:28 School Board Policy.

I. No later than July 1, 2018, the school board of each school district shall develop and adopt a policy permitting students residing in the district who are in grade 11 or 12 to participate in the dual and concurrent enrollment program. The policy shall, at a minimum, include compliance with measurable educational standards and criteria approved by the CCSNH ***and/or the university system of New Hampshire*** and that meet the same standard of quality and rigor as courses offered on campus by the CCSNH ***and/or the university system of New Hampshire***. The policy shall also comply with the standards for accreditation and program development established by the National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not be limited to, student eligibility criteria, standards for course content, standards for faculty approval, program coordination and communication requirements, tuition and fees, textbooks and materials, course grading policy, data collection, maintenance, and security, revenue and expenditure reporting, and process for renewal of the agreement.

II. The department of education and the CCSNH shall develop and approve a model dual and concurrent enrollment agreement that shall be used by the CCSNH and the school board of a school district participating in the dual and concurrent enrollment agreement program. The model agreement shall include standards established by the CCSNH, shall include elements, standards, and criteria that have been approved by the department of education and CCSNH, and shall serve as the framework for the development, implementation, and administration of the dual and concurrent enrollment program in each school district by clearly defining the procedures related to concurrent and dual enrollment of high school students in college classes. The department shall further develop guidelines for the program relating to reporting, accountability, and payment of available funds to the CCSNH.

III. The department of education and the university system of New Hampshire shall develop and approve a model dual and concurrent enrollment agreement that shall be used by the school board of a school district participating in the dual and concurrent enrollment agreement program. The model agreement shall include standards established by the university system of New Hampshire, and shall include elements, standards, and criteria that have been approved by the department of education, and shall serve as the framework for the development, implementation, and administration of the dual and concurrent enrollment program in each school district by clearly defining the procedures related to dual and concurrent enrollment of high school students in college classes.

7 Effective Date.

I. Sections 3-6 of this act shall take effect 60 days after its passage.

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

2018-1456s

AMENDED ANALYSIS

This bill:

I. Requires the commissioner of the department of education to establish and implement a supplemental high school math program for students who require remediation.

II. Extends the dual and concurrent enrollment program to high school courses approved for credit by the community college system of New Hampshire and the university system of New Hampshire.

III. Requires the department of education and the university system to develop a model dual and concurrent enrollment agreement to be used by participating school districts.

The Chair ruled sections of the Committee Amendment non-germane.

Without objection, Senate Rule 3-17 is suspended to allow consideration of the non-germane Committee Amendment. Adopted by the necessary 2/3 vote.

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

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2

April 18, 2018

2018-1644s

06/04

Floor Amendment to HB 1761

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

AN ACT relative to the math learning communities program in secondary schools.

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

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

2018-1644s

AMENDED ANALYSIS

This bill requires the commissioner of the department of education to establish and implement a supplemental high school math program for students who require remediation.

The question is on the adoption of the Floor Amendment.

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

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

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

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

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

ENERGY AND NATURAL RESOURCES

HB 1592-FN, requiring the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water.

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

Energy and Natural Resources

April 10, 2018

2018-1438s

08/04

Amendment to HB 1592-FN

Amend RSA 485:3, XV as inserted by section 2 of the bill by replacing it with the following:

XV. By January 1, 2019, the commissioner shall review the maximum contaminant level for arsenic to determine whether it should be lowered and, if it is determined that it should be lowered, shall initiate rule-making in accordance with RSA 541-A to establish the new maximum contaminant level and shall submit a report to the house executive departments and administration committee, the senate executive departments and administration committee, and the joint legislative committee on administrative rules prior to initiating such rulemaking.

Amend RSA 485:3, I(b) as inserted by section 3 of the bill by deleting subparagraph (3).

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).

INTRODUCTION OF GUESTS

Senator Giuda introduced 4th grade students from New Hampton Community School visiting in the gallery.
 Recess. Out of recess.

SPECIAL ORDER

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

HEALTH AND HUMAN SERVICES

HB 587-FN, relative to conversion therapy seeking to change a person's sexual orientation.

HEALTH AND HUMAN SERVICES

HB 587-FN, relative to conversion therapy seeking to change a person's sexual orientation.
 Ought to Pass with Amendment, Vote 3-2. Senator Fuller Clark for the committee.

Health and Human Services

April 12, 2018

2018-1502s

01/06

Amendment to HB 587-FN

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

1 New Chapter; Prohibiting Conversion Therapy on Minors. Amend RSA by inserting after chapter 332-K the following new chapter:

CHAPTER 332-L

PROHIBITING CONVERSION THERAPY ON MINORS

332-L:1 Definition. In this chapter, "conversion therapy" means practices or treatments which impose a viewpoint that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include talk therapy or religious counseling that provides acceptance, support, and understanding to that individual. Nor does it prohibit facilitating an individual's coping, social support systems, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, if such counseling does not seek to change an individual's sexual orientation or gender identity against an individual's will.

