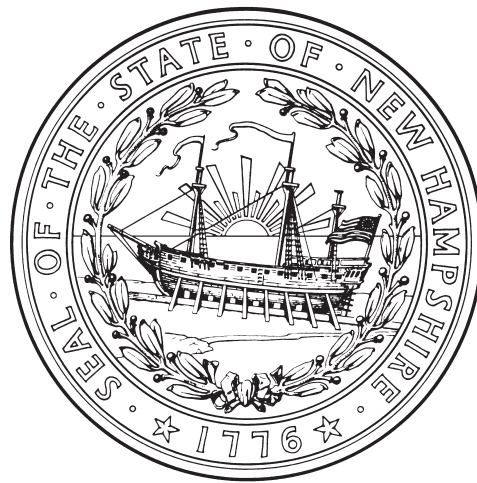


May 2, 2018  
Nos. 14-15

# **STATE OF NEW HAMPSHIRE**

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**Second Year of the 165<sup>th</sup> Session of the  
New Hampshire General Court**

**Legislative Proceedings**

## **SENATE JOURNAL**

**ADJOURNMENT – APRIL 26, 2018 SESSION  
COMMENCEMENT – MAY 2, 2018 SESSION**

# SENATE JOURNAL 14 *(continued)*

*April 26, 2018*

## HOUSE MESSAGE

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

SB 91, relative to the title loan default process.  
SB 92, relative to the consumer complaint process at the banking department.  
SB 172-FN, relative to non-menace dams.  
SB 311, clarifying rules of construction under the New Hampshire Trust Code.  
SB 314, relative to regulation of mortgage bankers, brokers, servicers, and originators.  
SB 323, relative to rehiring of laid off classified state employees.  
SB 346, relative to requiring enhanced technology ignition interlock devices.  
SB 368, establishing an exemption from shoreland protection permitting requirements for maintenance and repairs of existing roads and for borings and test wells.  
SB 369-FN, relative to the publication of the rulemaking register.  
SB 376-FN, relative to the sale of certain cold medications.  
SB 387-FN, relative to liability of governmental units.  
SB 388, relative to dispensary locations for therapeutic cannabis.  
SB 390-FN, establishing the office of solicitor general in the department of justice and establishing an unclassified attorney position in the department of justice.  
SB 410-FN, establishing a commission to study creating a boat safe card.  
SB 416, relative to transportation network company drivers.  
SB 424, relative to property and casualty insurance.  
SB 444, relative to cutting timber near certain waters and public highways.  
SB 445, designating the Warner River as a protected river.  
SB 476, establishing a committee to study reinstituting the unemployed parent program.  
SB 481, establishing a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs.  
SB 485, establishing a committee to study the relationship between concierge medicine and New Hampshire and federal health insurance law.  
SB 486, establishing a commission to study enhancing the prescription drug donation program.  
SB 573-FN-A, relative to the controlled drug prescription health and safety program and making an appropriation therefor.  
SB 591-FN, relative to accreditation of health care providers by pharmacy benefit managers.  
SB 593-FN, relative to the penalty for capital murder.

## 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 335, establishing a committee to review compensation in asbestos litigation and to study ways to promote transparency, fairness, and timeliness of payment in asbestos litigation.  
SB 497-FN, relative to breast-feeding.  
SB 501, relative to immunity for campground owners.  
SB 522, relative to alteration of speed limits.  
SB 548-FN, relative to therapeutic intervention needs of infants diagnosed with neonatal abstinence syndrome.  
SB 555-FN-A, establishing a citizens' right-to-know appeals commission and a right-to-know law ombudsman and making an appropriation therefor.

## HOUSE MESSAGE

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

HB 298, relative to the mechanical licensing board.

## HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bill sent down from the Senate and has indefinitely postponed the Bill:

CACR 22, relating to rights for crime victims. Providing that crime victims shall be afforded constitutional rights.

## 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 390, relative to parties on certain election forms and ballots.

HB 1215, relative to voting on variances.

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

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

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

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

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

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

## HOUSE MESSAGE

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

SB 71, relative to the law governing alimony.

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

REPRESENTATIVES: K. Rice, Itse, Spencer and Walz

April 25, 2018

2018-1808-EBA

04/01

## Enrolled Bill Amendment to SB 170

The Committee on Enrolled Bills to which was referred SB 170

AN ACT relative to the authority of towns to issue bonds for the expansion of broadband infrastructure.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 170

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 170

Amend the bill by replacing section 8 with the following:

8 Repeal. RSA 38:38, I(b), relative to the definition of areas not served by broadband, is repealed.

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

April 26, 2018

2018-1819-EBA

04/01

## Enrolled Bill Amendment to SB 429-FN

The Committee on Enrolled Bills to which was referred SB 429-FN

AN ACT establishing a consumer services program within the insurance department.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 429-FN

This enrolled bill amendment inserts a contingency to avoid a numbering conflict with HB 1379 of the 2018 regular legislative session.

Enrolled Bill Amendment to SB 429-FN

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Contingency. If HB 1379 of the 2018 regular legislative session becomes law, then RSA 400-A:15-e, as inserted by section 1 of HB 1379, shall be renumbered as RSA 400-A:15-f.

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

April 26, 2018  
2018-1801-EBA  
06/04

Enrolled Bill Amendment to SB 482-FN

The Committee on Enrolled Bills to which was referred SB 482-FN

AN ACT relative to confidential emergency medical and trauma services data.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 482-FN

This enrolled bill amendment makes a technical change.

