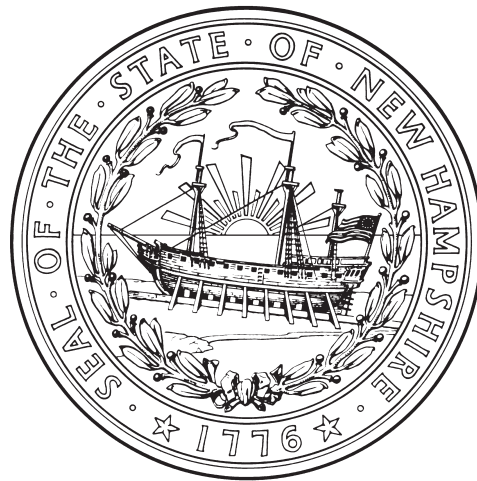


April 26, 2018
Nos. 13-14

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – APRIL 19, 2018 SESSION
COMMENCEMENT – APRIL 26, 2018 SESSION**

SENATE JOURNAL 13 *(continued)*

April 19, 2018

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 119, relative to the length of docks on a water body and boat slips.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Christensen, Renzullo, Gould and Grassie

HOUSE MESSAGE

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

SB 165-FN, authorizing periodic payments as security after a motor vehicle accident.

SB 170, relative to the authority of towns to issue bonds for the expansion of broadband infrastructure.

SB 310-FN, establishing a committee to study the feasibility of establishing community-based services pilot programs.

SB 316, relative to the regulation of online auctions.

SB 319, relative to exempt securities.

SB 320, relative to checklists used at elections.

SB 321, relative to group host net energy metering.

SB 327, relative to the medical review subcommittee of the board of medicine and time limits for allegations of professional misconduct before the board.

SB 332, relative to medication synchronization.

SB 341, relative to the veterans' property tax credit for service-connected disability.

SB 348, relative to senior-specific certifications or designations for securities broker-dealers.

SB 356, adding a representative from the community college system to the apprenticeship advisory council.

SB 363, prohibiting political expenditures by foreign nationals.

SB 367, relative to public utilities commission review of group host agreements.

SB 372-FN-A, establishing positions in the office of professional licensure and certification and making an appropriation therefor.

SB 389, relative to administrative fees on restitution.

SB 396-FN, relative to gold star number plates.

SB 412, relative to agritourism.

SB 417, relative to days of rest for employees of recreation camps and youth skill camps.

SB 428, relative to the payment of weekly and biweekly wages.

SB 429-FN, establishing a consumer services program within the insurance department.

SB 455, relative to state employees injured in the line of duty.

SB 458, authorizing the purchase of retirement system creditable service by a certain surviving spouse.

SB 474, establishing a committee to study group home rate parity.

SB 482-FN, relative to confidential emergency medical and trauma services data.

SB 503, relative to increasing the maximum amount of the optional veterans' tax credit.

SB 504-FN, relative to sales of tax-deeded property.

SB 505, requiring abutter notice of the construction of a crematory.

SB 511, establishing an optional tax credit for combat service.

SB 515, relative to commemorative license plates.

SB 519, relative to the purchase of property for the construction of roads.

SB 533-FN, relative to the composition and compensation of the personnel appeals board.

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 326, relative to the functions of the division of historical resources.

SB 395, relative to access to records under the right-to-know law.

SB 400, relative to traveler information signs on highways.

SB 403-LOCAL, relative to the exemption for recreational vehicles from property taxation.

SB 448, establishing a commission to study the establishment of a state department of energy.

SB 499, relative to the applicability of certain DWI prohibitions.

SB 576-FN, relative to home health services rate setting.

SB 582-FN, authorizing an assessment to determine appropriate caseload and workload standards for the division for children, youth and families; establishing additional child protection services positions in the division for children, youth and families; relative to foster care and adoption programs and services; and making appropriations therefor.

HOUSE MESSAGE

The House of Representatives has voted to Lay On The Table the following entitled Bill(s) sent down from the Senate:

SB 378-FN, relative to an exemption from the board of registration of medical technicians.

HOUSE MESSAGE

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

SB 464, relative to the procedure for driveway permits.

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 151, establishing a committee to study the feasibility of using hemp in agricultural and industrial processes and to further study the licensing, registration, and permitting of industrial hemp growers.

HB 1331, relative to incidental uses for agricultural plates.

HB 1352-FN, eliminating the nonresident freshwater bait dealers license and relative to hunting adventure permits.

HB 1564-FN, relative to sexual assault of a victim who is incarcerated in a correctional institution by a person with supervisory or disciplinary authority over the victim.

HB 1638, declaring April 28, 2018 as tabletop gaming day in New Hampshire.

HB 1651, establishing a committee to study the use of liquid de-icers and solid salt on roads.

HB 1739-FN, prohibiting female genital mutilation.

April 18, 2018

2018-1655-EBA

06/10

Enrolled Bill Amendment to HB 1335

The Committee on Enrolled Bills to which was referred HB 1335

AN ACT relative to the cybersecurity software used by the state of New Hampshire.

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 1335

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1335

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

1 New Subdivision; Cybersecurity Software. Amend RSA 21-R by inserting after section 14 the Amend section 1 of the bill by replacing line 3 with the following:

Cybersecurity Software

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

April 18, 2018
2018-1641-EBA
03/01

Enrolled Bill Amendment to HB 1606

The Committee on Enrolled Bills to which was referred HB 1606

AN ACT relative to naturopathic health care practice.

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 1606

This enrolled bill amendment corrects a reference in the bill and makes a grammatical correction.

Enrolled Bill Amendment to HB 1606

Amend RSA 328-E:14-a, II(a) as inserted by section 9 of the bill by replacing line 2 with the following: testimony, subpoena witnesses, and compel, by subpoena duces tecum, the production of all

Amend RSA 318-B:38, I(n) as inserted by section 12 of the bill by replacing line 1 with the following:

(n) A representative of the New Hampshire naturopathic board of examiners, appointed

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

April 19, 2018
2018-1660-EBA
04/05

Enrolled Bill Amendment to HB 1665

The Committee on Enrolled Bills to which was referred HB 1665

AN ACT relative to the authority of the governing boards of allied health professionals.

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 1665

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1665

Amend RSA 328-F:11, I as inserted by section 4 of the bill by replacing lines 24-26 with the following:

[(g)] **(h)** Application procedures.

[(h)] **(i)** The allocation of disciplinary sanctions in cases of misconduct by licensees **and by certified individuals.**

Senator Avarad moved adoption of the Enrolled Bill Amendment. 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 14

April 26, 2018

The Senate reconvened at 9:00 a.m., a quorum being present.

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

Let us pray.

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

Senator Carson led the Pledge of Allegiance.

INTRODUCTION OF PAGES

Senator Feltes introduced Evan Crandelmire from Shaker Road School in Concord, serving as Senate Page for the day.

Senator Reagan introduced Peter Reid from Shaker Road School in Concord, serving as Senate Page for the day.

INTRODUCTION OF GUESTS

President Morse introduced Representative DeSimone and her granddaughter Isabelle visiting on the Senate floor.

Senator Feltes introduced Jennifer Frizzell, mother of Evan Crandelmire visiting in the gallery.

FN REPORT FOR APRIL 26, 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:

HEALTH AND HUMAN SERVICES

HB 1791-FN, allowing pharmacists to disclose information relative to lower cost drugs under the managed care law.

TRANSPORTATION

HB 314, relative to autonomous vehicles.

REGULAR CALENDAR:

COMMERCE

HB 1416-FN, repealing the prohibition on bottle rockets.

HB 1715-FN, establishing a committee to study options for tenants to dispute a rent increase in a manufactured housing park if such increase was arbitrary and unreasonable—if Inexpedient to Legislate recommendation is overturned.

ENERGY AND NATURAL RESOURCES

HB 1766-FN, relative to remediating the Coakley Landfill in Greenland.

HEALTH AND HUMAN SERVICES

HB 1418-FN, relative establishing a commission to study greater transparency in pharmaceutical costs and drug rebate programs.

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

HB 1809-FN, relative to balance billing under the managed care law.

TRANSPORTATION

HB 1428-FN, relative to removal of roadside memorials.

HB 1718-FN, relative to surveillance on the public ways of the state—if Interim Study recommendation is overturned.

WAYS AND MEANS

HB 124-FN, relative to certain aircraft registration fees and airways tolls.

HB 1251, relative to indicia for payment of taxes on the transfer of real property.

HB 1501-FN, relative to regulation of consultants for games of bingo and lucky 7.

HB 1554-FN, increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes.

HB 1819-FN, relative to administration of the education tax credit.

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:**TRANSPORTATION**

HB 388, relative to special number plates for veterans—if Inexpedient to Legislate recommendation is overturned.

HB 1614, relative to the international registration plan.

HB 1763-FN-A, establishing a road usage fee and making an appropriation therefor—if Interim Study recommendation is overturned.

REGULAR CALENDAR:**COMMERCE**

HB 407-FN, requiring workers' compensation to cover prophylactic treatment for exposure.

ENERGY AND NATURAL RESOURCES

HB 101-FN, relative to certification for solid waste operators—if Interim Study recommendation is overturned.

HB 141, relative to electric renewable energy classes—if Interim Study recommendation is overturned.

HB 485, relative to standards for emerging contaminants in drinking water.

HB 1101-FN, regulating groundwater pollution caused by polluting emissions in the air.

HEALTH AND HUMAN SERVICES

HB 1103-FN, relative to financial responsibility for voluntary services provided pursuant to a report of abuse or neglect that is "unfounded but with reasonable concern."

HB 1565-FN, relative to requiring the secure psychiatric unit to be accredited as a psychiatric hospital and making an appropriation therefor.

JUDICIARY

HB 476, relative to the duties of registers of probate—if Interim Study recommendation is overturned.

HB 1775, relative to the appointment of guardians ad litem in parenting cases.

WAYS AND MEANS

HB 169-FN, relative to limits on wagers in charitable games of chance.

HB 1673-FN-L, relative to the interest charged on late and delinquent property tax payments.

HB 1686-FN, relative to applications for and the use of education tax credits.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS REMOVED**HEALTH AND HUMAN SERVICES**

HB 1791-FN, by Senator Bradley

PUBLIC AND MUNICIPAL AFFAIRS

HB 1307, by Senator Gray

TRANSPORTATION

HB 314, by Senator Birdsell
HB 500, by Senator Birdsell
HB 1549, by Senator Birdsell
HB 1595, by Senator Birdsell
HB 1614, by Senator Feltes

SPECIAL ORDER

Without objection, the following bills that were previously scheduled for Thursday, May 3, 2018 will be taken up on Wednesday, May 2, 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.

SPECIAL ORDER

Without objection, the following bills are special ordered to Wednesday, May 2, 2018. Adopted.

ENERGY AND NATURAL RESOURCES

HB 317, relative to changes in the system benefits charge.
HB 1458, relative to exempting certain rules governing marine species from the administrative procedures act.

HEALTH AND HUMAN SERVICES

HB 1791-FN, allowing pharmacists to disclose information relative to lower cost drugs under the managed care law.
HB 1809-FN, relative to balance billing under the managed care law.

TRANSPORTATION

HB 314, relative to autonomous vehicles.
HB 500, relative to organizations that are authorized to issue decals.

WAYS AND MEANS

HB 1251, relative to indicia for payment of taxes on the transfer of real property.