332-L:2 Prohibition; Violations, and Enforcement.

I. A person who is licensed to provide professional counseling under RSA 326-B, RSA 328-D, RSA 329, RSA 329-B, RSA 330-A:16, RSA 330-A:18, RSA 330-A:19, RSA 330-A:20, RSA 330-A:21, or RSA 330-C, including, but not limited to, a nurse, physician assistant, physician, psychologist, clinical social worker, clinical mental health counselor, marriage and family therapist, or licensed alcohol and drug counselor, or a person who performs counseling as part of the person's professional training for any of these professions, shall not engage in conversion therapy with a person under 18 years of age.

II. Any licensed professional, as listed in paragraph I, who proposes to engage or engages in conversion therapy on a patient under 18 years of age shall be considered to have engaged in unprofessional conduct and shall be subject to such discipline as the relevant licensing authority deems appropriate.

332-L:3 Non-Infringement. Nothing in this chapter shall be construed to infringe on any constitutional right, including the free exercise of religion.

2 Effective Date. This act shall take effect January 1, 2019.

The question is on the adoption of the Committee Amendment.

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

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

The following Senators voted No: Woodburn, Hennessey, Kahn, Lasky, Feltes, Cavanaugh, Reagan, Soucy, D'Allesandro, Fuller Clark, Gannon, Innis.

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

INTRODUCTION OF GUESTS

Senator Feltes introduced students from the Christa McAuliffe School in Concord visiting in the gallery.

Senator Fuller Clark offered a Floor Amendment.

Sen. Fuller Clark, Dist 21

April 19, 2018

2018-1654s

01/04

Floor Amendment to HB 587-FN

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

1 New Chapter; Prohibiting Conversion Therapy on Minors. Amend RSA by inserting after chapter 332-K the following new chapter:

CHAPTER 332-L

PROHIBITING CONVERSION THERAPY ON MINORS

332-L:1 Definition. In this chapter, "conversion therapy" means practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

332-L:2 Prohibition; Violations, and Enforcement.

I. A person who is licensed to provide professional counseling under RSA 326-B, RSA 328-D, RSA 329, RSA 329-B, RSA 330-A:16, RSA 330-A:18, RSA 330-A:19, RSA 330-A:20, RSA 330-A:21, or RSA 330-C, including, but not limited to, a nurse, physician assistant, physician, psychologist, clinical social worker, clinical mental health counselor, marriage and family therapist, or licensed alcohol and drug counselor, or a person who performs counseling as part of the person's professional training for any of these professions, shall not engage in conversion therapy with a person under 18 years of age.

II. Any licensed professional, as listed in paragraph I, who proposes to engage or engages in conversion therapy on a patient under 18 years of age shall be considered to have engaged in unprofessional conduct and shall be subject to such discipline as the relevant licensing authority deems appropriate.

332-L:3 Non-Infringement. Nothing in this chapter shall be construed to infringe on any constitutional right, including the free exercise of religion.

2 Effective Date. This act shall take effect January 1, 2019.

The question is on the adoption of the Floor Amendment.

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

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

The following Senators voted No: Giuda, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Birdsell, Morse.

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

INTRODUCTION OF GUESTS

Senator D'Allesandro introduced students from the New Hampshire Politics in Action class visiting in the gallery.

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 Soucy.

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

The following Senators voted No: Giuda, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Birdsell, Morse.

Roll Call, Yeas: 14 - Nays: 10. Adopted, bill ordered to Third Reading.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 298, relative to licensing requirements for apprentice plumbers.

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

Senate Executive Departments and Administration

April 11, 2018

2018-1470s

10/05

Amendment to HB 298

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

AN ACT relative to the mechanical licensing board.

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

1 Mechanical Licensing; Definitions. Amend RSA 153:27 to read as follows:

153:27 Definitions. In this subdivision:

I. "Board" means the mechanical licensing board established in RSA 153:27-a.

II. "Domestic appliance technician" means any person engaged in the installation, servicing, and repair of liquefied propane or natural gas domestic appliances designed specifically for residential use, limited to residential clothes dryers and their venting systems, domestic stove tops, cook stoves and ranges and their venting systems, or outdoor cooking equipment and pool heaters.

III. "Fuel gas fitter" means a hearth system installation and service technician, **a domestic appliance technician**, a fuel gas installation technician, a fuel gas service technician, or a fuel gas piping installer regulated by this subdivision.

IV. "Fuel gas fitting" means the installation, repair, alteration, service, demolition or removal of pipes, fixtures, fittings, appliances, **equipment**, or apparatus necessary for supplying natural gas or propane for residential or non-residential use from the point of delivery and all gas piping before connection to the combustion zone and including the applicable venting of flue gases to the outside atmosphere and the provisions for air for combustion and ventilation.