Enrolled Bill Amendment to SB 482-FN

Amend RSA 153-A:35, I as inserted by section 2 of the bill by replacing line 10 with the following:

part 160 and part 164. This shall include the requirement that all proposed releases of emergency

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

April 26, 2018  
2018-1812-EBA  
06/03

Enrolled Bill Amendment to HB 1322

The Committee on Enrolled Bills to which was referred HB 1322

AN ACT relative to risk-based capital for health maintenance organizations.

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 1322

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1322

Amend section 2 of the bill by replacing line 3 with the following:

III-a. A health organization's RBC shall be determined in accordance with the formula set

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

April 26, 2018  
2018-1818-EBA  
03/05

Enrolled Bill Amendment to HB 1564-FN

The Committee on Enrolled Bills to which was referred HB 1564-FN

AN ACT 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.

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 1564-FN

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1564-FN

Amend RSA 632-A:2, I(n)(1) as inserted by section 1 of the bill by replacing line 4 with the following:

psychiatric unit, ~~or~~ **a** juvenile detention facility ~~[where the actor is employed]~~, **or any other setting**

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

April 19, 2018  
2018-1653-EBA  
10/08

Enrolled Bill Amendment to HB 1593

The Committee on Enrolled Bills to which was referred HB 1593

AN ACT authorizing a school district meeting to adopt an article authorizing the trustees of the trust fund to charge certain expenses against capital reserve funds.

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 1593

This enrolled bill amendment makes grammatical corrections.

Enrolled Bill Amendment to HB 1593

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

AN ACT authorizing a school district meeting to adopt an article authorizing the trustees of trust funds to charge certain expenses against capital reserve funds.

Amend RSA 35:9-a, III as inserted by section 1 of the bill by replacing line 1 with the following:

III. The school district meeting may adopt an article authorizing the trustees of trust funds,

Amend RSA 35:9-a, III as inserted by section 1 of the bill by replacing line 7 with the following:

funds as expenditures out of capital reserve funds.

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

April 25, 2018  
2018-1797-EBA  
06/04

Enrolled Bill Amendment to HB 1720-FN

The Committee on Enrolled Bills to which was referred HB 1720-FN

AN ACT relative to the storage of beverages produced by contract brewers.

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 1720-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment t HB 1720-FN

Amend RSA 178:12, XI as inserted by section 3 of the bill by replacing line 6 with the following:  
with the commission.

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

April 26, 2018  
2018-1811-EBA  
03/10

Enrolled Bill Amendment to HB 1808

The Committee on Enrolled Bills to which was referred HB 1808

AN ACT repealing certain inactive dedicated funds.

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 1808

This enrolled bill amendment makes a technical correction and adds gender-neutral modifications.

Enrolled Bill Amendment to HB 1808

Amend RSA 172:14 as inserted by section 5 of the bill by replacing line 7 with the following:

or persons chargeable with his **or her** support, are able to pay only a part of such expense, the

Amend RSA 172:14 as inserted by section 5 of the bill by replacing line 17 with the following:

treatment and rehabilitation of any of his **or her** clients, or clients of a certified substance abuse treatment

Amend RSA 21-P:21 as inserted by section 9 of the bill by replacing line 1 with the following:

21-P:21 Civil Penalties[; ~~Revolving Fund~~]. Any person who violates any of the provisions of this

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

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

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

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

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

HB 1289, relative to trespassing domestic fowl.

HB 1331, relative to incidental uses for agricultural plates.

HB 1335, relative to the cybersecurity software used by the state of New Hampshire.



HB 1352-FN, eliminating the nonresident freshwater bait dealers license and relative to hunting adventure permits.  
HB 1357, relative to the delivery of articles to a prisoner in a state or county correctional facility.  
HB 1401, relative to the New Hampshire accountancy act.  
HB 1407, repealing the prohibition on the use of milk containers.  
HB 1484, relative to late fees in manufactured housing parks.  
HB 1499, relative to the focus and components of New Hampshire kindergartens.  
HB 1606, relative to naturopathic health care practice.  
HB 1623, relative to criteria for debarment of vendors.  
HB 1651, establishing a committee to study the use of liquid de-icers and solid salt on roads.  
HB 1660, relative to delinquent accounts of liquor licensees.  
HB 1665, relative to the authority of the governing boards of allied health professionals.  
HB 1684, relative to criminal background checks for emergency medical services license applicants.  
HB 1689-FN, repealing the repeal of the pollution prevention program of the department of environmental services.  
HB 1698-FN-LOCAL, relative to the cost of special education services for foster children.  
HB 1744, authorizing a parent to exempt his or her child from participating in the statewide assessment program.  
HB 1746-FN, relative to the practices of pharmacy benefit managers.  
HB 1777-FN, relative to energy infrastructure corridor revenue.  
HB 1782-FN, establishing a committee to study insurance payments to ambulance providers and balance billing by ambulance providers.  
HB 1810, establishing a commission to study the effectiveness of the current statutes related to management of non-tidal public water ways and the construction or placement of structures within them.  
SB 165-FN, authorizing periodic payments as security after a motor vehicle accident.  
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 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 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 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 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.

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

#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 410, relative to the legislative youth advisory council.  
HB 1252-FN, relative to certificates of insurance.