CONSENT CALENDAR

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

PUBLIC AND MUNICIPAL AFFAIRS

HB 1216, relative to liability for deferred property taxes and relative to applications for abatement of property taxes.

Inexpedient to Legislate, Vote 5-0. Senator Ward for the committee.

This bill would have allowed mortgage holders to be held responsible for deferred property tax on a fore-closed property. The committee felt that this would change the priority lien status for mortgage holders and have a negative impact on the tax deferral program.

HB 1237, relative to the definition of “public at large.”

Inexpedient to Legislate, Vote 5-0. Senator Kahn for the committee.

This bill would insert a statutory definition of “public at large” and aims to prevent elected officials from being appointed to committees as member of the public at large. The committee was concerned that the bill would prevent elected local officials from serving on state committees or commissions. Municipalities are able to define “public at large” in their codes or ordinances which makes this bill unnecessary.

HB 1307, relative to the presentation of a default budget.

Inexpedient to Legislate, Vote 5-0. Senator Birdsell for the committee.

This bill would require the presentation of the default budget at the deliberative session to include individual line items. The committee was concerned with the amount of detail being provided and the impact it would have on longer term contracts. In addition, SB 342 was already passed by the Senate and deals with this issue in a less burdensome way and with more clarity.

HB 1332, allowing warrant articles to be split by the deliberative session.

Inexpedient to Legislate, Vote 5-0. Senator Birdsell for the committee.

This bill would allow warrant articles to be split at the deliberative session. The committee heard testimony that this is already allowed and this bill would only affect SB2 towns. The committee felt the motion of inexpedient to legislate is appropriate given that this bill will just add confusion to what is already allowed.

HB 1340, relative to absences among officers required to be present at school district elections.

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

This bill will authorize a school board member to appoint a school board member pro tem to perform his or her duties at a school board election in the instance he/she is unable to perform his or her duties. This is currently allowed for town select board members and this bill will bring the law consistent for the school board members.

HB 1361, relative to county audits.

Inexpedient to Legislate, Vote 5-0. Senator Kahn for the committee.

This bill would modify the time frame for the completion of a county audit and requires the executive committee of the county convention to review the audit report. The committee heard testimony that this bill included old language which does not reflect changes made to the statute last year. Testimony was also presented that requiring the executive committee to review the audit report for compliance with all state and federal laws is unworkable due to the number of rules.

HB 1450, relative to retention of job applications and personnel files.

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

This bill as amended decreases the time municipal employee records are required to be retained from 50 years to 20 years. The committee felt that 20 years would allow plenty of time for anyone needing access to employee information for retirement, referral or other purposes to obtain it.

Public and Municipal Affairs

April 18, 2018

2018-1633s

06/05

Amendment to HB 1450

Amend RSA 33-A:3-a, LX as inserted by section 1 of the bill by replacing it with the following:

LX. Job applications-successful: retirement or termination plus [50] **20** years.

Amend RSA 33-A:3-a, XCVI as inserted by section 2 of the bill by replacing it with the following:

XCVI. Personnel files: retirement or termination plus [50] **20** years.

TRANSPORTATION

HB 388, relative to special number plates for veterans.

Inexpedient to Legislate, Vote 5-0. Senator Gannon for the committee.

This bill would modify the availability of special number plates for veterans by allowing veterans to obtain trailer plates. The Transportation Committee feels as though this legislation is largely unnecessary and that its \$30,000 fiscal impact is excessive.

HB 1262-L, relative to online driver education.

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

This bill would allow the classroom portion of driver education to be fulfilled by the completion of certain online driver education courses. While the Transportation Committee agrees that alternative methods of learning are important for students who may have various constraints, further study is needed to determine the merits of online driver education here in New Hampshire.

HB 1613, relative to operation of uninspected vehicles.

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

This bill allows New Hampshire licensed repairers and dealers to purchase an uninspected, used vehicle or registered, uninspected vehicle from a location and operate the vehicle to relocate it to the dealer or repairer's place of business within 24 hours. This legislation is predicated on the fact that the vehicle is safe for road use. This bill helps to bring parity to this industry by affording dealers and repairers the same luxury that is given to other citizens and industries here in New Hampshire.

HB 1763-FN-A, establishing a road usage fee and making an appropriation therefor.

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

This bill would establish a road usage fee for vehicles registered to travel on state roads based on the equivalent miles per gallon of the vehicle. This fee would be collected at the time of the annual registration of the vehicle and placed into the highway fund. The bill would also make an appropriation to the Department of Safety to implement this fee. The Transportation Committee believes that further study is needed on this legislation, including determining the best mechanism on which to base such a fee.

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

REGULAR CALENDAR

COMMERCE

HB 407-FN, requiring workers' compensation to cover prophylactic treatment for exposure.

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 the Committee on Finance (Rule 4-5).

HB 1201, relative to an employee's earned but unused vacation time.

Inexpedient to Legislate, Vote 3-1. Senator French for the committee.

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

HB 1416-FN, repealing the prohibition on bottle rockets.

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

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

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

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

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

Roll Call, Yeas: 17 - Nays: 7. Adopted, bill ordered to Third Reading.

HB 1700, relative to the procedure for placing a security freeze on a consumer credit report.

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.

HB 1715-FN, establishing a committee to study options for tenants to dispute a rent increase in a manufactured housing park if such increase was arbitrary and unreasonable.

Inexpedient to Legislate, Vote 3-1. Senator French for the committee.

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

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

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

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

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

SPECIAL ORDER

Without objection, the following bill is special ordered to Wednesday, May 2, 2018. Adopted.

EDUCATION

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

ENERGY AND NATURAL RESOURCES

HB 101-FN, relative to certification for solid waste operators.

Interim Study, Vote 4-1. Senator Bradley for the committee.

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

HB 141, relative to electric renewable energy classes.

Interim Study, Vote 4-0. Senator Bradley for the committee.

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

HB 485, relative to standards for emerging contaminants in drinking water.

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

Energy and Natural Resources

April 17, 2018

2018-1598s

04/05

Amendment to HB 485-FN

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

AN ACT relative to standards for emerging contaminants in drinking water, and relative to standards for perfluorochemicals in drinking water, ambient groundwater, and surface water.

Amend the bill by replacing all after section 4 with the following:

5 New Subdivision; Contaminants in Drinking Water. Amend RSA 485 by inserting after section 16-d the following new subdivision:

Perfluorochemicals

485:16-e Perfluorochemicals. The commissioner shall, in consultation with the commissioner of the department of health and human services and stakeholders, and no later than January 1, 2019, initiate rulemaking to adopt a maximum contaminant limit (MCL) for perfluorooctanesulfonate (PFOS), perfluorooctanoic acid (PFOA), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS) for public water systems regulated by this chapter. The commissioner shall consider the standards of other states, including the science considered by states with standards lower than those contained in health advisories from the United States Environmental Protection Agency. The commissioner shall adopt MCLs that reasonably protect public health, particularly prenatal and early childhood health, and that are reasonably supported by peer reviewed science and independent or government agency studies, provided no MCL shall exceed that contained in any MCL promulgated by the United States Environmental Protection Agency. The commissioner shall annually review the newest peer reviewed science and independent or government agency studies and undertake rulemaking in order to comply with this paragraph, if necessary.

6 New Paragraph; Ambient Groundwater Quality Standards. Amend RSA 485-C:6 by inserting after paragraph III the following new paragraph:

IV. The commissioner shall, in consultation with the commissioner of the department of health and human services and stakeholders, and no later than January 1, 2019, determine whether to revise the ambient groundwater quality standards for perfluorooctanesulfonate (PFOS), perfluorooctanoic acid (PFOA), perfluoro-

rononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS) established in rule in order to comply with this paragraph and shall make public his or her determination. The commissioner shall consider the standards of other states, including the science considered by states with standards lower than those contained in the lifetime health advisory promulgated by the United States Environmental Protection Agency. The commissioner shall adopt standards that reasonably protect public health, particularly prenatal and early childhood health, and that are reasonably supported by peer reviewed science and independent or government agency studies, provided no standard shall exceed that contained in any standard promulgated by the United States Environmental Protection Agency. If the commissioner determines that the standard should be changed, the commissioner shall initiate rulemaking within 60 days of making the determination. The commissioner shall annually review the newest peer reviewed science and independent or government agency studies and undertake rulemaking in order to comply with this paragraph, if necessary.

7 New Paragraph; Surface Water Quality Standards. Amend RSA 485-A:8 by inserting after paragraph II-a the following new paragraph:

II-b. The commissioner shall, in consultation with stakeholders, and no later than January 1, 2020, establish a surface water quality standard for perfluorooctanesulfonate (PFOS), perfluorooctanoic acid (PFOA), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS) in Class A and Class B waters, if scientifically feasible. The commissioner shall consider the standards of other states. The commissioner shall adopt standards that reasonably protect public health, particularly prenatal and early childhood health, and that are reasonably supported by peer-reviewed science and independent or government agency studies, provided no standard shall exceed that contained in any standard promulgated by the United States Environmental Protection Agency. If the commissioner determines that the standard should be changed, the commissioner shall initiate rulemaking within 60 days of making the determination. The commissioner shall annually review the newest peer-reviewed science and independent or government agency studies and undertake rulemaking in order to comply with this paragraph, if necessary.

8 Effective Date.

I. Sections 1, 2, and 5-7 of this act shall take effect 60 days after passage.

II. Section 3 of this act shall take effect 180 days after passage.

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

2018-1598s

AMENDED ANALYSIS

This bill:

I. Allows the department of environmental services to make rules regarding air pollution and the deposit of such pollutants on soils and water.

II. Regulates devices emitting or having the potential to emit air pollutants that may harm soil and water through the deposit of such pollutants.

III. Requires the commissioner of the department of environmental services to adopt ambient groundwater quality standards using certain scientific information.

IV. Establishes a toxicologist position and a human health risk assessor position in the department of environmental services.

V. Requires the commissioner of the department of environmental services to adopt a state drinking water standard relative to perfluorochemicals.

VI. Requires the commissioner of the department of environmental services to establish ambient groundwater quality standards relative to perfluorochemicals.

VII. Requires the commissioner of the department of environmental services to establish surface water quality standards relative to perfluorochemicals.

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.

Senator Bradley moved to Lay on the Table HB 485. Adopted.

HB 1101-FN, regulating groundwater pollution caused by polluting emissions in the air.
Ought to Pass with Amendment, Vote 5-0. Senator Innis for the committee.

Energy and Natural Resources

April 18, 2018

2018-1628s

08/04

Amendment to HB 1101-FN

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

AN ACT regulating groundwater pollution caused by polluting emissions in the air and relative to standards for perfluorochemicals in drinking water, ambient groundwater and surface water.

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

1 New Subparagraph; Rulemaking; Air Contaminant Impacts on Soil and Water. Amend RSA 125-C:4, I by inserting after subparagraph (s) the following new subparagraph:

(t) The determination of air contaminants subject to regulation, applicability thresholds, determination of best available control technology, and procedures to determine potential impacts of the deposit of such contaminants from the air on soils or water resources to implement RSA 125-C:10-e.

2 New Section; Requirements for Air Emissions of Perfluorinated Compounds Impacting Soil and Water. Amend RSA 125-C by inserting after section 10-d the following new section:

125-C:10-e Requirements for Air Emissions of Perfluorinated Compounds Impacting Soil and Water.