V. "Fuel gas installation technician" means any person engaged in the installation of inside and outside piping from the outlet of the gas meter or first stage regulator or residential and non-residential **fuel gas appliances and equipment, including but not limited to** heating equipment systems or water heating systems using liquefied propane gas or natural gas.

VI. "Fuel gas piping installer" means any person engaged in the installation of liquefied propane gas or natural gas piping or who is a New Hampshire licensed plumber, approved by the board through affidavit, experience, education or training in the use of NFPA 54, national fuel gas code as adopted pursuant to RSA 153:5 in the state fire code.

VII. "Fuel gas service technician" means any person engaged in the servicing and repair of inside and outside piping from the outlet of the gas meter or first stage regulator or residential and non-residential **fuel gas appliances and equipment, including but not limited to** heating equipment systems or water heating systems using liquefied propane gas or natural gas.

VIII. "Fuel gas trainee" means any person engaged in the process of meeting the licensing requirements of this subdivision, who shall work under the **direct** supervision of a licensed fuel gas fitter in the repair or installation of inside and outside piping from a gas meter or first stage regulator, and the repair or installation of residential and nonresidential **fuel gas appliances and equipment, including but not limited to** heating equipment systems, hot water heating systems, **domestic appliances**, or hearth equipment systems utilizing liquefied propane gas or natural gas.

IX. "Hearth system installation and service technician" means any person engaged in the installation, servicing, and repair of liquefied propane or natural gas hearth appliances and venting systems.

X. "Journeyman plumber" means any person who customarily performs the work of installing, maintaining, and repairing plumbing and drainage under the direction of a master plumber.

XI. "License" means any license issued pursuant to this subdivision.

XII. "Master plumber" means any person, firm, corporation, or limited liability company that, as a business, hires or employs a person or persons to do plumbing work, or, without hiring any person, does that work as a principal business or as auxiliary to a principal business for its own account.

XIII. "Person" means an individual, natural person.

XIV. "Plumbing" means the practice, materials, and fixtures used in the installing, maintenance, extension, and alteration of all piping, fixtures, plumbing appliances, and plumbing appurtenances within or adjacent to any structure, in connection with sanitary drainage or storm drainage facilities; venting systems; and public or private water systems. For the purposes of this subdivision, the term "plumbing" shall not apply beyond the first fitting beyond the foundation wall of the building or 5 feet of pipe from the building.

XV. "Plumbing apprentice" means any person who is engaged in learning and assisting in the installation of plumbing and drainage under an apprenticeship program that meets the requirements of the state apprenticeship advisory council established in RSA 278 *or the rules of the board*.

XVI. "Water treatment system" means any apparatus for treating or processing water to modify, enhance, or improve its quality or to meet a specific water quality need, desire, or standard, and the pipes, fittings, and other components servicing such apparatus.

XVII. "Water treatment technician" means any person who installs, maintains, or repairs water treatment systems.

XVIII. "Water treatment trainee" means any person who is engaged in learning about and assisting in installing, maintaining, or repairing water treatment systems under the direct supervision of a water treatment technician certified under this subdivision.

2 Business Entities License. Amend RSA 153:29-a, I to read as follows:

I. The board may issue a business entity a license without examination or continuing education requirements to corporations, partnerships, or limited liability companies engaged in fuel gas fitting and/or plumbing, provided one or more officers of the corporation, or designee, or one or more members of the partnership, or designee, or one or more managing members of the limited liability company, or designee, hold an active and current license as a ***domestic appliance technician, hearth system installation and service technician, or*** fuel gas service technician or master plumber for the appropriate mechanical business entity license, or any combination thereof, provided that the licensee of record is properly licensed for each of the business entities listed by the applicant under this subdivision. Within 30 days after the death or withdrawal of the licensed person as a corporate officer, or designee, or member of the partnership, or designee, or one or more managing members of the limited liability company, or designee, the licensed person, corporation, partnership, or limited liability company shall give notice thereof to the board and, if no other officer, partner, manager or designee, is licensed as a ***domestic appliance technician, hearth system installation and service technician, or*** fuel gas service technician or master plumber, the corporation, or partnership, or limited liability company shall not act as a fuel gas fitter or plumber until some other officer, member, or designee, has obtained a license as a ***domestic appliance technician, hearth system installation and service technician, or*** fuel gas service technician or master plumber. Notwithstanding any other provision of law, the board shall not require a fee for a business entity engaged in fitting and/or plumbing where a licensed ***domestic appliance technician, hearth system installation and service technician, or*** fuel gas service technician or master plumber is the sole individual holding the license of the business entity.

3 New Paragraph; Business Entities; Good Standing; Insurance. Amend RSA 153:29-a by inserting after paragraph V the following new paragraph:

VI. All business entities shall provide proof of good standing with the secretary of state and proof of liability insurance prior to issuance and renewal of a business entity license.

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

2018-1470s

AMENDED ANALYSIS

This bill clarifies the definitions of persons licensed by the mechanical licensing board and requires business entities to show proof of good standing and insurance.