HB 1256, relative to decal fees for multi-use veterans decal plates.  
HB 1258, relative to the advanced manufacturing education advisory council.  
HB 1284, relative to the reports required by the incapacitated and vulnerable adult fatality review committee.  
HB 1304, relative to the authorization for forensic audits by a county convention.  
HB 1378, relative to domestic insurance company investments.  
HB 1389, relative to commercial lines modernization.  
HB 1420-FN, relative to a criminal penalty for driving after certification as an habitual offender.  
HB 1453, relative to the traffic safety commission.  
HB 1471-FN, relative to telemedicine and establishing a committee to study health care reimbursement for telemedicine and telehealth.  
HB 1474, designating the New Hampshire Red as the official state poultry.  
HB 1533, relative to termination of variances and special exceptions.  
HB 1551, relative to the retention of records of individualized education programs.  
HB 1571, authorizing an alternative recovery monitoring program for nurses licensed by the board of nursing.  
HB 1575, permitting hunting with an air rifle.  
HB 1598-LOCAL, relative to the vote to withdraw from a cooperative school district.  
HB 1599, relative to the governor's commission on disability.  
HB 1622, relative to organization of the department of information technology.  
HB 1638, declaring April 28, 2018 as tabletop gaming day in New Hampshire.  
HB 1664, relative to terms of appointment of members of governing boards for allied health professionals.  
HB 1674, relative to computer science and digital skills required for an adequate education.  
HB 1736, relative to increasing the threshold required for governor and council approval of expenditures from the dam maintenance fund.  
SB 315, relative to the definitions of beverage and of mead.  
SB 333, relative to pharmacy interns and vaccinations.  
SB 345, naming a bridge in the town of Lincoln in honor of the Clark Family.  
SB 360, establishing a commission to study whether the department of education should be required to conduct criminal history records checks, via a fingerprint check, on all applicants for teacher certification.  
SB 392, establishing a commission to study and evaluate the impact of the discharge of state prisoners.  
SB 436, relative to tuition in the community college system.  
SB 442, relative to surety indemnification requirements for private postsecondary career schools.  
SB 469, relative to the appropriation of funds from the equipment inventory fund.  
SB 470-FN, relative to positions within the insurance department.  
SB 474, establishing a committee to study group home rate parity.  
SB 484, reestablishing the commission to address child hunger in New Hampshire.  
SB 516, prohibiting motorcycle-only checkpoints.  
SB 517, establishing an electric vehicle charging stations infrastructure commission.

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

Out of Recess. Call the Senate to Order.

#### MOTION TO ADJOURN FROM LATE SESSION

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

Adopted. Adjournment from the Late Session.

# SENATE JOURNAL 15

*May 2, 2018*

The Senate reconvened at 1:00 p.m., a quorum being present.

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

Let us pray.

God, on this amazingly beautiful day we are reminded of who you are, and your goodness to each one of us. God, I'm also mindful of our Senators' work; the tireless work for the betterment of the population of our citizen residents of New Hampshire. As we're coming to the end of this session, this season, we might be feeling a little



tired; but God give us the strength today to continue to contend for what is right, continue to contend for what is good for our population, that New Hampshire would prosper. God, I pray for clarity of mind, conviction of heart, and the unity of spirit, in Jesus' name— my apologies— in the name of the Father. Amen.

Senator Feltes led the Pledge of Allegiance.

#### INTRODUCTION OF GUESTS

Senator Watters introduced Gerri Cannon, a constituent and a dear friend who is an at-large member on the School Board in Somersworth, visiting in the gallery.

Senator D'Allesandro introduced a group of young political leaders from Macedonia visiting in the gallery.

Senator Carson requested that the gentlemen be allowed to remove their jackets.

#### INTRODUCTION OF PAGES

Senator Birdsell introduced Catherine McCarthy and Cole Fournier from Pinkerton Academy in Derry, serving as Senate Pages for the day.

#### MOTION OF RECONSIDERATION

Senator Soucy, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 84, relative to payment of workers' compensation benefits by direct deposit.: Nonconcur with the House Amendment; Requests Committee of Conference. Adopted.

#### MOTION OF RECONSIDERATION

Senator Soucy, having voted on the prevailing side, moved to reconsider the following action taken by the body on 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.: Nonconcur with the House Amendment; Requests Committee of Conference. Adopted.

#### MOTION OF RECONSIDERATION

Senator Soucy, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 351, relative to managed care programs under workers' compensation.: Concur with the House Amendment. Adopted.

PRESIDENT MORSE: The bills that we reconsidered by Senator Soucy will be ordered to be taken up at the appropriate time with the additional committee work.

#### SPECIAL ORDER

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

#### ENERGY AND NATURAL RESOURCES

HB 114, relative to minimum electric renewable portfolio standards.

HB 317, relative to changes in the system benefits charge.

HB 1233, preempting local regulation of seeds and fertilizer.

HB 1402, relative to ordinances regarding forestry activities.

HB 1458, relative to exempting certain rules governing marine species from the administrative procedures act.

#### FINANCE - CALENDAR 19

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

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

HB 1356, relative to data sharing between the department of environmental services and the department of health and human services and making an appropriation to the department of business and economic affairs for relocation costs.

HB 1427-FN, relative to the reduction in the calculation of state retirement system annuities at age 65.

HB 1468, establishing a commission to study legislative oversight activities related to the department of health and human services.

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

HB 1626-FN, requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs.

HB 1743-FN, relative to funding for the Sununu Youth Services Center, and unfunded positions in the department of health and human services.

#### FINANCE - ADDENDUM CALENDAR 19A

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

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

HB 1101-FN, regulating groundwater pollution caused by polluting emissions in the air and relative to standards for perfluorochemicals in drinking water, ambient groundwater and surface water.

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

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

HB 1614, relative to the international registration plan and relative to registration of semi-trailers.

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.

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

HB 1817-FN, establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; and relative to the inclusion of a demographic analysis as part of the legislative fiscal note process.

#### HEALTH AND HUMAN SERVICES

HB 1476, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

HB 1562-FN, relative to the role of foster parents.

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.

HB 1816-FN, relative to Medicaid managed care.