I. For the purposes of this section:

(a) "Best available control technology" means "best available control technology" as defined in RSA 125-C:10-b, I(a).

(b) "Ambient groundwater quality standard" means "ambient groundwater quality standard" as defined in RSA 485-C:2, I.

(c) "Surface water quality standard" means "surface water quality standard" established in or pursuant to RSA 485-A.

(d) "Perfluorinated Compounds" or "PFCs" means the list of compounds identified in paragraph 1.1 of Environmental Protection Agency Document#: EPA/600/R-08/092 Method 537. "Determination of Selected Perfluorinated Alkyl Acids in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS)", Version 1.1 (September 2009).

(e) "Precursor" means any substance that has been shown by sound science to be transformed into a PFC under ambient conditions reasonably expected to occur in New Hampshire.

II. A device that emits to the air any PFCs or precursors that have caused or contributed to an exceedance of an ambient groundwater quality standard or surface water quality standard as a result of the deposition of any such PFCs or precursors from the air, shall be subject to the determination and application of best available control technology. Within 6 months of the department determining that the device is subject to such control technology, the owner of the device shall submit to the department an application for a permit. Within 12 months of permit issuance, the applicant shall complete construction and installation of controls consistent with the permit. Operation of the source may continue through the permitting, construction, and installation time period. A source which can demonstrate to the department that its device no longer contributes to an exceedance of an ambient groundwater quality standard or surface water quality standard shall be exempt from this section.

III. The construction, installation, or modification of any device that has the potential, based on an applicability threshold adopted by the department, to cause or contribute to an exceedance of an ambient groundwater quality standard or surface water quality standard as a result of the deposition of any PFCs or precursors from the air, shall be prohibited without first applying for and obtaining a permit from the department that establishes emission limitations for such device based on best available control technology.

IV. Part of the initial application for a permit under this section shall include an analysis of best available control technology for controlling emissions. Any permit issued shall contain inspection, testing, and reporting requirements, as applicable, to ensure the conditions of the permit are met.

V. Any determination of best available control technology under this section shall be subject to the following:

(a) In no event shall application of best available control technology result in:

(1) Emission of any air contaminant that would exceed the emissions allowed by any applicable standard under RSA 125-C or RSA 125-I or rules adopted pursuant to either chapter.

(2) Emission of any air contaminant subject to this section in an amount disproportionate to the emissions of such air contaminant from other similar air pollution control devices for that air contaminant at facilities using similar technology.

(3) Emission of any air contaminant subject to this section which causes or contributes to or has the potential to cause or contribute to an exceedance of an ambient groundwater quality standard or surface water quality standard, as a result of the deposition of the contaminant from the air.

(b) If the department determines that the facility has more than one device that emits air contaminants subject to this section, the department shall determine best available control technology emission limitations for each such device.

VI. This section shall only pertain to PFCs for which at least one study has been conducted in accordance with generally accepted scientific principles that demonstrates that the PFC of concern is known to cause or may reasonably be anticipated to cause acute, chronic, mutagenic, reproductive, or developmental health effects in humans as a result of exposure to such PFC. The implementation of this section shall only rely upon standards that are based on federal maximum contaminant levels, health advisories, provisional health advisories; standards that are derived from federally published toxicological data; or more restrictive New Hampshire state standards.

3 New Subparagraph; Statement of Purpose. Amend RSA 485:1, II by inserting after paragraph (h) the following new subparagraph:

(i) Adopt primary drinking water standards by establishing maximum contaminant limits or treatment techniques.

4 Drinking Water Rules. Amend RSA 485:3 I(b) to read as follows:

(b) ***After consideration of the extent to which the contaminant is found in New Hampshire, the ability to detect the contaminant in public water systems, the ability to remove the contaminant from drinking water, and the costs and benefits to affected parties that will result from establishing the standard, a*** specification for each contaminant of either:

(1) A maximum contaminant level that is acceptable in water for human consumption[, if it is feasible to ascertain the level of such contaminant in water in public water systems]; or

(2) One or more treatment techniques or methods which lead to a reduction of the level of such contaminant sufficient to protect the public health, if it is not feasible to ascertain the level of such contaminant in water in the public water system; and

5 New Subdivision; Perfluorochemicals. Amend 485 by inserting after section 16-d the following new subdivision:

Perfluorochemicals

485:16-e Perfluorochemicals. By January 1, 2019, the commissioner shall, in consultation with the commissioner of the department of health and human services and other interested parties, initiate rule-making in accordance with RSA 541-A to adopt a maximum contaminant limit for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

6 Ambient Groundwater Quality Standards. Amend RSA 485-C:6 to read as follows:

485-C:6 Ambient Groundwater Quality Standards.

I. The commissioner shall establish and adopt ambient groundwater quality standards for regulated contaminants which adversely affect human health or the environment. Ambient groundwater standards shall apply to all regulated contaminants which result from human operations or activities, but do not apply to naturally occurring contaminants. ***Where state maximum contaminant levels have been adopted under RSA 485:3, I(b), ambient groundwater quality standards shall be equivalent to such standards.*** Where federal maximum contaminant level or health advisories have been promulgated under the Federal Safe Drinking Water Act or rules relevant to such act, ambient groundwater quality standards shall be [equivalent to] ***no less stringent than*** such standards. ***The commissioner may adopt standards more stringent than federal maximum contaminant levels or health advisories if, accounting for an adequate margin of safety to protect human health at all life stages, including but not limited to pre-natal development, the commissioner determines federal standards are insufficient for protection of human health.*** Where such standards are ***established*** based upon ***health advisories that address*** cancer risks, the ambient groundwater quality standards shall be equivalent to that exposure which causes a lifetime exposure risk of one cancer in 1,000,000 exposed population. Where no federal ***or state*** maximum contaminant level or health advisory has been issued, the commissioner may adopt ambient groundwater quality standards on a basis which provides for an adequate margin of safety to protect human health and safety.

II. ***Health advisories that are adopted as ambient groundwater quality standards shall be reviewed by the department at least every 5 years to determine if new research warrants revising the current ambient groundwater quality standard. If the department finds a revision is necessary it shall conduct rulemaking to adopt the revised standard.***

III. Ambient groundwater quality standards shall be the water quality basis for issuance of groundwater discharge permits under RSA 485-A: 13.

[HH:] IV. Except for discharges of domestic wastewater regulated under RSA 485-A:13 and RSA 485-A:29, no person shall violate ambient groundwater quality standards.

V. ***By January 1, 2019, the commissioner shall, in consultation with the commissioner of the department of health and human services and interested parties, initiate rulemaking to adopt ambient groundwater quality standards for perfluorononanoic acid (PFNA) and perfluorohexanesulfonic acid (PFHxS).***

VI. ***By January 1, 2019, the commissioner shall, in consultation with the commissioner of the department of health and human services and interested parties, conduct a review to determine whether current research warrants revising the existing ambient groundwater quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS).***

7 Department of Environmental Services; Surface Water Quality Standards. The commissioner of environmental services shall develop a plan, including a schedule and cost estimates, to establish surface water quality standards for perfluorooctanesulfonate (PFOS), perfluorooctanoic acid (PFOA), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS) in class A and class B waters for all designated uses. The commissioner shall submit the plan upon its completion, but no later than January 1, 2020, to the house resources, recreation, and development committee and the senate energy and natural resources committee.

8 Department of Environmental Services; Positions Established; Appropriation. There is established within the department of environmental services one classified toxicologist position and one classified human health risk assessor for the purposes of developing appropriate standards to protect groundwater and drinking water quality under RSA 485-C. The sum necessary to pay the salary, benefits, and other costs related to the positions established in this section is hereby appropriated to the department of environmental services for the biennium ending June 30, 2019. This appropriation shall be in addition to any other appropriations made to the department in the biennium. The governor is authorized to draw a warrant for said sum out of any money in treasury not otherwise appropriated.

9 Effective Date.

I. Sections 1 and 2 of this act shall take effect 60 days after its passage.

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

2018-1628s

AMENDED ANALYSIS

This bill:

I. Allows the department of environmental services to make rules regarding air pollution and the deposit of such pollutants on soils and water.

II. Regulates devices emitting or having the potential to emit air pollutants that may harm soil and water through the deposit of such pollutants.

III. Clarifies the basis for and requires periodic review of ambient groundwater quality standards.

IV. Directs the department to evaluate the ambient ground water quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) and set ambient groundwater quality standards for perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

V. Establishes the criteria for setting maximum contaminant limits for public drinking water and directs the department to set maximum contaminant limits for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

VI. Directs the department to, in consultation with stakeholders, develop a plan, including a schedule and cost estimates, to establish surface water quality standards for perfluorooctanesulfonate (PFOS), perfluorooctanoic acid (PFOA), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

VII. Establishes a toxicologist position and a human health risk assessor position in the department of environmental services and makes an appropriation to fund the positions.

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 1555, relative to participation by the public utilities commission in regional activities.
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 1766-FN, relative to remediating the Coakley Landfill in Greenland.
Ought to Pass with Amendment, Vote 5-0. Senator Innis for the committee.

Energy and Natural Resources
April 18, 2018
2018-1630s
08/04

Amendment to HB 1766-FN

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

AN ACT requiring the department of environmental services to report to the general court regarding bedrock testing and perfluorochemical contamination in the Seacoast area and at other landfills and hazardous waste sites.

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

1 Findings. The general court acknowledges the public concern regarding the issue of water quality in the Seacoast area and at areas of environmental interest all over the state. The general court further finds that in view of bedrock testing due to begin in the Seacoast area during the summer of 2018, and in view of the impending first ever study of per and polyfluoroalkyl (PFAS) exposure, the general court shall be informed, on a regular basis, of contaminant monitoring and contaminant migration, and advised regarding new research on contaminant exposure and any developments in remediation technology.

2 Department of Environmental Services; Reports Required.

I. The department of environmental services shall submit an initial report to the general court by December 1, 2018, and shall submit interim reports every 6-months thereafter, on the results of monitoring, testing, and any other analysis or data relative to perfluorooctanesulfonic acid (PFOS) and perfluoro-

rooctanoic acid (PFOA) levels at statewide sites that it has identified as sources of those contaminants. The reports shall include preliminary results from bedrock testing conducted at the Coakley Landfill site beginning in the summer of 2018. The department shall submit interim reports on the bedrock testing by July 1, 2019 and December 1, 2019, and a final report within 6 months of when such testing is completed. Other Seacoast area sites shall include, but not be limited to, the Pease International Trade port and its vicinity, the Hampton Landfill, the Coakley Landfill, the Rye Breakfast Hill Landfill, the Rye Grove Landfill, the Garland Well and nearby well sites, the former Cibor Airport, the Hampton Airport, and other municipal and commercial operations within the Seacoast area deemed relevant by the department. The department shall also include in such reports the PFOS and PFOA levels at any landfill, hazardous waste, and other sites statewide where it currently requires testing.

II. Copies of the reports required in paragraph I shall be submitted to:

- (a) The president of the senate.
- (b) The speaker of the house of representatives.
- (c) The chairman of the senate energy and natural resources committee, or the successor committee with jurisdiction over energy and natural resource issues.
- (d) The chairman of the house resources, recreation, and development committee, or the successor committee with jurisdiction over energy and natural resource issues.
- (e) The joint legislative fiscal committee of the general court.