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.

HB 1104-FN, relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; and relative to online filing with the secretary of state's office.

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

Senate Executive Departments and Administration

April 11, 2018

2018-1467s

05/10

Amendment to HB 1104-FN

Amend the bill by replacing section 4 with the following:

4 Administrative Provisions; Extensions for Conservation Commission Action on Wetlands Applications. Amend RSA 482-A:11, III(a) to read as follows:

(a) Upon written notification to the department by a municipal conservation commission, ***a local river management advisory committee, or the New Hampshire Rivers Council*** that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, ***local river management advisory committee, or the council***, or until 40 days from the date of filing with the municipal clerk of such notice, whichever occurs earlier, subject to an extension ***of up to 40 days***, as permitted by the [department] ***commissioner, for good cause shown***. In connection with any local investigation, a conservation commission may hold a public informational meeting or a public hearing, the record of which shall be made a part of the record of the department. Where the [department] ***commissioner*** grants an extension, the time limits prescribed by RSA 482-A:3, XIV(b) shall be suspended [until a date] ***for up to 40 days as*** agreed to by the applicant and the department. If a conservation commission, ***a local river management advisory committee, or the New Hampshire Rivers Council*** makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department. If notification by a local conservation commission, ***local river management advisory committee, or the New Hampshire Rivers Council*** pursuant to this paragraph is not received by the department within 14 days following the date the notice is filed with the municipal clerk, the department shall not suspend its normal action, but shall proceed as if no notification has been made.

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).

HB 1427-FN, relative to membership in the retirement system for certain officials.

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

Senate Executive Departments and Administration

April 11, 2018

2018-1472s

10/05

Amendment to HB 1427-FN

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

AN ACT relative to the reduction in the calculation of state retirement system annuities at age 65.

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

1 Retirement System; Service Retirement Benefits; Reduction Age. Amend RSA 100-A:5, I(b) to read as follows:

(b) Upon service retirement, an employee member or teacher member of group I shall receive a service retirement allowance which shall consist of a member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of retirement, and a state annuity. Prior to the member's attainment of [age 65] ***the member's full retirement age for Social Security***, the state annuity, together

with the member annuity, shall be equal to 1/60 of the member's average final compensation multiplied by the number of years of creditable service. After attainment of [age-65] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation multiplied by the number of years of creditable service. Provided, however, that a group I member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 65; but may receive a reduced allowance after age 60 if the member has at least 30 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 65 years of age, by 1/4 of one percent.

2 Retirement System; Ordinary Disability Retirement Benefits; Reduction Age. Amend RSA 100-A:6, I(b) (1)(A) and (B) to read as follows:

(A) Prior to the member's attainment of [age-65] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of his ***or her*** ordinary disability retirement multiplied by the number of years of creditable service at the time of his ***or her*** ordinary disability retirement;

(B) After attainment of [age-65] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of his ***or her*** ordinary disability retirement multiplied by the number of years of creditable service at the time of his ***or her*** ordinary disability retirement;

3 Retirement System; Accidental Disability Retirement Benefits; Reduction Age. Amend RSA 100-A:6, I(d) (1)(A) and (B) to read as follows:

(A) Prior to the member's attainment of [age-65] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of his ***or her*** accidental disability retirement multiplied by the number of years of creditable service at the time of his ***or her*** accidental disability retirement;

(B) After attainment of [age-65] ***the member's full retirement age for Social Security***, the state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of his ***or her*** accidental disability retirement multiplied by the number of years of creditable service at the time of his ***or her*** accidental disability retirement;

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

2018-1472s

AMENDED ANALYSIS

This bill provides for the application of the reduction of a retiree's annuity at the member's full retirement age under the federal Social Security system.

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

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

HB 1506-FN, relative to regulation of graduate physicians.

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

Senate Executive Departments and Administration

March 28, 2018

2018-1275s

10/03

Amendment to HB 1506-FN

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

AN ACT relative to the commission on primary care workforce issues.

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

1 New Paragraphs; Commission on Primary Care Workforce Issues; Membership. Amend RSA 126-T:1 by inserting after paragraph XVIII the following new paragraphs:

XIX. A nurse with experience in primary care, appointed by the New Hampshire Nurses Association.

XX. A representative of the substance use disorder treatment community, appointed by the New Hampshire Alcohol and Drug Abuse Counselors Association.

2 Commission on Primary Care Workforce Issues; Reports. Amend RSA 126-T:4 to read as follows:

126-T:4 Reports. The commission shall make an interim report on November 1, [2015] **2018 which shall focus on the status of the New Hampshire State Loan Repayment Program and the New Hampshire division of public health service's health professions survey**, and a final report on November 1, [2019] **2020**, including its findings and any recommendations for proposed legislation, to the speaker of the house of representatives, the president of the senate, [and] the governor, **the oversight committee on health and human services, and the chairpersons of the senate and house executive departments and administration committees.**

3 Commission on Primary Care Workforce Issues Extended. Amend 2010, 114:4, I as amended by 2015, 238:4 to read as follows:

I. Section 3 of this act shall take effect November 1, [2019] **2020**.

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

2018-1275s

AMENDED ANALYSIS

This bill adds to the membership and extends the commission on primary care workforce issues.