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

#### CONSENT CALENDAR REPORTS REMOVED

#### ENERGY AND NATURAL RESOURCES

HB 1238, by Senator Giuda

HB 1515, by Senator Woodburn

HB 1550, by Senator Bradley

#### JUDICIARY

HB 1313, by Senator Daniels

#### PUBLIC AND MUNICIPAL AFFAIRS

HB 1392, by Senator Gray

#### 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.

#### ENERGY AND NATURAL RESOURCES

HB 1309, relative to transferring dogs, cats, and ferrets by animal shelter facilities.

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

This bill is a housekeeping measure to correct an omission that occurred during the re-write of RSA 437 (Sale of Pets and Disposition of Unclaimed Animals) during the 2017-2018 budget process. This bill adds back the requirement that all shelter facilities have a microchip scanner on site and shall maintain a list of recognized pet retrieval agencies.

HB 1488, establishing a committee to study the public utilities commission's role and scope of duties in a deregulated environment.

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

This bill establishes a committee to study the Public Utilities Commission's role and scope of duties in a deregulated environment. The committee believed it best to blend the duties of the proposed study committee into HB 1796, which renames and restructures the duties of the current Legislative Oversight Committee on Electric Utility Restructuring.

HB 1796, relative to the legislative oversight committee on electric utility restructuring.  
Ought to Pass with Amendment, Vote 5-0. Senator Fuller Clark for the committee.

This bill renames and redefines the goals of the Legislative Oversight Committee on Electric Utility Restructuring. This committee has met regularly since its inception to review the progress of New Hampshire's effort to restructure its electricity industry. The bill maintains the existing committee and alters its duties to ensure oversight of the transformations expected from grid modernization. This amendment further expands its duties to examine the Public Utilities Commission's role in a deregulated market.

Energy and Natural Resources  
April 25, 2018  
2018-1798s  
06/05

#### Amendment to HB 1796

Amend RSA 374-F:5, III as inserted by section 1 of the bill by replacing it with the following:

III. The committee shall provide an interim report on or before April 1, and an annual report on or before November 1 to the governor, the speaker of the house, the senate president, the state library, and the public utilities commission on ~~[the status of electric utility restructuring, including the status of core energy efficiency programs monitored under RSA 374-F:6]~~ ***activities before the public utilities commission and other cognizant state agencies in regard to evolving changes in the provision of electric services to New Hampshire customers, including modernization of the electric grid, development of technologies for electric storage, electrification of transportation, the growth of distributed generation, the commission's role in a deregulated market, and such matters as may arise that may present opportunities to improve the delivery of electric services or to reduce cost.***

#### HEALTH AND HUMAN SERVICES

HB 1261, relative to record management of abuse and neglect reports.  
Ought to Pass, Vote 5-0. Senator Hennessey for the committee.

This bill revises the retention requirements for founded, unfounded, unfounded but with reasonable concern, and screened-out reports of abuse and neglect. Under this bill, screened-out reports would be held for 4 years, unfounded held for 10 years, unfounded but with reasonable concern held indefinitely and founded held indefinitely. This bill is similar to Senate Bill 63, which the Senate already has passed. This will be another step forward in ensuring we do what is best for New Hampshire families.

#### JUDICIARY

HB 1373, relative to an individual's property right in his or her DNA.  
Interim Study, Vote 5-0. Senator Carson for the committee.

This bill would declare that an individual's genetic information and DNA sample are the property of the individual. This is an important issue to address, however the language is confusing and there is potential that this will lead to negative unintended consequences regarding law enforcement investigations.

HB 1377, relative to emancipation by marriage and establishing a committee to study the emancipation of minors.  
Ought to Pass with Amendment, Vote 5-0. Senator Hennessey for the committee.

The bill as amended establishes a committee to study the emancipation of minors. The Committee amended the bill to remove the automatic emancipation of minors by marriage, as the issue of emancipation needs to be examined as whole.

Senate Judiciary  
April 9, 2018  
2018-1404s  
05/06

#### Amendment to HB 1377

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

AN ACT establishing a committee to study the emancipation of minors.

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

Amend the bill by replacing section 2 with the following:

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

2018-1404s

## AMENDED ANALYSIS

This bill establishes a committee to study emancipation of minors.

HB 1404, relative to the competing harms defense.

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

This bill would amend the statute regarding the defense of competing harms, which allows the defense the ability to argue that not acting would be worse than following the law. This is currently allowed in rare cases at the judge's discretion, but this bill would unnecessarily broaden the scope of the statute to any case. Therefore, the Committee supports the motion of Inexpedient to Legislate.

HB 1467, relative to the penalty for driving after revocation or suspension.

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

This bill would modify the penalty for driving after revocation or suspension. Due to the seriousness of a DWI conviction and the subsequent revocation or suspension of a license, it is essential to maintain this penalty within the statute in recognition of the significance of the charge.

HB 1537, relative to a second opinion on health care matters for state or county prisoners.

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

This bill would permit state and county prisoners to have a second medical opinion from a licensed health care provider. The Committee had significant concerns regarding the inequity this would create due to prisoners' different financial capabilities and the day-to-day application of the law. Therefore, moving this bill interim study will allow those concerns to be examined.

HB 1586, relative to judicial review for underage marriage.

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

This bill prohibits the court from granting permission for a marriage involving a minor if the other party, except for the marriage, would be guilty of sexual assault. Essentially, this will enshrine in law that if sexual contact between two parties seeking to be married would otherwise be sexual assault, the marriage will not be granted.

HB 1587, relative to the minimum age for marriage.

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

This bill requires a person to be at least 16 years of age to marry. Currently, NH treats men, women, and same-sex couples all differently in terms of marriage age laws. This establishes one age for all marriages and reinforces the gravity of the decision to marry in regards to our younger citizens.

HB 1774, relative to parenting plans and relocation of a child's residence.