3 Senate and House of Representatives Committees; Duties. The senate energy and natural resources committee and the house resources, recreation and development committee, or their successor committees as specified in section 2, paragraph II of this act, shall collect and evaluate the reports required in section 2 of this act along with any other reports, data, and information the committees deem relevant. The committees shall solicit information from commissions and informed citizens in southeastern New Hampshire and shall solicit information from the United States Environmental Protection Agency regarding the reports required in section 2.

4 Effective Date. This act shall take effect July 1, 2018.

2018-1630s

AMENDED ANALYSIS

This bill requires the department of environmental services to report to the general court regarding perfluorinated chemical contamination at the Seacoast and at landfills and other hazardous waste sites.

The question is on the adoption of the Committee Amendment.

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

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

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

Senator Innis offered a Floor Amendment.

Sen. Innis, Dist 24

April 25, 2018

2018-1792s

08/04

Floor Amendment to HB 1766-FN

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

1 Findings. The general court concurs with the department of environmental services and finds that and contaminants have migrated from site groundwater at the Coakley Landfill to Berry's Brook, and the resultant effects on Berry's Brook are unacceptable and require remedial action. The general court further concurs

with the department's finding that such remedial action is the most reliable way to limit exposure to Coakley Landfill site contaminants via the surface water pathway. Therefore, the general court declares that it is in the public interest to limit exposure to Coakley Landfill site contaminants through actions that prevent their migration into Berry's Brook.

2 Coakley Landfill; Remediation Required.

I. The department of environmental services shall:

(a) Pursue administrative or legal action requiring the Coakley Landfill group's installation and operation of technology to remove or contain pollutants to cease their migration into Berry's Brook; and

(b) Continue monitoring the migration of Coakley Landfill site contaminants into Berry's Brook.

II. If the department of environmental services determines that it can implement the above actions only through the applicable consent decree regarding Coakley Landfill, then the department of the environmental services shall, within 60 days of the effective date of this section, formally pursue such relief through the processes available to it, including but not limited to the filing of a new action in a court of competent jurisdiction.

III. On or before December 1, 2018, the department of environmental services shall submit a report with the governor, the senate energy and natural resources committee, and the house health and human services committee, detailing steps taken and progress made in implementing actions pursuant to paragraph I, all testing results concerning the migration of Coakley Landfill site contaminants into Berry's Brook, what remediation plans have been developed and the status of such plans, and all requests made of the Coakley Landfill group by either the department of environmental services or the United States Environmental Protection Agency, and responses to those requests by the Coakley Landfill group.

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

2018-1792s

AMENDED ANALYSIS

This bill requires the department of environmental services to order the parties responsible for dumping hazardous waste in the Coakley Landfill to undertake certain remedial actions. This bill also requires the department of environmental services to submit a report to the senate energy and natural resources committee and the house of representatives health and human services committee.

The question is on the adoption of the Floor Amendment.

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

The following Senators voted Yes: Hennessey, Sanborn, Feltes, Gannon, Innis.

The following Senators voted No: Woodburn, Giuda, Bradley, Watters, Gray, French, Ward, Kahn, Daniels, Avar, Lasky, Carson, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Morse.

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

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

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

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

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to Third Reading.

FINANCE

HB 559-FN, relative to expenditures from the energy efficiency fund.

Inexpedient to Legislate, Vote 3-3. 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 Avar, seconded by Senator Sanborn.

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

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

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

HB 628-FN, relative to a family and medical leave insurance program.

Interim Study, Vote 4-2. Senator Daniels for the committee.

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

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avar, 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.

Recess. Out of recess.

HB 1411-FN-A, relative to funds transferred to the nongame species account.

Ought to Pass, Vote 6-0. 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 1415-FN-A, establishing a death benefit for a school employee killed in the line of duty.

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

Recess. Out of recess.

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

Senator Bradley moved Ought to Pass.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

Sen. Giuda, Dist 2

Sen. Gray, Dist 6

Sen. French, Dist 7

Sen. Ward, Dist 8

Sen. Sanborn, Dist 9

Sen. Daniels, Dist 11

Sen. Avar, Dist 12

Sen. Carson, Dist 14

Sen. Reagan, Dist 17

Sen. Birdsell, Dist 19

Sen. Morse, Dist 22

Sen. Gannon, Dist 23

Sen. Innis, Dist 24

April 25, 2018

2018-1791s

05/04

Floor Amendment to HB 1415-FN-A

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

AN ACT making an appropriation to the public school infrastructure fund to improve security in public schools.

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

1 Appropriation; Public School Infrastructure Fund; School Emergency Readiness Program. To improve security in public schools, the sum of \$10,000,000 for the biennium ending June 30, 2019 is hereby appropriated the public school infrastructure fund established in RSA 198:15-y, to provide additional funding to the department of safety, division of homeland security and emergency management's school emergency readiness program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2018-1791s

AMENDED ANALYSIS

This bill makes an appropriation to the public school infrastructure fund to provide additional funding for the department of safety's school emergency readiness program.

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

Without objection, Senate Rule 3-17 is suspended to allow consideration of the non-germane Floor Amendment.

Senator Soucy objected to the suspension of Senate Rule 3-17.

The question is on the suspension of Senate Rule 3-17.

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

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. Failed, lacking the necessary 2/3 vote.

Senator Bradley moved to Lay on the Table HB 1415-FN-A.

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

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.

HB 1756-FN-A, relative to an additional allowance and a cost of living adjustment for retirees from the state retirement system.

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 Hennessey, seconded by Senator Carson.

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

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

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

Recess. Out of recess.

Senator Bradley moved to Lay on the Table HB 1756-FN. Adopted.

HEALTH AND HUMAN SERVICES

HB 1103-FN, relative to financial responsibility for voluntary services provided pursuant to a report of abuse or neglect that is "unfounded but with reasonable concern."

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

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3
April 25, 2018
2018-1794s
05/04

Floor Amendment to HB 1103-FN

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Child Protection Act; Liability for Expenses. Amend RSA 169-C:27, I by inserting after subparagraph (f) the following new subparagraph:

(g) Notwithstanding subparagraph (c), the state shall have no right of action against the parents or other people chargeable by law for the minor's support and necessities for voluntary services provided to the child, family, or household in a case that was unfounded but with reasonable concern, as defined in RSA 169-C:3, XXIX. In such cases, any services provided by the department may be paid from available TANF reserve funds.

2018-1794s

AMENDED ANALYSIS

This bill provides that voluntary services provided pursuant to a report of abuse and neglect that is unfounded but with reasonable concern shall be exempt from parental liability for reimbursement. The department may use available federal TANF reserve funds to pay for the services.

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

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

HB 1418-FN, relative establishing a commission to study greater transparency in pharmaceutical costs and drug rebate programs.

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

Health and Human Services
April 17, 2018
2018-1599s
01/04

Amendment to HB 1418-FN

Amend RSA 126-A:75, I-III as inserted by section 1 of the bill by replacing them with the following:

I. There is established a commission to study greater transparency in pharmaceutical costs and drug rebate programs.

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

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

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

(3) The insurance commissioner, or designee.

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

(5) One public member, appointed by the governor.

(6) A representative of the New Hampshire Hospital Association, appointed by the association.

(7) A physician licensed under RSA 329, appointed by the New Hampshire Medical Society.

(8) The executive director of New Futures, or designee.

(9) A representative of the New Hampshire Pharmacists Association, appointed by the association.

(10) A representative of the Business and Industry Association of New Hampshire, appointed by the association.

(11) A member representing pharmacy benefit managers, appointed by the Pharmaceutical Care Management Association.

(12) A representative of America's Health Insurance Plans (AHIP), appointed by that organization.

(13) A representative of Pharmaceutical Research and Manufacturers of America, appointed by that organization.

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

II.(a)(1) The commission shall study how to achieve greater transparency in pharmaceutical costs by identifying and analyzing certain critical prescription drugs and their role in overall health care spending in the New Hampshire and by analyzing the amounts rebated by drug manufacturers for certain high cost and high utilization prescription drugs. The commission's study shall include, but not be limited to:

(A) Studying strategies available to achieve greater transparency in pharmaceutical costs by identifying and analyzing certain critical prescription drugs and their role in overall health care spending and the impact of price increases on patients and their families.

(B) Reviewing legislative efforts in other states and taking advantage of any other analysis by outside organizations or foundations.

(C) Analyzing the impact of drug prices on insurance premium costs, consumer out-of-pocket costs for prescription drugs, and state and county purchasing of prescription drugs.

(D) Analyzing the potential impact of transparency in relation to the practices of pharmaceutical manufacturers and pharmacy benefits managers, including how research and development, marketing, and rebates affect drug prices.

(E) Proposing changes to New Hampshire law, as needed, to reduce the rising cost of pharmaceuticals.

(2) The commission shall also study the role pharmacy benefit managers play in the cost, administration, and distribution of prescription drugs; if greater transparency in pharmaceutical costs to purchasers would lower costs in overall health care spending in New Hampshire and analyzing the amounts rebated by drug manufacturers for prescription drugs passed to purchasers and patients. The goal shall be to determine if any changes to New Hampshire laws could reduce the rising cost of pharmaceuticals to purchasers or patients.

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

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

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 1565-FN, relative to requiring the secure psychiatric unit to be accredited as a psychiatric hospital and making an appropriation therefor.

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

Health and Human Services

April 18, 2018

2018-1636s

01/04

Amendment to HB 1565-FN

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

AN ACT requiring the secure psychiatric unit to be accredited as a behavioral health facility.

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

1 Department of Corrections; Duties of the Commissioner; Secure Psychiatric Unit. Amend RSA 21-H:8, XI-a to read as follows:

XI-a.(a) The commissioner shall be the principal administrator of the secure psychiatric unit established pursuant to RSA 622:41. [He] **The commissioner** shall establish the treatment standards for the unit after consultation with the commissioner of the department of health and human services. The commissioner shall:

[(a)] (1) Administer the unit;

[(b)] (2) [Repealed.]

[(c)] (3) Consult with the commissioner of the department of health and human services regarding transfers to the unit;

[(d)] (4) Transfer persons in his **or her** custody to the unit if treatment is needed for mental disturbance;

[(e)] (5) Discharge persons pursuant to RSA 622:48;

[(f)] (6) Review, at least annually, the mental health programs with the commissioner of the department of health and human services to determine what policies, standards, or practices should be revised to improve treatment;

[(g)] (7) Appoint qualified persons to positions established in RSA 622:43, I;

[(h)] (8) Administer the unit in such a manner as to meet accreditation standards [~~and to seek accreditation~~]; and

[(i)] (9) Perform other tasks necessary to carry out the administration of RSA 622:40-48.

(b) The commissioner shall seek accreditation from the National Commission on Correctional Health Care to have the secure psychiatric unit accredited as a behavioral health facility. The accreditation process shall commence before January 1, 2019. The commissioner shall make all reasonable and good faith efforts to achieve accreditation in a timely manner.

2 Reports Required. The commissioner shall submit an interim report, on or before January 1, 2019, relative to the steps taken to receive accreditation as required under RSA 21-H:8, XI-a(b) as inserted by section 1 of this act and identifying any barriers to securing such accreditation and a final report on or before January 1, 2020 to the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate committees having jurisdiction over criminal justice and health and human services.