The question is on the adoption of the Committee Amendment.

A division vote was requested.

Yeas: 10 - Nays: 8. Adopted

Senator Gray offered a Floor Amendment.

Sen. Gray, Dist 6

April 13, 2018

2018-1504s

10/04

Floor Amendment to HB 1506-FN

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

AN ACT relative to the commission on primary care workforce issues, and establishing a committee to study allowing medical school graduates who have not completed residency requirements to work in underserved areas of the state.

Amend the bill by replacing section 4 with the following:

4 Committee Established. There is established a committee to study allowing medical school graduates who have not completed residency requirements to work in underserved areas of the state.

I. The members of the committee 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, 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.

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

(a) Studying the issue of allowing medical school graduates who have not completed residency programs (graduate physicians) to work under supervision as physician assistant equivalents or as interns in hospitals in medically underserved areas of the state; including whether the Educational Commission for Foreign Medical Graduates (ECFMG) criteria is sufficient to consider international medical graduates eligible to practice under supervision; whether additional screening is appropriate or whether hospitals and medical groups would sufficiently vet their qualifications; and comparing their clinical training with that of other mid-level providers such as APRNs and physician assistants currently eligible to be licensed in this state.

(b) Oversight of graduate physicians through collaborative practice arrangements with physicians, to include any limitations on the scope of such arrangements and the method and degree of review of the graduate physician's delivery of health care services, including the use of telemedicine and similar measures to provide such review.

(c) The feasibility of providing educational opportunities to these individuals, including the use of distance learning techniques and online interactive conferencing to bring these opportunities to rural areas.

(d) The results of similar efforts in the state of Missouri in 2014, including successes and challenges.

(e) The degree to which services provided by graduate physicians might be eligible for federal reimbursement under Medicare, Medicaid, and other programs.

(f) The cost and potential availability of malpractice insurance for graduate physicians.

(g) Licensure required for graduate physicians, including whether it is reasonable to create a path to licensure as a physician and what period of time, education, testing, or other requirements should be considered for such an alternative path to licensure.

IV. The committee may solicit information from any person or entity the committee deems relevant to its study.

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

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

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

2018-1504s

AMENDED ANALYSIS

This bill adds to the membership and extends the commission on primary care workforce issues. This bill also establishes a committee to study allowing medical school graduates who have not completed residency requirements to work in underserved areas of the state.

INTRODUCTION OF GUESTS

Senator Hennessey introduced members from the Woodland Independent Living Retirement Community visiting in the gallery.

The question is on the adoption of the Floor Amendment.

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

The following Senators voted Yes: Woodburn, Giuda, Gray, French, Sanborn, Daniels, Avard, Cavanaugh.

The following Senators voted No: Bradley, Watters, Hennessey, Ward, Lasky, Carson, Feltes, Reagan, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis, Morse.

The following Senators were excused: Kahn, Soucy.

Roll Call, Yeas: 8 - Nays: 14. Failed.

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

HB 1623, relative to criteria for debarment of vendors.

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

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

HB 1624, relative to state procurement practices and criteria for acceptance of bids.

Inexpedient to Legislate, Vote 4-0. Senator Gannon for the committee.

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

HB 1684, relative to criminal background checks for emergency medical services license applicants.
Ought to Pass, Vote 4-0. Senator Cavanaugh for the committee.

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

HB 1738, transferring the division of film and digital media to the division of travel and tourism in the department of business and economic affairs.

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

Senate Executive Departments and Administration

April 11, 2018

2018-1468s

05/10

Amendment to HB 1738

Amend the bill by replacing section 8 with the following:

8 Transfer of Funding for the Position of Director of Film and Digital Media. Upon transfer of the accounting unit to the department of business and economic affairs, the budget appropriations shall be transferred from class 11 to class 10.

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.

FINANCE

HB 1315, prohibiting the university system funds from being spent to oppose the formation of unions and collective bargaining units.

Inexpedient to Legislate, Vote 4-2. Senator Daniels for the committee.

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

A roll call was requested by Senator Fuller Clark, 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, Lasky, Feltes, Cavanaugh, D'Allesandro, Fuller Clark.

The following Senators were excused: Kahn, Soucy.

Roll Call, Yeas: 14 - Nays: 8. Adopted.

HB 1354, adding the speaker of the house of representatives and senate president as permanent members of the university system board of trustees.

Ought to Pass with Amendment, Vote 4-2. Senator D'Allesandro for the committee.

Senate Finance

April 10, 2018

2018-1441s

04/01

Amendment to HB 1354

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

AN ACT relative to the speaker of the house of representatives and senate president as members of the university system board of trustees.