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

This bill requires parenting plans to include a detailed parenting schedule, revises factors for determining the best interests of the children, and revises the statutory criteria governing relocation. These added requirements will add clarity to these proceedings and help to eliminate contention in these potentially emotionally charged situations.

## PUBLIC AND MUNICIPAL AFFAIRS

HB 1294, relative to religious societies.

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

This bill repeals certain obsolete statutes relative to the powers and authority of religious societies. The bill also repeals the majority of RSA 307, relative to pew ownership and the sale and repair of meetinghouses.

Public and Municipal Affairs

April 25, 2018

2018-1775s

05/08

## Amendment to HB 1294

Amend the bill by replacing section 6 with the following:

6 Repeal. The following are repealed:

- I. RSA 306:2, relative to taxes raised by religious societies.
- II. RSA 306:3, relative to donations to religious societies.
- III. RSA 306:5, relative to joint donees.
- IV. RSA 306:6, relative to parsonage land.
- V. RSA 306:10, relative to limitations on donations as church income.
- VI. RSA 307:1-6 and RSA 307:8-9, relative to the sale of meetinghouses.
- VII. RSA 307:10-20, relative to the repair, alteration, and removal of meetinghouses.

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

Recess. Out of recess.

## REGULAR CALENDAR

### COMMERCE

HB 1100, establishing a commission to review and evaluate workforce and job training in New Hampshire. Interim Study, Vote 5-0. Senator Sanborn for the committee.

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

Senator Sanborn moved Ought to Pass.

Senator Sanborn offered a Floor Amendment.

Sen. Sanborn, Dist 9

May 2, 2018

2018-1871s

04/10

### Floor Amendment to HB 1100

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Commission to Review and Evaluate Workforce and Job Training Programs in New Hampshire. Amend RSA 273 by inserting after section 27 the following new subdivision:

#### Commission to Review and Evaluate Workforce and Job Training Programs in New Hampshire

273:28 Commission Established.

I. There is established a commission to review and evaluate workforce and job training programs in New Hampshire. The purpose of the commission is to review and evaluate all government funded workforce and job training programs in New Hampshire to ensure that they are effective, not duplicative, and that they are contributing to the needs of the workforce and the labor market.

II. The commission shall consist of the following members:

- (a) Two members of the house or representatives, appointed by the speaker of the house of representatives.
- (b) One member of the senate, appointed by the president of the senate.
- (c) The commissioner of the department of labor, or designee.
- (d) The commissioner of the department of education, or designee.
- (e) The commissioner of the department of employment security, or designee.
- (f) The chancellor of the community college system of New Hampshire, or designee.

(g) One member of the public, appointed by the governor, who shall be appointed from a list of 5 nominees from organized labor consisting of one from each of the following: New Hampshire AFL-CIO, New Hampshire Building Trades Council, AFT-New Hampshire, NEA-New Hampshire, and the State Employees' Association of New Hampshire.

(h) One member representing the National Federation of Independent Businesses, appointed by that organization.



(i) One member who owns an automobile dealership in New Hampshire, appointed by the governor.

(j) One member representing the manufacturing industry, appointed by the governor.

(k) One member representing the New Hampshire Lodging and Restaurant Association, appointed by the association.

(l) One member representing the Associated Builders and Contractors, appointed by that organization.

(m) One member representing the New Hampshire Nurses Association, appointed by the association.

(n) One member representing the New Hampshire High Technology Council, appointed by the council.

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

IV. The commission shall:

(a) Receive testimony and request data from each state agency that administers a workforce or job training program funded in the state budget.

(b) Receive testimony from individuals who have participated in such programs and determine if the program satisfied their needs and expectations, and review the data to determine the cost per enrollee in each program.

(c) Review the occupations each program is training individuals to perform and determine if there is overlap in training.

(d) Review methods of achieving more successful outcomes and promote such programs to increase public awareness.

(e) Review opportunities to direct enrollees into occupations facing a shortage of workers in the state.

(f) Study existing job training programs to determine the efficiency of the program, the cost per job resulting from a job training program, an analysis of job retention rates for individuals obtaining jobs through a job training program, the historical results of such programs, and a comparison of the costs and results of government-funded and privately-funded job training programs.

(g) Review and make recommendations on the consolidation of the following job training programs, and any other job training program, into one comprehensive job training program that will meet the needs of the public and New Hampshire employers, and determine the cost savings, if any, from such consolidation:

(1) Department of health and human services, division of family assistance, accounting unit 05-95-45-450010-6127-employment support program.

(2) Department of health and human services, Supplemental Nutritional Assistance Program, employment and training.

(3) Department of education, division of career technology and adult learning, accounting unit 06-56-56-565010-6031-apprenticeship training program.

(4) Department of education, division of career technology and adult learning, accounting unit 06-56-56-565010-6030-career and technical education/vocational education (CTE/VOC ED-State).

(5) Department of education, division of career technology and adult learning, accounting unit 06-56-56-565010-6032-career technology education/vocational education (CTE/VOC ED-Perkins).

(6) Department of education, division of career technical and adult learning, accounting unit 06-56-56-565010-4095-Youth Title I-Workforce Investment Act.

(7) Department of education, division of career technology and adult learning, 7004-adult education.

(8) Department of education, division of career technical and adult learning, accounting unit 06-56-56-565010-2538-vocational rehabilitation field programs match.

(9) Department of education, division of career technical and adult learning, accounting unit 06-56-56-565010-2539-supported employment, Title VI-C.

(10) Department of safety, fire standards and emergency medical services training courses under RSA 21-P.

(11) Department of employment security, job training funds from the department of health and human services.



(12) Department of business and economic affairs, job training program for economic growth pursuant to RSA 12-O:30-37.