3 Secure Psychiatric Unit; Treatment Standards. Amend RSA 622:46, I to read as follows:

I. The commissioner shall establish clinical and treatment standards for the operation of the unit in consultation with the commissioner of the department of health and human services. The commissioners shall review, at least [~~annually~~] biennially, any interagency agreements and the mental health program at the unit to determine which provisions, standards, or practices should be revised to improve treatment. **The commissioner shall submit a report of its findings in each even-numbered year, commencing on or before November 1, 2020, to the speaker of the house of representatives, the senate president, the governor, and the chairpersons of the house committees having jurisdiction over criminal justice issues and health and human services issues, and the chairpersons of the senate committees having jurisdiction over judicial issues and health and human services issues.**

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

2018-1636s

AMENDED ANALYSIS

This bill requires the commissioner of the department of corrections to apply to the National Commission on Correctional Health Care seeking that the secure psychiatric unit be accredited as a behavioral health facility. Under this bill, the commissioner of the department of corrections shall submit a biennial report in even-numbered years of its findings as to whether certain provisions, standards, or practices should be revised to improve treatment at the secure psychiatric unit.

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

Senator Hennessey offered a Floor Amendment.

Sen. Hennessey, Dist 5
April 26, 2018
2018-1804s
01/04

Floor Amendment to HB 1565-FN

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

AN ACT requiring the secure psychiatric unit to be accredited as a psychiatric facility.

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

1 Statement of Findings.

I. The general court hereby finds that:

(a) A separate forensic psychiatric hospital would be the preferred solution for persons who are violently psychotic.

(b) Placement of the secure psychiatric unit within the state prison causes problems for civil patients and their families.

(c) Transferring patients to forensic facilities outside of New Hampshire is not a viable option.

II. Therefore, the general court hereby seeks to have the secure psychiatric unit accredited as a psychiatric facility. In this act, the department of corrections, in collaboration with the department of health and human services, shall commence the process of accreditation of the secure psychiatric unit by the Joint Commission on Accreditation of Hospitals as a psychiatric facility.

2 Department of Corrections; Duties of the Commissioner; Secure Psychiatric Unit. Amend RSA 21-H:8, XI-a to read as follows:

XI-a.(a) The commissioner shall be the principal administrator of the secure psychiatric unit established pursuant to RSA 622:41. [He] **The commissioner** shall establish the treatment standards for the unit after consultation with the commissioner of the department of health and human services. The commissioner shall:

~~[(a)]~~ (1) Administer the unit;

~~[(b)]~~ (2) [Repealed.]

~~[(c)]~~ (3) Consult with the commissioner of the department of health and human services regarding transfers to the unit;

~~[(d)]~~ (4) Transfer persons in his **or her** custody to the unit if treatment is needed for mental disturbance;

~~[(e)]~~ (5) Discharge persons pursuant to RSA 622:48;

~~[(f)]~~ (6) Review, at least annually, the mental health programs with the commissioner of the department of health and human services to determine what policies, standards, or practices should be revised to improve treatment;

~~[(g)]~~ (7) Appoint qualified persons to positions established in RSA 622:43, I;

~~[(h)]~~ (8) Administer the unit in such a manner as to meet accreditation standards ~~[and to seek accreditation]~~; and

~~[(i)]~~ (9) Perform other tasks necessary to carry out the administration of RSA 622:40-48.

(b) The commissioner shall seek to have the secure psychiatric unit accredited as a psychiatric facility.

3 Reports Required. The commissioner shall submit an interim report, on or before January 1, 2019, and a final report, on or before January 1, 2020, relative to the steps taken to receive accreditation as required under RSA 21-H:8, XI-a(b) as inserted by section 2 of this act and identifying any barriers to securing such accreditation to the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate committees having jurisdiction over criminal justice and health and human services.

4 Secure Psychiatric Unit; Treatment Standards. Amend RSA 622:46, I to read as follows:

I. The commissioner shall establish clinical and treatment standards for the operation of the unit in consultation with the commissioner of the department of health and human services. The commissioners shall review, at least ~~annually~~ biennially, any interagency agreements and the mental health program at the unit to determine which provisions, standards, or practices should be revised to improve treatment. ***The commissioner shall submit a report of its findings in each even-numbered year, commencing on or before November 1, 2020, to the speaker of the house of representatives, the senate president, the governor, and the chairpersons of the house committees having jurisdiction over criminal justice issues and health and human services issues, and the chairpersons of the senate committees having jurisdiction over judicial issues and health and human services issues.***

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

2018-1804s

AMENDED ANALYSIS

This bill requires the commissioner of the department of corrections to apply to the Joint Commission on Accreditation of Hospitals seeking that the secure psychiatric unit be accredited as a psychiatric facility. Under this bill, the commissioner of the department of corrections shall submit a biennial report of its findings in even-numbered years as to whether certain provisions, standards, or practices should be revised to improve treatment at the secure psychiatric unit.

The question is on the adoption of the Floor Amendment.

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

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

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

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

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

Ought to Pass, Vote 3-0. Senator Hennessey for the committee.

Senator Daniels offered a Floor Amendment.

Sen. Daniels, Dist 11

April 19, 2018

2018-1740s

01/06

Floor Amendment to HB 1807-FN

Amend the bill by replacing section 1 with the following:

1 Financial Exploitation of Elderly, Disabled, or Impaired Adults. Amend the introductory paragraph of RSA 631:9, I(b) to read as follows:

(b) In the absence of legal authority a person knowingly or recklessly through the use of undue influence, harassment, duress, force, compulsion, ~~[or]~~ coercion, ***or under any circumstances where the person knew that the elderly, disabled, or impaired adult lacked capacity to consent, or consciously disregarded a substantial and unjustifiable risk that the elderly, disabled, or impaired adult lacked capacity to consent:***

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

2018-1740s

AMENDED ANALYSIS

This bill clarifies the law relating to financial exploitation of elderly, disabled, or impaired adults.

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

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

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

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Sanborn, Kahn, Daniels, Avar, Lasky, Carson, Feltes, Cavanaugh, Reagan, Birdsell, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: Soucy, D'Allesandro.

Roll Call, Yeas: 22 - Nays: 2. Adopted, bill ordered to Third Reading.

SPECIAL ORDER

Without objection, Senator Bradley moved to special order the following bills to Wednesday, May 2, 2018. Adopted.

JUDICIARY

HB 135, relative to the submission of evidence prior to hearings in divorce cases.

HB 476, relative to the duties of registers of probate.

HB 1295, relative to persons held in civil contempt.

JUDICIARY

HB 1288, relative to petitions for annulment.

Interim Study, Vote 4-0. Senator Gannon for the committee.

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

HB 1329, relative to eyewitness identification procedures.

Ought to Pass, Vote 4-0. 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 1483, amending the wiretapping and eavesdropping statute to include private communication networks. 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 Third Reading.

HB 1589, relative to actions against tenants for a caregiver under an agreement for a person with disabilities. Ought to Pass, Vote 4-0. 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 1775, relative to the appointment of guardians ad litem in parenting cases.

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

Senate Judiciary

April 17, 2018

2018-1587s

05/06

Amendment to HB 1775

Amend RSA 461-A:16, I(g) and (h) as inserted by section 1 of the bill by replacing them with the following:

(g) Abuse of the child by one of the parties;

(h) The educational needs of the child; and

(i) Any other factors the court deems relevant.

Amend RSA 461-A:16, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) When appointing a guardian ad litem to be paid from a state fund, the court shall establish an hourly rate and a maximum fee for the appointment, which shall not exceed the hourly rate and maximum fee established by court rule for abuse and neglect cases. No funding from a state fund for guardian ad litem fees shall be available to a party whose income is 200 percent or more of the federal poverty level.

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).

PUBLIC AND MUNICIPAL AFFAIRS

HB 1786-L, prohibiting costs for inspection of governmental records under the right-to-know law. Inexpedient to Legislate, Vote 4-1. Senator Gray for the committee.

Senator Gray moved to Lay on the Table HB 1786-L. Adopted.

TRANSPORTATION

HB 267, establishing the New Hampshire transportation council. Ought to Pass with Amendment, Vote 4-0. Senator Gannon for the committee.

Senate Transportation

April 18, 2018

2018-1615s

06/01

Amendment to HB 267

Amend RSA 238-A:4, I as inserted by section 2 of the bill by replacing it with the following:

238-A:4 Membership.

I. The council shall have the following members:

- (a) The commissioner of the department of transportation, or designee.
- (b) The commissioner of the department of business and economic affairs, or designee.
- (c) The commissioner of the department of safety, or designee.
- (d) A member of the senate transportation committee, appointed by the president of the senate.
- (e) A member of the house transportation committee, appointed by the speaker of the house of representatives.
- (f) An individual knowledgeable in transportation technology, appointed by the governor and approved by the executive council.
- (g) A member of the New Hampshire College and University Council, appointed by the president of that organization.
- (h) Three representatives of the transportation service industry, each representing a discrete mode of transportation, appointed by the governor and approved by the executive council.
- (i) Two representatives from regional planning commissions, one of whom shall represent an urban area and one of whom shall represent a rural area, appointed by the New Hampshire Association of Regional Planning Commissions.

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 1365, relative to OHRV operation on public ways.

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

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

HB 1428-FN, relative to removal of roadside memorials.

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

Senate Transportation
April 18, 2018
2018-1606s
06/04

Amendment to HB 1428-FN

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

AN ACT relative to roadside memorials.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Roadside Memorials. Amend RSA 236 by inserting after section 110 the following new subdivision:

Roadside Memorials

236:110-a Roadside Memorials. No roadside memorial erected within a right-of-way or adjacent area of any primary or secondary highway at the site of an accident or untimely death shall contain any lighting or reflective tape.

2018-1606s

AMENDED ANALYSIS

This bill prohibits lighting or reflective tape on roadside memorials.

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 1615, relative to speed limits in work zones.

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

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

HB 1718-FN, relative to surveillance on the public ways of the state.

Interim Study, Vote 4-0. Senator Birdsell for the committee.

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

WAYS AND MEANS

HB 124-FN, relative to certain aircraft registration fees and airways tolls.

Ought to Pass with Amendment, Vote 4-1. Senator Giuda for the committee.

Senate Ways and Means

April 18, 2018

2018-1619s

03/04

Amendment to HB 124-FN

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

1 New Section; Reporting by Airport. Amend RSA 422 by inserting after section 20 the following new section:

422:20-a Reporting by Airport. The owner of each airport open for public use shall submit to the department quarterly a list of all aircraft, including the federal registration number for each aircraft, that are based at that airport.

2 Repeal. RSA 422:31, I-II, relative to aircraft registration fees, are repealed.

3 Aircraft Operating Fee. RSA 422:31, III is repealed and reenacted to read as follows:

III. An aircraft operating fee for each aircraft for which a state registration certificate is required. The amount of the fee shall be based on the maximum certificated gross weight of the aircraft, as follows:

0-3000 lbs.	\$50
3001-8000 lbs.	\$250
8001-12,500 lbs.	\$2,500
more than 12,500 lbs.	\$3,500

4 Operating Fee Revenues. Amend RSA 422:36, II to read as follows:

II. Disbursements of revenue from the aircraft operating fee shall be made by the department after collection of such fees. ~~[provided that 1/4]~~ **Two hundred and fifty thousand dollars** of aircraft operating fee revenues originating at [a] publicly or privately owned [airport] **airports** shall be available **each fiscal year** for public use and shall, upon application, be paid over to the aeronautical fund established for ~~[that airport]~~ **New Hampshire airports** and shall be used for aeronautical purposes.