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

2018-1441s

AMENDED ANALYSIS

This bill makes the speaker of the house of representatives and senate president permanent members of the university system board of trustees.

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.

HB 1401, relative to the New Hampshire accountancy act.
Ought to Pass, Vote 6-0. Senator Reagan for the committee.

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

SPECIAL ORDER

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

HEALTH AND HUMAN SERVICES

HB 1807-FN, relative to exploitation of elderly, disabled, or impaired adults and establishing a protective order for vulnerable adults.

INTRODUCTION OF GUESTS

Senator Fuller Clark introduced IREM and UNH Business and Economics students visiting in the gallery.

JUDICIARY

HB 134-FN, relative to causes for divorce.
Ought to Pass, Vote 4-0. Senator French for the committee.

Senator Bradley moved to Lay on the Table HB 134-FN. Adopted.

HB 1283, prohibiting sobriety checkpoints.
Inexpedient to Legislate, Vote 4-1. Senator Gannon for the committee.

Senator Bradley presiding.

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

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

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

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

The following Senators were excused: Kahn, Soucy.

Roll Call, Yeas: 15 - Nays: 7. Adopted.

President Morse presiding.

HB 1316-FN, relative to revenue collected from concealed carry licenses.
Ought to Pass, Vote 4-0. Senator Gannon 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).

HB 1357, relative to the delivery of articles to a prisoner in a state or county correctional facility.
Ought to Pass, Vote 3-0. Senator Hennessey for the committee.

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

HB 1477-FN, relative to annulment of arrests or convictions for possession of 3/4 of an ounce of marijuana, or less.
Ought to Pass, Vote 3-2. Senator Lasky for the committee.

Senator Bradley moved to Lay on the Table HB 1477-FN. Adopted.

HB 1661, relative to a marriage petition by a party under age.
Ought to Pass with Amendment, Vote 4-0. Senator French for the committee.

Senate Judiciary

April 9, 2018

2018-1403s

05/06

Amendment to HB 1661

Amend RSA 457:6, III as inserted by section 1 of the bill by replacing it with the following:

III. As part of the decision making process, the court may conduct an in camera interview of each person under the age of consent, without that person's parent or guardian or the other party to the marriage present.

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.

HB 1672-FN, prohibiting release of certain information relative to users of therapeutic cannabis to federal agencies.

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

Senator Bradley moved to Lay on the Table HB 1672-FN. Adopted.

HB 1753-FN, relative to transportation of alcoholic beverages by a minor.

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

Senate Judiciary
April 10, 2018
2018-1426s
08/03

Amendment to HB 1753-FN

Amend RSA 265-A:45, I-II as inserted by section 1 of the bill by replacing them with the following:

I. Notwithstanding RSA 265-A:44, II, no driver under the age of 21 shall, except when accompanied by a parent, ***stepparent***, legal guardian, ***grandparent***, or legal age spouse, ***domestic partner, or sibling***, transport any liquor or beverage in any part of a vehicle. A driver violating this section may have his or her license or privilege to drive suspended for 60 days.

II. No person operating a boat while under the age of 21 shall, except when accompanied by a parent, ***stepparent***, legal guardian, ***grandparent***, or legal age spouse, ***domestic partner, or sibling***, transport any liquor or beverage in any part of a boat with an intent to consume such liquor or beverage. Anyone violating this paragraph may, following a hearing, have his or her privilege to operate a boat on the waters of the state suspended for 90 days and may additionally have his or her license or privilege to drive suspended for 90 days.

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.

HB 1788-FN-L, relative to costs charged under the right-to-know law.

Ought to Pass with Amendment, Vote 3-2. Senator French for the committee.

Senate Judiciary
April 9, 2018
2018-1406s
01/04

Amendment to HB 1788-FN-LOCAL

Amend RSA 91-A:4, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Each public body or agency shall, upon request for any governmental record reasonably described, make available for inspection and copying any such governmental record within its files when such records are immediately available for such release. If a public body or agency is unable to make a governmental record available for immediate inspection and copying, it shall, within 5 business days of request, make such record available, deny the request in writing with reasons, or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If a computer, photocopying machine, or other device maintained for use by a public body or agency is used by the public body or agency to copy the governmental record requested, the person requesting the copy may be charged the actual cost of providing the copy ***of a standard page, not to exceed 10 cents per page***, which cost may be collected by the public body or agency. No fee shall be charged for the inspection or delivery, without copying, of governmental records, whether in paper, electronic, or other form. Nothing

in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of governmental records or documents, but if such fee is established for the copy, no additional costs or fees shall be charged.

Senator Bradley moved to Lay on the Table HB 1788-FN-L. Adopted.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1247, relative to administering oaths to certain state officers.

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

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

HB 1473-FN, relative to the timber yield tax.