(13) Police standards and training council training programs pursuant to RSA 106-L.

V. 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.

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

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

Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14

April 27, 2018

2018-1821s

04/10

#### Floor Amendment to HB 1100

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

AN ACT establishing a commission to review and evaluate workforce and job training in New Hampshire and relative to veterans' preference in public employment.

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

3 Veterans' and Disabled Veterans' Preference in Public Employment. Amend RSA 99-F:5, III to read as follows:

III. A public employer that does not appoint a veteran or disabled veteran to a vacant position for state employment, shall upon written request of the veteran or disabled veteran, provide an explanation of its decision. ***The explanation shall include information for the veteran or disabled veteran regarding other public employer positions within the hiring agency for which the veteran or disabled veteran may be qualified to apply.***

4 New Paragraph; Veterans' and Disabled Veterans' Preference in Public Employment. Amend RSA 99-F:5 by inserting after paragraph III the following new paragraph:

IV. A public employer shall conduct a review and publish a listing of all positions for which active duty veterans or disabled veterans who have been honorably discharged shall be acceptable and who fulfill the minimum experience required for the position. The listing shall include law enforcement, security, and corrections positions for which the public employer regularly conducts recruitment at the entry level. The bona fide occupational qualifications for the position, including the acceptance of active duty service as experience, shall be determined by the employer.

5 Effective Date.

I. Section 2 of this act shall take effect November 1, 2018.

II. Sections 3 and 4 of this act shall take effect 60 days after its passage.

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

2018-1821s

#### AMENDED ANALYSIS

This bill establishes a commission to review and evaluate workforce and job training programs in New Hampshire. This bill also requires a public employer who does not appoint a veteran or disabled veteran to a position to provide information on other public employment positions for which the veteran or disabled veteran may be qualified and publish a list of other public employment jobs for which the veteran or disabled veteran may be qualified to apply.

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

Senator Feltes offered a Floor Amendment.

Sen. Feltes, Dist 15  
 April 30, 2018  
 2018-1836s  
 04/05

#### Floor Amendment to HB 1100

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

AN ACT establishing a commission to review and evaluate workforce and job training in New Hampshire and relative to workforce development and job training.

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

3 Unemployment Fund; Employer Rates. Amend RSA 282-A:87, IV(a) to read as follows:

IV.(a)(1) Each employer subject to payment of contributions pursuant to RSA 282-A:69, I shall have its rate reduced by ~~[2/10]~~ **2/5** of one percent beginning in the ~~[second]~~ **third** quarter of ~~[2007]~~ **2018**. An administrative contribution equal to the amount of this reduction shall be paid by all such employers.

(2) Commencing ~~[July 1, 2007]~~ **September 1, 2018**, after deduction of all costs incurred in the collection of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to exceed ~~[\$2,000,000]~~ **\$5,000,000** annually, shall be deposited each quarter in the fund established by RSA 282-A:138-a and shall be expended only as provided by and for the purposes provided in that section, ***provided that commencing April 1, 2020, the amount shall not exceed \$2,000,000 annually.*** The remaining quarterly administrative contribution collected shall be ***divided so that the proportional share of the quarterly administrative contribution resulting from the increase over 2/10 of one percent shall be deposited in the unemployment compensation fund established under RSA 282-A:103 and the remaining amount*** deposited in the fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes provided in that section, and not for any other purpose.

4 Training Fund. Amend RSA 282-A:138-a, I to read as follows:

I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2002, the moneys in this fund may be used, solely as determined by the commissioner of business and economic affairs in accordance with rules and guidelines adopted by the commissioner of business and economic affairs, ***after consultation with the governor's state workforce innovation board***, for funding training under the job training program for economic growth, established under RSA 12-O:30 through 12-O:37. Rulemaking authority relative to administration of the grant award process shall be with the commissioner of ***business and economic affairs*** pursuant to RSA 12-O:33.

5 Job Training Program for Economic Growth; Training Programs. RSA 12-O:32 is repealed and reenacted to read as follows:

12-O:32 Training Programs.

I. Training programs may include, but shall not be limited to:

- (a) Structured, on-site laboratory or classroom training.
- (b) Basic skills.
- (c) Technical skills.
- (d) Quality improvement.
- (e) Safety.
- (f) Management and supervision.
- (g) English as a second language.

II. Pursuant to rules adopted by the commissioner of business and economic affairs under RSA 541-A, not to exceed \$250,000 annually may be provided to further support programs offered as of January 1, 2018, and in addition to programs offered as of January 1, 2018, funding shall be provided for:

(a) Training individuals not otherwise eligible for state or federal training funds available as of January 1, 2018, including the cost of certificate programs and occupational skills training of individuals not currently employed with an employer in order to fill current in-demand employment in New Hampshire with employers having immediate employment needs, with a priority for jobs identified through the state's sector partnership initiative.

(b) The WorkReadyNH program established by the community college system of New Hampshire in an amount not to exceed \$250,000 annually, including expanding the WorkReadyNH program to current high school students in grades 10 through 12 on a pilot basis.

(c) Recruitment for and program availability of certificate programs and occupational skills training opportunities for New Hampshire high school students upon graduation in order to fill current in-demand employment in New Hampshire.

(d) Marketing of New Hampshire's workforce development initiatives to employers and business community representatives in New Hampshire and for support of the education and acceleration programs within New Hampshire's non-profit business incubators.

(e) Recruitment and coordination of services provided in this subdivision to populations with higher than average unemployment in New Hampshire, including persons in need of training to change careers, persons with substance use disorders who are in recovery programs, persons with disabilities, inmates transitioning to the general population, senior citizens, legal immigrants and speakers of languages other than English, with priority given to persons with substance use disorders who are in recovery programs.