5 Effective Date. This act shall take effect July 1, 2018.

2018-1619s

AMENDED ANALYSIS

This bill requires quarterly reporting by airport owners, modifies registration and operating fees for aircraft, and adjusts the distribution of operating fee revenue.

Recess. Out of recess.

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

Senators Cavanaugh and Soucy are in opposition to the Committee Amendment on HB 124-FN.

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2
April 24, 2018
2018-1765s
03/05

Floor Amendment to HB 124-FN

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

AN ACT relative to aircraft registration fees.

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

1 New Section; Reporting by Airport. Amend RSA 422 by inserting after section 20 the following new section:

422:20-a Reporting by Airport. The owner of each airport open for public use shall submit to the department quarterly a list of all aircraft, including the federal registration number for each aircraft, that are based at that airport.

2 Repeal. The following are repealed:

I. RSA 422:31, I-II, relative to aircraft registration fees.

II. RSA 422:32, III, relative to operating fees for operation of antique aircraft.

3 Aircraft Operating Fee. RSA 422:31, III is repealed and reenacted to read as follows:

III. An aircraft operating fee for each aircraft for which a state registration certificate is required. The amount of the fee for an antique aircraft, glider, or experimental aircraft shall be \$100. The amount of the fee for all other aircraft shall be based on the maximum certificated gross weight of the aircraft, as follows:

0-3000 lbs.	\$ 100
3001-8000 lbs.	\$ 250
8001-12,500 lbs.	\$2,500
more than 12,500 lbs.	\$3,500

4 New Section; Reporting by Commissioner. Amend RSA 422 by inserting after section 31 the following new section:

422:31-a Reporting by Commissioner. On or before September 15 of each year, the commissioner shall certify in a report to the governor and the chairpersons of the house and senate standing committees on ways and means the following information: for the fiscal year just ended, the numbers of aircraft registered in each of the weight classes listed in RSA 422:31, III; operating fee revenues received by weight class; the numbers of aircraft by weight class that were based during the fiscal year at each of the airports open for public use; and a summary report showing the total numbers of such registered aircraft by weight class by year beginning with the fiscal year ending June 30, 2017.

5 Operating Fee Revenues. Amend RSA 422:36, II to read as follows:

II. Disbursements of revenue from the aircraft operating fee shall be made by the department after collection of such fees provided that ~~that~~ **\$250,000** of aircraft operating fee revenues originating at a publicly or privately owned airport shall be available *each fiscal year* for public use and shall, upon application, be paid over to the aeronautical fund established for that airport and shall be used for aeronautical purposes.

6 Applicability.

I. While recognizing that the revision in aircraft registration fees in this act may positively or negatively impact revenues, it is the legislative intent that the operating budget of the bureau of aeronautics shall not be based upon anticipated general fund revenue collected under RSA 422. Any resulting revenue impacts resulting from changes herein shall not negatively impact funding for the operation of the bureau of aeronautics.

II. Effective July 1, 2018, the operating fee for an aircraft not previously registered in this state or an aircraft due for registration renewal after September 1, 2018 shall be the fee in RSA 422:31, III, as amended by section 3 of this act and there shall be no state registration fee for such aircraft.

7 Effective Date.

I. Sections 1-5 of this act shall take effect January 1, 2019.

II. The remainder of this act shall take effect July 1, 2018.

2018-1765s

AMENDED ANALYSIS

This bill requires quarterly reporting by airport owners, modifies registration and operating fees for aircraft, and adjusts the distribution of operating fee revenue.

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

Senators Cavanaugh and Soucy are in opposition to the Floor Amendment on HB 124-FN.

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

Senators Cavanaugh and Soucy are in opposition to the motion of Ought to Pass with Amendment on HB 124-FN.

MOTION TO REMOVE FROM THE TABLE

Senator Bradley moved to remove HB 1415-FN-A from the Table. Adopted.

FINANCE

HB 1415-FN-A, making an appropriation to the public school infrastructure fund to improve security in public schools.

The pending motion is Ought to Pass.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

Sen. Giuda, Dist 2

Sen. Gray, Dist 6

Sen. French, Dist 7

Sen. Ward, Dist 8
Sen. Sanborn, Dist 9
Sen. Daniels, Dist 11
Sen. Avard, Dist 12
Sen. Carson, Dist 14
Sen. Reagan, Dist 17
Sen. Birdsell, Dist 19
Sen. Morse, Dist 22
Sen. Gannon, Dist 23
Sen. Innis, Dist 24
April 25, 2018
2018-1791s
05/04

Floor Amendment to HB 1415-FN-A

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

AN ACT making an appropriation to the public school infrastructure fund to improve security in public schools.

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

1 Appropriation; Public School Infrastructure Fund; School Emergency Readiness Program. To improve security in public schools, the sum of \$10,000,000 for the biennium ending June 30, 2019 is hereby appropriated the public school infrastructure fund established in RSA 198:15-y, to provide additional funding to the department of safety, division of homeland security and emergency management's school emergency readiness program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2018-1791s

AMENDED ANALYSIS

This bill makes an appropriation to the public school infrastructure fund to provide additional funding for the department of safety's school emergency readiness program.

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

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

The question is on the adoption of the Floor Amendment.

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

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

The following Senators voted No: Woodburn, Hennessey, Cavanaugh, Soucy, D'Allesandro, Fuller Clark.

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

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

MOTION TO REMOVE FROM THE TABLE

Senator Bradley moved to remove HB 1756-FN-A from the Table. Adopted.

FINANCE

HB 1756-FN-A, relative to a one-time allowance for certain state retirees.

There is no pending motion.

Senator Bradley moved Ought to Pass.

Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14

Sen. Watters, Dist 4

Sen. Bradley, Dist 3

April 26, 2018

2018-1814s

10/04

Floor Amendment to HB 1756-FN-A

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

AN ACT relative to a one-time allowance for certain state retirees.

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

1 Retirement System; Additional Allowance; Appropriation.

I. An additional one-time allowance of \$500 shall be paid during state fiscal year 2019 to retired members of the retirement system receiving an allowance who are eligible as follows:

(a) The member retired with at least 20 years of creditable service;

(b) The member retired and has been receiving an allowance for at least 5 years prior to July 1, 2018.

(c) The annual retirement allowance of the member on June 30, 2018 is not greater than \$30,000.

II. The additional allowance shall not become a permanent addition to the member's base retirement allowance.

III. The sum necessary to fund the additional allowances granted under this act is hereby appropriated to the board of trustees of the retirement system. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Effective Date. This act shall take effect July 1, 2018.

2018-1814s

AMENDED ANALYSIS

This bill grants a one-time additional allowance to retirees in the state retirement system. The bill makes a general fund appropriation for the retirement allowances.

Recess. Out of recess.

INTRODUCTION OF GUESTS

Senator D'Allesandro introduced Major Ernie Loomis visiting in the gallery.

Senator Carson introduced Timer Blaze visiting in the gallery.

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.

SPECIAL ORDER

Without objection, the following bills are special ordered to the present time. Adopted.

WAYS AND MEANS

HB 169-FN, relative to limits on wagers in charitable games of chance.

HB 1673-FN-LOCAL, relative to the interest charged on late and delinquent property tax payments.

HB 1686-FN, relative to applications for and the use of education tax credits.

TRANSPORTATION

HB 1614, relative to the international registration plan.

WAYS AND MEANS

HB 169-FN, relative to limits on wagers in charitable games of chance.

Ought to Pass, Vote 4-1. Senator Giuda 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 1673-FN-L, relative to the interest charged on late and delinquent property tax payments.

Ought to Pass with Amendment, Vote 4-1. Senator Daniels for the committee.

Senate Ways and Means

April 18, 2018

2018-1626s

05/04

Amendment to HB 1673-FN-LOCAL

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

3 Collection of Taxes; Tax Sales; Redemption; Interest Rate. Amend RSA 80:32 to read as follows:

80:32 Redemption. Any person with a legal interest in land so sold may redeem the same by paying or tendering to the collector, or in his *or her* absence, at his *or her* usual place of abode, at any time before a deed thereof is given by the collector, the amount for which the land was sold, with interest at ~~[18 percent per annum]~~ **6 percent per annum for the first year, 9 percent per annum for the second year, and 12 percent per annum for the third and any subsequent year** upon the whole amount for which the land was sold from the time of sale to the time of payment in full, except that in the case of partial payments in redemption made under RSA 80:33-a, the interest shall be computed on the unpaid balance, together with redemption costs and costs for notifying the mortgagees, if any. In case the tax collector who sold the property in question shall have died, become incapacitated, been removed from office or removed from the town or city or shall have been discharged from his *or her* bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

4 Collection of Taxes; Tax Sales; Subsequent Tax; Interest Rate. Amend RSA 80:37 to read as follows:

80:37 Payment of Subsequent Tax. For purposes of this section, "subsequent tax" shall mean any tax assessed upon the real estate subsequent to that for which it was sold by a municipality, a county or the state. The purchaser of real estate at any tax sale may pay to the collector any subsequent tax and the collector shall, within 30 days after such payment, notify the register of deeds thereof, giving the date and the amount of such payment and the name of the person so paying together with the date of the tax sale, the name of the person taxed and a description of the property sold as shown in the report of sale recorded in the registry of deeds. The collector of taxes shall receive \$1 for such notice to the register of deeds of the payment of subsequent tax plus \$1 to be paid to the register of deeds. The purchaser, within 30 days of payment of the subsequent tax, shall personally, or by certified mail, notify in writing any mortgagee who was notified of his purchase at the tax sale of this payment of the subsequent tax. The purchaser paying the subsequent tax shall receive the same fees prescribed for notifying the mortgagee of his *or her* purchase at the tax sale to be included in ~~[his]~~ **the** costs to be paid by the person making redemption, except that when a town is a purchaser at a tax sale and the town pays a subsequent tax and the selectmen direct the collector of taxes as agent for the town to give notice of payment of a subsequent tax to any mortgagee who was notified of the purchase by the town at the tax sale, the collector shall be paid the sum of \$5 for this service. Any amounts so paid on account of subsequent taxes, together with interest thereon at the rate of ~~[18 percent per annum]~~ **6 percent per annum for the first year, 9 percent per annum for the second year, and 12 percent per annum for the third and any subsequent year** from the date of payment shall, in addition to the purchase price at the time of sale with accrued interest and costs, be paid by the person making redemption.