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

Public and Municipal Affairs

April 11, 2018

2018-1462s

05/10

Amendment to HB 1473-FN

Amend RSA 79:10, I(a) as inserted by section 2 of the bill by replacing it with the following:

I.(a) Every owner, as defined in RSA 79:1, II, shall, prior to commencing each cutting operation and at the beginning of each new tax year into which the cutting operation shall continue, file with the proper assessing officials in the city, town, or unincorporated place where such cutting is to take place a notice of intent to cut provided by the commissioner of revenue administration, stating the owner's name, residence, an estimate of the volume of each species to be cut, and such other information as may be required. ***Except when a bond is required pursuant to RSA 79:3-a or RSA 79:10-a, II, a supplemental notice of intent shall not be required when the total volume of the cut exceeds the total volume reported in the intent to cut by less than 25 percent. When required, the supplemental notice*** shall be filed in the same manner for any additional volume of wood or timber to be cut in excess of the original estimate and within the tax year.

2018-1462s

AMENDED ANALYSIS

This bill:

I. Permits a municipality to waive the yield tax on land owned by the municipality.

II. Provides that, unless a bond has been required, a supplemental notice to cut shall not be required when the total volume of the cut is not more than 25 percent of the volume reported in the notice of intent to cut.

III. Requires the municipality to provide public notice of an intent to cut before it is signed by assessing officials.

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.

HB 1484, relative to late fees in manufactured housing parks.

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

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

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

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

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

The following Senators were excused: Kahn, Soucy.

Roll Call, Yeas: 16 - Nays: 6. Adopted, bill ordered to Third Reading.

HB 1579-FN, requiring records to be kept for certain exempt convenings under the right-to-know law. 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.

MOTION TO ADJOURN FROM EARLY SESSION

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

Adopted. Adjournment from the Early Session.

LATE SESSION

LIST OF RULE 6-25'S FOR THE DAY

Senator Carson: HB 1761

Senator Cavanaugh: HB 1761

Senator Gannon: HB 1624

Senator Sanborn: HB 134-FN, HB 298, HB 523, HB 587-FN, HB 1102-FN, HB 1104-FN, HB 1247, HB 1265, HB 1283, HB 1285, HB 1289, HB 1315, HB 1316-FN, HB 1322, HB 1354, HB 1356, HB 1357, HB 1401, HB 1402, HB 1407, HB 1427-FN, HB 1473-FN, HB 1477-FN, HB 14884, HB 1495, HB 1496, HB 1497, HB 1498, HB 1499, HB 1506-FN, HB 1577, HB 1579-FN, HB 1592-FN, HB 1612, HB 1623, HB 1624, HB 1627, HB 1636, HB 1637, HB 1660, HB 1661, HB 1672-FN, HB 1684, HB 1689-FN, HB 1690-FN, HB 1692-FN, HB 1698-FN-L, HB 1719-FN, HB 1720-FN, HB 1725-FN, HB 1738, HB 1744, HB 1746-FN, HB 1753-FN, HB 1761, HB 1769-FN, HB 1777-FN, HB 1782-FN, HB 1788-FN-L, HB 1807-FN, HB 1810, HB 1822-FN

ANNOUNCEMENTS

(The Chair recognized Senator Watters.)

SENATOR WATTERS: Thank you, Mister President. I ask for unanimous consent, and I just wanted to rise to say to my colleagues that it's great to be back, I think, and I just want to thank you all for your good wishes, your cards, the beautiful flowers from Senate Transportation, and particularly for your prayers. So, thank you, Mister President.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President. I rise to honor a distinguished statesman in our state who passed recently, and was a constituent of mine. I did not know him, but I would ask the President's indulgence in allowing the Dean of the Senate, who did know and work with him, to honor him with his remarks.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. The President and I attended Stewart Lamprey's services that were held in Meredith. And, out of courtesy of the Senate President, also sent flowers on behalf of the Senate, and very graciously appeared, and I thank him for that. You've all heard me talk about Stewart, but let me just say one thing: if in your lifetime it can be said of you that you were a good person, then you've achieved a tremendous goal. Stewart Lamprey was a good person. He was a good human being. We've had some giants work in this building— Walter Peterson was one, Stewart Lamprey was another. I have had the opportunity to work with both. They were great men. They left an impact on our state and, really, on those who worked with them. So, thank you, Mister President. Thank you, Senator. And his family, I think, was very appreciative of the fact that you were there. Thank you.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I rise for unanimous consent to acknowledge the great work of the many town employees that got through town meeting. And in one particular town I visited it read in their annual report, and you all may remember in Lisbon the night before town meeting all the Board of Selectmen quit and left the town clerk, tax collector, Jennifer Trelfa, with really the only person to put it all together, and they dedicated their report to her. And I think it's good to recognize people who stand up and fill in the holes when they're needed, and I just want to read a few lines from this dedication of the Lisbon Annual Town Report: "During the past year, with a new select board, Jenny was the 'go to person.' Her first commit-

ment was always working for the good of the Town and its taxpayers. Jenny stepped in during a difficult task of bridging the administrative void that occurred during town meeting. She spearheaded the legal and practical arrangements needed to have the annual meeting proceed, along with the gracious help of the Lisbon citizens, and made the meeting a reality and insured the continuation of town government." So, thank you, Mister President.