6 Job Training Program for Economic Growth; Eligible Costs. Amend RSA 21-O:35, IV to read as follows:

IV. The department may use no more than [~~10 percent, or \$200,000;~~] **7.5 percent** of any moneys received from the training fund established [at] **in** RSA 282-A:138-a[, ~~whichever is less;~~] to administer this program.

7 New Paragraph; Job Training Program for Economic Growth; Report. Amend RSA 21-O:37 by inserting after paragraph III the following new paragraph:

IV. The commissioner shall annually provide a report to the governor's state workforce innovation board, the speaker of the house of representatives, the president of the senate, the chairperson of the senate committee with jurisdiction over commerce issues, and the chairperson of the house committee with jurisdiction over labor issues concerning the effectiveness of all job training programs and services.

8 Effective Date.

I. Section 2 of this act shall take effect November 1, 2018.

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

2018-1836s

#### AMENDED ANALYSIS

This bill establishes a commission to review and evaluate workforce and job training programs in New Hampshire and expands job training programs offered by the department of business and economic affairs.

The question is on the adoption of the Floor Amendment.

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

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, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

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

Senator Feltes offered a Floor Amendment.

Sen. Feltes, Dist 15

May 2, 2018

2018-1892s

04/06

#### Floor Amendment to HB 1100

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

AN ACT establishing a commission to review and evaluate workforce and job training in New Hampshire and making an appropriation to the department of employment security for an actuarial study of family and medical leave insurance.

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

3 Actuarial Study for Family and Medical Leave Insurance; Appropriation.

I. On or before July 30, 2018, the department of employment security and the insurance department shall jointly issue a request for proposals to complete an actuarial study evaluating mandatory, opt-out, and opt-in statewide family and medical leave insurance models for New Hampshire, including, but not limited to, estimated costs and benefits, premiums, participation rates, and take-up rates for each. The request for proposals may be informed by any responses to requests for information received prior to July 30, 2018. The actuarial study shall be completed on or before January 1, 2019.

II. An amount not to exceed \$500,000 is hereby appropriated to the department of employment security for the biennium ending June 30, 2019, for the purpose of funding the actuarial study required under paragraph I. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2018-1892s

#### AMENDED ANALYSIS

This bill establishes a commission to review and evaluate workforce and job training programs in New Hampshire and makes an appropriation to the department of employment security to conduct an actuarial study of family and medical leave insurance.

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. Failed.

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

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

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 1382, repealing the requirement that restaurants provide separate bathrooms for each sex.

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

Senator Innis moved to Lay on the Table HB 1382. Adopted.

HB 1487, relative to banks and credit unions.

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

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

HB 1519, relative to the conduct of condominium unit owners' associations votes without a meeting.

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

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

HB 1521, relative to the definition of an emergency for a special assessment in a condominium.

Ought to Pass, Vote 5-0. 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 1578, relative to samples from nano breweries.

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

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

Recess. Out of recess.

HB 1601, relative to a declarant's options for condominium expansion.  
Ought to Pass, Vote 3-2. Senator Innis 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: Watters, Hennessey, Gray, Ward, Kahn, Lasky, Carson, Cavanaugh, Soucy, Birdsell, D'Allesandro, Fuller Clark, Innis.

The following Senators voted No: Woodburn, Giuda, Bradley, French, Sanborn, Daniels, Avard, Feltes, Reagan, Gannon, Morse.

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

Senator Bradley moved to Lay on the Table HB 1601. Adopted.

HB 1605, relative to reinsurance.

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

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

Recess. Out of recess.

#### MOTION TO REMOVE FROM THE TABLE

Senator Bradley moved to remove HB 1601 from the Table. Adopted.

#### COMMERCE

HB 1601, relative to a declarant's options for condominium expansion.

The pending motion is Order to Third Reading.

President Morse Ordered HB 1601 to Third Reading.

HB 1654, relative to automobile medical payments.

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

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

A division vote was requested.

Yeas: 12 - Nays: 11. Adopted, bill ordered to Third Reading.

HB 1682-FN, establishing a committee to study the pervasiveness of foreclosure practices that violate state or federal law.

Inexpedient to Legislate, Vote 4-1. Senator Innis for the committee.

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

HB 1687, relative to banking and consumer credit.

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

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

HB 1690-FN, relative to liquor licenses.

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

Senator Sanborn offered a Floor Amendment.

Sen. Sanborn, Dist 9

May 2, 2018

2018-1876s

08/03

#### Floor Amendment to HB 1690-FN

Amend the bill by replacing all after section 5 with the following:

6 Direct Shippers Licenses; Commission to Sell. Amend RSA 176:11, II to read as follows:

II. In the event that the commission determines New Hampshire liquor revenues are being diverted by actions taken by persons holding either liquor and wine representative licenses[;] **or** liquor and wine vendor

licenses~~[-or direct shipper licenses]~~ who compete directly or indirectly with the commission for market share, the commission may take such marketing or merchandising action, or both, as it deems necessary, including sanctions against the competing entities.

7 Effective Date.

I. Sections 1-5 of this act shall take effect 60 days after its passage.

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

2018-1876s

AMENDED ANALYSIS

This bill:

I. Allows certain licensees to serve alcohol in certain areas the licensee operates.

II. Allows for the operation and licensing of liquor festivals.

III. Repeals provisions licensing cocktail lounges on airships.

IV. Removes direct shipper licenses from consideration for diversion of revenues by the liquor commission.

Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

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

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

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

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

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

HB 1740, relative to costs of blood testing orders.

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

Commerce

April 24, 2018

2018-1760s

08/04

Amendment to HB 1740

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

AN ACT relative to costs of blood testing orders and licensing historic racing.