5 Collection of Taxes; Tax Liens; Redemption; Interest Rate. Amend RSA 80:69 to read as follows:

80:69 Redemption. Any person with a legal interest in land subject to a real estate tax lien may redeem the same by paying or tendering to the collector, at any time before a deed thereof is given by the collector, the amount of the real estate lien, with interest at ~~[18 percent per annum]~~ **6 percent per annum for the first year, 9 percent per annum for the second year, and 12 percent per annum for the**

third and any subsequent year upon the whole amount of the recorded lien from the date of execution to the time of payment in full, except that in the case of partial payments in redemption made under RSA 80:71, the interest shall be computed on the unpaid balance, together with redemption costs and costs for identifying and notifying the mortgagees, if any. In case the tax collector who executed the tax lien against the property in question shall have died, become incapacitated, been removed from office or removed from the town or city or shall have been discharged from his ***or her*** bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

6 Collection of Taxes; Tax Liens; Interest Rate. Amend RSA 80:75, III to read as follows:

III. When a municipality is the lienholder and the municipality pays a subsequent tax and the selectmen direct the collector of taxes, as agent of the municipality, to give such notice of said payment to any owner and to any mortgagee as provided above, the collector of taxes shall receive the same fees provided for the lienholder for his service. The amount of subsequent taxes paid, together with interest on such taxes at the rate of [~~18 percent per annum~~] ***6 percent per annum for the first year, 9 percent per annum for the second year, and 12 percent per annum for the third and any subsequent year***, from the date of payment shall, in addition to the tax lien amount at the time of execution with interest and costs, be paid by the person making redemption.

7 Effective Date. This act shall take effect April 1, 2019.

2018-1626s

AMENDED ANALYSIS

This bill provides that the interest on delinquent property tax payments shall be 6 percent for the first year, 9 percent for the second year, and 12 percent for the third and any subsequent year of nonpayment.

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

Senator Daniels offered a Floor Amendment.

Sen. Daniels, Dist 11

Sen. Feltes, Dist 15

April 26, 2018

2018-1805s

05/10

Floor Amendment to HB 1673-FN-LOCAL

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

1 Apportionment, Assessment, and Abatement of Taxes; Interest. Amend RSA 76:13 to read as follows:

76:13 Interest. Interest at [~~12~~] **8** percent per annum shall be charged upon all taxes except resident taxes, except as otherwise provided by statute, not paid on or before December 1 after their assessment, which shall be collected from that date with the taxes as incident thereto, except in the case where a tax bill sent to the taxpayer on or after November 2 and before April 1 of the following year interest shall not be charged until 30 days after the bills are mailed. Interest due in an amount up to \$25 may be waived by the collector, with the approval and consent of the board of selectmen and the board of assessors, if in the collector's judgment the administrative and collection costs involved do not warrant collection of the amount due. The tax collector shall state on the tax bill the date from which interest will be charged and such date shall be determined by the day the collector sends out the last tax bill on the list. The collector shall notify the board of tax and land appeals in writing of the date on which the last tax bill was sent.

2 Property Taxes; Quarterly Billing. Amend RSA 76:15-aa, IV to read as follows:

IV. Interest at the rate of [~~12~~] **8** percent per annum shall be charged on all taxes not paid on or before their due dates or 30 days after mailing, whichever is later.

3 Collection of Taxes; Tax Sales; Redemption; Interest Rate. Amend RSA 80:32 to read as follows:

80:32 Redemption. Any person with a legal interest in land so sold may redeem the same by paying or tendering to the collector, or in his *or her* absence, at his *or her* usual place of abode, at any time before a deed thereof is given by the collector, the amount for which the land was sold, with interest at [18] **14** percent per annum upon the whole amount for which the land was sold from the time of sale to the time of payment in full, except that in the case of partial payments in redemption made under RSA 80:33-a, the interest shall be computed on the unpaid balance, together with redemption costs and costs for notifying the mortgagees, if any. In case the tax collector who sold the property in question shall have died, become incapacitated, been removed from office or removed from the town or city or shall have been discharged from his *or her* bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

4 Collection of Taxes; Tax Sales; Subsequent Tax; Interest Rate. Amend RSA 80:37 to read as follows:

80:37 Payment of Subsequent Tax. For purposes of this section, "subsequent tax" shall mean any tax assessed upon the real estate subsequent to that for which it was sold by a municipality, a county or the state. The purchaser of real estate at any tax sale may pay to the collector any subsequent tax and the collector shall, within 30 days after such payment, notify the register of deeds thereof, giving the date and the amount of such payment and the name of the person so paying together with the date of the tax sale, the name of the person taxed and a description of the property sold as shown in the report of sale recorded in the registry of deeds. The collector of taxes shall receive \$1 for such notice to the register of deeds of the payment of subsequent tax plus \$1 to be paid to the register of deeds. The purchaser, within 30 days of payment of the subsequent tax, shall personally, or by certified mail, notify in writing any mortgagee who was notified of his purchase at the tax sale of this payment of the subsequent tax. The purchaser paying the subsequent tax shall receive the same fees prescribed for notifying the mortgagee of his *or her* purchase at the tax sale to be included in [his] *the* costs to be paid by the person making redemption, except that when a town is a purchaser at a tax sale and the town pays a subsequent tax and the selectmen direct the collector of taxes as agent for the town to give notice of payment of a subsequent tax to any mortgagee who was notified of the purchase by the town at the tax sale, the collector shall be paid the sum of \$5 for this service. Any amounts so paid on account of subsequent taxes, together with interest thereon at the rate of [18] **14** percent per annum from the date of payment shall, in addition to the purchase price at the time of sale with accrued interest and costs, be paid by the person making redemption.

5 Collection of Taxes; Tax Liens; Redemption; Interest Rate. Amend RSA 80:69 to read as follows:

80:69 Redemption. Any person with a legal interest in land subject to a real estate tax lien may redeem the same by paying or tendering to the collector, at any time before a deed thereof is given by the collector, the amount of the real estate lien, with interest at [18] **14** percent per annum upon the whole amount of the recorded lien from the date of execution to the time of payment in full, except that in the case of partial payments in redemption made under RSA 80:71, the interest shall be computed on the unpaid balance, together with redemption costs and costs for identifying and notifying the mortgagees, if any. In case the tax collector who executed the tax lien against the property in question shall have died, become incapacitated, been removed from office or removed from the town or city or shall have been discharged from his *or her* bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

6 Collection of Taxes; Tax Liens; Interest Rate. Amend RSA 80:75, III to read as follows:

III. When a municipality is the lienholder and the municipality pays a subsequent tax and the selectmen direct the collector of taxes, as agent of the municipality, to give such notice of said payment to any owner and to any mortgagee as provided above, the collector of taxes shall receive the same fees provided for the lienholder for his service. The amount of subsequent taxes paid, together with interest on such taxes at the rate of [18] **14** percent per annum from the date of payment shall, in addition to the tax lien amount at the time of execution with interest and costs, be paid by the person making redemption.

7 Applicability. The interest rate of 8 percent established in sections 1 and 2 of this act and the interest rate of 14 percent established in sections 3-6 of this act shall apply to taxes assessed on or after April 1, 2019.

8 Effective Date. This act shall take effect April 1, 2019.

2018-1805s

AMENDED ANALYSIS

This bill lowers the interest rate charged on late and delinquent property tax payments from 12 to 8 percent and 18 to 14 percent per annum.

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 the Committee on Finance (Rule 4-5).

HB 1686-FN, relative to applications for and the use of education tax credits.
Ought to Pass, Vote 3-1. Senator Giuda for the committee.

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

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

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

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

The following Senators were excused: Daniels.

Roll Call, Yeas: 13 - Nays: 10. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

TRANSPORTATION

HB 1614, relative to the international registration plan.

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

Senate Transportation

April 18, 2018

2018-1609s

03/05

Amendment to HB 1614

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

AN ACT relative to the international registration plan and relative to registration of semi-trailers.

Amend the bill by replacing all after section 4 with the following:

5 Surety Bonds. Amend RSA 41:6, I-III to read as follows:

I. Town treasurers, trustees as provided in RSA 31:22 and [23] **RSA 31:23**, trustees as provided in RSA 53-B:8-a, I, library trustees including alternate library trustees, if any, town clerks, tax collectors and their deputies, agents authorized to collect the boat fee, **nongovernmental registering trailer agents appointed under RSA 261:74-t**, and persons delegated treasury functions under RSA 41:29, VI shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:

(a) The failure of the officers covered to faithfully perform their duties or to account properly for all moneys or property received by virtue of their positions; or

(b) Fraudulent or dishonest acts committed by the covered officers.

II. A blanket bond may exclude the town treasurer if a separate fidelity bond for the faithful performance of his **or her** duties is furnished by the surety writing the blanket bond.

III. Premiums shall be paid by the town, **except that premiums for bonding of a nongovernmental registering trailer agent shall be paid by such agent**.

6 New Paragraph; Expiration of Registration. Amend RSA 261:62 by inserting after paragraph III the following new paragraph:

IV. Multiyear registrations may be issued for semi-trailers in accordance with RSA 261:141, XI. Multi-year registrations shall expire in the anniversary month otherwise applicable under this section in the final year of the registration.

7 New Subdivision; Registrations by Nongovernmental Registering Trailer Agents. Amend RSA 261 by inserting after section 74-s the following new subdivision:

Registrations by Nongovernmental Registering Trailer Agents

261:74-t Registrations by Nongovernmental Registering Trailer Agents.

I. Out-of-state semi-trailer registrations may be issued, renewed, or transferred through nongovernmental registering trailer agents appointed in accordance with this subdivision. Trailer agents shall be residents of and have a verified business address in this state. The director is authorized to limit the number of nongovernmental registering trailer agents appointed under this subdivision based on resource limitations, provided that at least 3 trailer agents are appointed and provided that any limitation established shall not be the basis for revoking any appointment previously made.

II.(a) Each applicant for appointment as a trailer agent shall furnish the following to the department:

- (1) Whether the application is an original, renewal, or change of location;
- (2) Corporate or business name;
- (3) Trade name, if applicable;
- (4) Legal address;
- (5) Mailing address;
- (6) Telephone number;
- (7) Business hours;
- (8) Name, address, and date of birth of at least one owner, partner, or officer, and title, if applicable;
- (9) Name of the person who will be responsible for filing daily reports;
- (10) An agreement to notify the department of any change of ownership, address, or corporate or trade name; and
- (11) Signature and title of the person identified in subparagraph (8) and date signed.

(b)(1) Upon submission of an application that is incomplete or might indicate lack of fitness or qualification for appointment as a trailer agent, the director or his or her designee shall require an applicant to appear for an interview.

(2) The director or his or her designee shall inform the applicant in writing of the interview. The written notice shall include the date, time, and location of the interview.

(3) At the interview, the director or his or her designee shall:

- (A) Explain any discrepancy or concerns to the applicant.
- (B) Answer any questions that the applicant may have about the process.
- (C) Allow the applicant to make corrections to the application or address any concerns expressed.

(4) If an applicant refuses or neglects to appear for a scheduled interview, the director shall deny his or her application.

(5) If an applicant fails to explain any discrepancy or concerns at the interview, the director shall deny his or her application.

(c) In order to be appointed as a trailer agent by the director, each applicant shall:

- (1) Complete the application.
- (2) Complete the training requirements.

(3) Complete an interview if applicable.

(4) Obtain a surety bond.

(5) Agree to allow the director or his or her designee to enter the agent's premises during business hours for the purposes of auditing or verifying compliance with the terms and conditions of this section.

(6) Agree to keep current with forms and software as determined by the department.

(d) Trailer agents:

(1) Shall furnish registration information concerning vehicle information as the director may require.

(2) Collect fees.

(3) Issue registrations.

(e)(1) Each trailer agent shall maintain a record of all trailer registration certificates issued by him or her, including:

(A) Date of registration.

(B) Full name of the registrant.

(C) Identifying number.

(D) Address and phone number of record.

(2) The trailer agent shall maintain all records for a period of 15 years.