PRESIDENT MORSE: Barbara Bush, a good person, Senator. I met her several times. She is all of the powerful and positive things people have said about her. And she was a woman of integrity and spirit. I will never forget her incredible energy, her compassion for people and her unending devotion to her family and our country. She was not only the matriarch of the Bush family, but a strong, compassionate leader in her own rite. She will surely be missed for all of the contributions she has made throughout her lifetime, but especially for her work improving the literacy for our nation's children.

In the past two days we've seen individuals with differing beliefs recognize the contributions First Lady Barbara Bush brought to this country. The statements made from all political spectrums are a testament to the great woman's legacy. In particular, her son's statements give us a glimpse into the lives of this family and how Mrs. Bush inspired them. Governor Jeb Bush said, "I am exceptionally privileged to be the son of George Bush and the exceptionally gracious, gregarious, fun, funny, loving, tough, smart, graceful woman who was the force of nature known as Barbara Bush." And President George W. Bush recalled his mother, saying, "Barbara Bush was a fabulous First Lady and a woman unlike any other who brought levity, love, and literacy to millions. To us she was much more. Mom kept us on our toes and kept us laughing until the end. I'm a lucky man that Barbara Bush was my mother."

I hope that recognizing this loss for our country, and reflecting on all the things she gave will help inspire us to recommit ourselves to the work that we have been asked to do in this chamber. And to help us embody all of the positive qualities that a leader of her magnitude has shown. We will surely miss First Lady Barbara Bush, and I want you to all know that Susan and I share our thoughts and prayers with the entire Bush family during this difficult time.

Now, for some happier news: on behalf of the Senate I want to extend big congratulations to Patrick Murphy and his wife Liz on their newest addition— a baby girl, Isabelle Rose Murphy, who was born on April 4th. All of us who have been fortunate to raise children know how exciting this time is in your life. I just want to congratulate them.

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

LATE SESSION

Third Reading and Final Passage

HB 298, relative to the mechanical licensing board.

HB 523, establishing a committee to study the use and regulation of biometric information.

HB 587-FN, relative to conversion therapy seeking to change a person's sexual orientation.

HB 1247, relative to administering oaths to certain state officers.

HB 1265, relative to the release of criminal conviction records.

HB 1289, relative to trespassing domestic fowl.

HB 1322, relative to risk-based capital for health maintenance organizations.

HB 1354, relative to the speaker of the house of representatives and senate president as members of the university system board of trustees.

HB 1357, relative to the delivery of articles to a prisoner in a state or county correctional facility.

HB 1401, relative to the New Hampshire accountancy act.

HB 1407, repealing the prohibition on the use of milk containers.

HB 1473-FN, relative to the timber yield tax.

HB 1484, relative to late fees in manufactured housing parks.

HB 1495, relative to standards for determining an adequate education.

HB 1496, relative to requirements for performance based accountability for an adequate education and relative to reporting requirements for the civics competency assessment.

HB 1497, relative to accountability for school performance.

HB 1499, relative to the focus and components of New Hampshire kindergartens.

HB 1506-FN, relative to the commission on primary care workforce issues.

HB 1577, relative to the administration of anesthesia by dentists.

HB 1612, relative to data security in schools.

HB 1623, relative to criteria for debarment of vendors.

HB 1637, requiring school districts to establish policies relating to suspensions and expulsions.

HB 1660, relative to delinquent accounts of liquor licensees.

HB 1661, relative to a marriage petition by a party under age.

HB 1684, relative to criminal background checks for emergency medical services license applicants.

HB 1689-FN, repealing the repeal of the pollution prevention program of the department of environmental services.

HB 1692-FN, allowing liquor licensees to select an anniversary for renewal.

HB 1698-FN-LOCAL, relative to the cost of special education services for foster children.

HB 1719-FN, relative to donations of liquor to nonprofits.

HB 1720-FN, relative to the storage of beverages produced by contract brewers.

HB 1738, transferring the division of film and digital media to the division of travel and tourism in the department of business and economic affairs.

HB 1744, authorizing a parent to exempt his or her child from participating in the statewide assessment program.

HB 1746-FN, relative to the practices of pharmacy benefit managers.

HB 1753-FN, relative to transportation of alcoholic beverages by a minor.

HB 1761, relative to the math learning communities program in secondary schools.

HB 1777-FN, relative to energy infrastructure corridor revenue.

HB 1782-FN, establishing a committee to study insurance payments to ambulance providers and balance billing by ambulance providers.

HB 1810, establishing a commission to study the effectiveness of the current statutes related to management of non-tidal public water ways and the construction or placement of structures within them.

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.