(f)(1) Prior to being appointed as a trailer agent, each applicant shall complete a training program conducted at the division of motor vehicles, or such other location as the department shall determine.

(2) The training program shall include the following instruction:

(A) Completing a trailer registration.

(B) Filing daily reports.

(C) Collecting trailer registration fees.

(D) Maintaining records.

(E) Retaining the agent fee.

(F) Posting office hours.

(g)(1) If a trailer agent is deficient in any area, the department shall request the trailer agent to undergo retraining.

(2) Depending upon the areas of deficiency, retraining shall consist of one or more of the following:

(A) Repeat the training program.

(B) Repeat any portion of the training program.

(C) Undergo further training, the substance of which shall be determined by the department.

(h) Before any appointment shall become effective, each trailer agent shall file a surety bond with the department, pursuant to RSA 41:6.

(i)(1) Each trailer agent shall mail a daily report of nonresident registrations to the department containing:

(A) The physical address and telephone number where the trailer agent is located;

(B) Period the report begins and ends;

(C) Number of trailers registered; and

(D) Amount of registration fees collected.

(2) The daily reports shall be submitted along with all fees due to the department in the form of a check or money order.

(j) Whenever a trailer agent's office is closed or unattended, all decals, stamps, and other registration materials shall be placed in a locked file cabinet or other secure container.

III. A nonresident may register a semi-trailer in this state through a nongovernmental registering trailer agent, even if the trailer is not garaged exclusively in this state in accordance with RSA 261:46. Registrations of nonresidents for semi-trailers that are not garaged exclusively in this state shall bear the address of the owner's residence and the address of the nongovernmental registering trailer agent.

261:74-u Fees.

I. A nongovernmental registering trailer agent may collect and retain an agent fee for each registration processed as compensation for processing the registration.

II. The nongovernmental registering trailer agent shall collect and remit to the department the registration fee established in RSA 261:141, XI.

261:74-v Revocation of Agency Status.

I. If the director determines that a trailer agent has not continued to fulfill the requirements of RSA 261:74-t or has violated any of the rules adopted pursuant to RSA 261:74-w, the director shall commence the procedure established in paragraph II.

II. Any trailer agent whose appointment is sought to be revoked shall be afforded the opportunity of a hearing before the director or designee prior to such revocation. Following the hearing, the director may revoke the appointment as a trailer agent upon satisfactory evidence that the provisions of this subdivision have been violated and that the revocation is in the best interest of the state. A written statement outlining the evidence and violations shall accompany the revocation.

III. Upon the revocation of such agency, the person shall surrender to the department or its authorized agent all materials issued by the state under the provisions of this subdivision and all records pertaining to all matters authorized by this subdivision.

IV. Whenever an authorized auditor of the department, with the approval of the commissioner, determines that the public interest requires immediate action, the director may issue a temporary order suspending the authority of a nongovernmental registering trailer agent to issue, renew, or transfer registrations, pending a hearing.

261:74-w Rulemaking. The director shall adopt rules pursuant to RSA 541-A relative to application forms for appointment as a nongovernmental registering trailer agent.

8 New Paragraph; Fees; Multiyear Semi-Trailer Registrations. Amend RSA 261:141 by inserting after paragraph X the following new paragraph:

XI.(a) Persons may register semi-trailers for up to 12 years. Multiyear registrations for semi-trailers shall be subject to the following fees:

- (1) One year: \$20.
- (2) Two years: \$40.
- (3) Three years: \$55.
- (4) Four years: \$65.
- (5) Five years: \$85.
- (6) Ten years: \$160.
- (7) Twelve years: \$190.

(b) Semi-trailers owned by nonresidents of New Hampshire registered under this paragraph shall not require a municipal permit for registration and shall not be subject to any municipal fees.

9 Nonresident Registration. Amend RSA 261:46 to read as follows:

261:46 Nonresident Registration. Notwithstanding RSA 261:45, a nonresident who garages a vehicle exclusively in this state ***or who registers a semi-trailer through a nongovernmental agent, whether the semi-trailer is garaged in this state or not,*** may register such vehicle in this state as a nonresident. No exemption from the payment of a permit fee shall be granted by reason of nonresidence except by the director, who shall in all cases require proof satisfactory to him or her of residence elsewhere, and of the liability of a nonresident owner, otherwise entitled to such exemption, to pay a property tax on the vehicle for the current year in the state of his or her residence.

10 New Paragraph; Fees for Registration Permits; Multiyear Registrations. Amend RSA 261:153 by inserting after paragraph VI the following new paragraph:

VII. A resident registering a semi-trailer for multiple years in accordance with RSA 261:141, XI shall, when offering the semi-trailer for registration, pay all permit fees and other municipal fees associated with the registration for the entire multiyear period. Permit fees for the multiyear period shall be determined under paragraph I. If the registration is for 12 years, the permit fee shall be reduced by 10 percent.

11 Inspection of Trailers; Exemptions. Amend RSA 266:1-b, II to read as follows:

II. ***Semi-trailers shall be exempt from periodic vehicle inspection requirements under this chapter if the semi-trailer is fully compliant with the regulations of the Federal Motor Carrier Safety Administration.***

III. The director may authorize properly qualified dealers holding utility dealer registrations to inspect trailers of more than 10,000 pounds gross vehicle weight, to determine whether they are fit to be driven, and to issue inspection stickers, under rules adopted for this purpose pursuant to RSA 541-A. This section shall not apply to full trailers as defined in RSA 259:37-a ~~[or semi-trailers as defined in RSA 259:98]~~, and shall not prohibit other official inspection stations from inspecting trailers.

12 Registration Fees. Amend the introductory paragraph of RSA 261:141, III(j) to read as follows:

(j) For ~~[semi-trailers or]~~ automobile utility trailers (the weight of the trailer shall include the maximum load to be carried thereby):

13 Repeal. The following are repealed:

I. RSA 261:141, III(i), relative to registration fees for semi-trailers.

II. RSA 261:141, III(k), relative to registration fees for semi-trailers.

14 Effective Date.

I. Sections 5-13 of this act shall take effect July 1, 2018.

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

2018-1609s

AMENDED ANALYSIS

This bill:

I. Repeals statutory provisions of the international registration plan and authorizes the department of safety to implement the plan through rules that are exempt from RSA 541-A.

II. Authorizes registration of semi-trailers through nongovernmental agents of the department of safety.

III. Authorizes multiyear semi-trailer registrations.

IV. Provides discounts on fees for semi-trailer registrations.

V. Allows registrations through the agents by nonresidents for semi-trailers not garaged exclusively in this state.

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).

SPECIAL ORDER

Without objection, the following bills are special ordered to Wednesday, May 2, 2018. Adopted.

WAYS AND MEANS

HB 324, establishing a commission to study utility property valuation and recommend legislation to reform the current system of taxing utility property in New Hampshire.

HB 1276, adding an exemption for certain raffles conducted by charitable organizations.

HB 1501-FN, relative to regulation of consultants for games of bingo and lucky 7.

HB 1502, adding the utility property tax exclusion for exempt water and air pollution control facilities to tax expenditure review.

HB 1554-FN, increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes.

HB 1819-FN, relative to administration of the education tax credit.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1307, relative to the presentation of a default budget.

TRANSPORTATION

HB 1549, relative to the availability of vehicle accident reports.

HB 1595, relative to the use of the left lane of a multilane roadway.

Without objection, the Clerk shall read the first complete House Message and thereafter only the title of each bill shall be read. Adopted.

HOUSE MESSAGE

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

SB 84, relative to payment of workers' compensation benefits by direct deposit.

Senator French moved Nonconcurrence and requested a Committee of Conference. Adopted.

The President appointed Senators Innis, French and Soucy.

SB 351, relative to managed care programs under workers' compensation.

Senator French moved Concurrence. Adopted.

SB 553-FN, establishing a commission to study the incidence of post traumatic stress disorder in first responders and whether such disorder should be covered under workers' compensation.

Senator French moved Nonconcurrence and requested a Committee of Conference. Adopted.

The President appointed Senators Innis, French and Soucy.

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 D'Allesandro: HB 628-FN

Senator Sanborn: HB 101-FN, HB 124-FN, HB 135, HB 141, HB 169-FN, HB 267, HB 314, HB 317, HB 324, HB 388, HB 407-FN, HB 476, HB 485-FN, HB 500, HB 559-FN, HB 628-FN, HB 1101-FN, HB 1103-FN, HB 1201, HB 1216, HB 1237, HB 1251, HB 1262-L, HB 1276, HB 1288, HB 1295, HB 1307, HB 1329, HB 1332, HB 1340, HB 1361, HB 1365, HB 1411-FN-A, HB 1415-FN-A, HB 1416-FN, HB 1418-FN, HB 1428-FN, HB 1450, HB 1458, HB 1483, HB 1501-FN, HB 1502, HB 1549, HB 1554-FN, HB 1555, HB 1565-FN, HB 1589, HB 1595, HB 1613, HB 1614, HB 1615, HB 1636, HB 1673-FN-L, HB 1686-FN, HB 1700, HB 1715-FN, HB 1718-FN, HB 1756-FN-A, HB 1763-FN-A, HB 1766-FN, HB 1775, HB 1786-L, HB 1791-FN, HB 1807-FN, HB 1809-FN, HB 1819-FN

Senator Soucy: HB 407-FN

ANNOUNCEMENTS

(The Chair recognized Senator Lasky.)

SENATOR LASKY: Thank you, Mister President, and my colleagues, whom I have the greatest respect and affection for. I wanted you to hear it from me because we all know that things here in this building are not very privileged. I have had the honor and privilege to work in this building for more than twenty years, but it is now time for me to announce my retirement. It's been a difficult decision. I will miss the work. I will miss the honor and privilege of representing my constituents, and I will miss all of you and staff, and clearly everybody who in all of these buildings have been my family for all this time. So, again, I wanted you to hear it from me because it is buzzing around, I think, and I thank you for all your kindnesses, and I will not be a lame duck Senator for the next week. And, again, thank you.

PRESIDENT MORSE: Thank you, Senator Lasky. I didn't know if I should clap or cry.

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 124-FN, relative to aircraft registration fees.

HB 267, establishing the New Hampshire transportation council.

HB 1329, relative to eyewitness identification procedures.

HB 1340, relative to absences among officers required to be present at school district elections.

HB 1411-FN-A, relative to funds transferred to the nongame species account.

HB 1415-FN-A, making an appropriation to the public school infrastructure fund to improve security in public schools.

HB 1416-FN, repealing the prohibition on bottle rockets.

HB 1418-FN, relative establishing a commission to study greater transparency in pharmaceutical costs and drug rebate programs.

HB 1428-FN, relative to roadside memorials.

HB 1450, relative to retention of job applications and personnel files.

HB 1483, amending the wiretapping and eavesdropping statute to include private communication networks.

HB 1555, relative to participation by the public utilities commission in regional activities.

HB 1589, relative to actions against tenants for a caregiver under an agreement for a person with disabilities.

HB 1613, relative to operation of uninspected vehicles.

HB 1615, relative to speed limits in work zones.

HB 1700, relative to the procedure for placing a security freeze on a consumer credit report.

HB 1756-FN-A, relative to a one-time allowance for certain state retirees.

HB 1766-FN, requiring the department of environmental services to report to the general court regarding bedrock testing and perfluorochemical contamination in the Seacoast area and at other landfills and hazardous waste sites.

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

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.