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

3 Limitation; Application of Chapter to Historic Racing. Amend RSA 284:1 to read as follows:

284:1 Limitation. This chapter shall be construed to apply only to running or harness horse racing, whether live, ~~or~~ simulcast, **or historic**, or simulcast dog racing.

4 Racing and Charitable Gaming; Historic Racing. Amend RSA 284:6-a, VI to read as follows:

VI. The lottery commission shall not authorize the use of any electronic gaming device in connection with the acceptance of wagers on running or harness horse racing, whether live, **historic**, or simulcast, or simulcast dog racing, the type of which was not in use prior to January 1, 2011, unless specific authorization for such electronic gaming device is enacted by the general court. Electronic gaming devices shall mean and include all electro-mechanical instruments and devices used for the purposes of gaming, other than wagering on live, **historic**, or simulcast horse racing or simulcast dog racing, whether in physical presence or through the Internet, and such shall include, but not be limited to, video slot machines and other gambling devices



which function or are designed to function to emulate a video slot machine~~[-or historic racing machine]~~. This section shall not be interpreted to prohibit licensees under RSA 284 from replacing equipment used in the conduct of wagering on live, **historic**, or simulcast horse racing or simulcast dog racing, which type of equipment was in service prior to January 1, 2011, with updated or new equipment which are the functional equivalent of the machines which are being replaced, provided the equipment is not an electronic gaming device as described in the previous sentence. This section shall not be interpreted as prohibiting licensees from accepting account wagers in compliance with applicable rules and regulations.

***VII. Notwithstanding the provisions of RSA 284:6-a, VI, the lottery commission shall authorize wagers on historic horse races, whether on an electronic gaming device or otherwise, so long as such wagers meet the requirements of this chapter.***

5 Rulemaking; Historic Horse Racing. Amend RSA 284:12, IV to read as follows:

IV. The sale of pari-mutuel pools as authorized under RSA 284:22, [and] RSA 284:22-a, **and RSA 284:22-b.**

6 Investigation Fees. Amend RSA 284:12-a, I to read as follows:

I. No person, association, corporation, or any other type of entity shall hold any live running or harness race or meet, **shall offer wagers on historic horse races**, or shall conduct any simulcast running or harness horse or dog race or meet, at which pari-mutuel pools are sold without a license from the lottery commission.

7 New Section; Requirements for License to Conduct Historic Horse Race Wagering. Amend RSA 284 by inserting after section 15-d the following new section:

284:15-e Requirements for Conducting Historic Horse Race Wagering.

I. Any person, association, corporation, or other type of entity who holds a license under RSA 284 to accept pari-mutuel wagers may accept wagers on historic horse races.

II. Any person who holds a license under RSA 287-D may accept wagers on historic horse races.

8 New Section; Parimutuel Pools on Historic Horse Racing. Amend RSA 284 by inserting after section 22-a the following new section:

284:22-b Pari-mutuel Pools on Historic Horse Racing.

I. In this section:

(a) "Historic horse race" means:

(1) Any horse race, whether running or harness, that was previously conducted at a licensed pari-mutuel facility;

(2) Concluded with official results; and

(3) Concluded without scratches, disqualifications, or dead-heat finishes.

(b) "Licensee" means:

(1) Any person who, as of December 31, 2017, holds a license under RSA 284; or

(2) Any individual, association, partnership, joint venture, corporation, or other organization or entity which holds a license under RSA 287-D and meets the requirements of RSA 284:15.

II. A licensee under this chapter or RSA 287-D may sell pari-mutuel pools on historic horse races provided such sales are within the enclosure of the facility at which the licensee holds a license.

III. In accordance with the provisions of RSA 284:6-a, wagering on historic horse races may take place on electronic gaming devices provided that:

(a) All wagers use the pari-mutuel method of wagering;

(b) A licensee at all times maintains at least 2 terminals offering the same type of wager on historic horse races;

(c) The terminal makes available true and accurate past performance information on each historic horse race prior to the patron making his or her selections;

(d) The terminal displays a replay of each race, or a portion thereof, whether digital or by way of a video recording, and the official results of each race. The identity of each race shall be revealed to the patron after the patron has placed his or her wager;

(e) The terminals have been tested by an independent testing laboratory to ensure integrity and proper working order; and

(f) Each terminal displays pool amounts that the patron will receive for a winning wager on each pari-mutuel wagering pool.

IV. Racing officials, any employee or owner of the person who provides the totalizator system to the licensee, and any person responsible for the operation of the electronic reproduction equipment which operates the historic horse racing and wagering shall be prohibited from participating in wagering, directly or indirectly, on historic horse races offered at the licensee's facility.

V. The licensee commission on all historic horse race pari-mutuel pools shall be at a rate of not greater than 19 percent. In addition to the above commission, 100 percent of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage," shall be credited to the lottery commission. Each licensee shall pay the tax provided for in RSA 284:23.

VI. Each licensee shall collect an amount equal to the tax provided for in RSA 284:23, I(b). Each game operator employer as defined in RSA 287-D who is licensed to conduct wagering on historic horse racing under this chapter shall distribute 35 percent of the amount collected to charitable organizations with whom the game operator contracts on each licensed game date. The remainder of the total amount collected by the game operator employer under this paragraph shall be credited to the lottery commission for use according to the special fund established in RSA 284:21-j.

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

2018-1760s

#### AMENDED ANALYSIS

This bill clarifies the provision of law relating to the costs of blood testing orders when certain individuals have been exposed to another person's bodily fluids.

This bill also defines and regulates pari-mutuel pools on historic horse racing.

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

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

HB 1781, relative to condominiums with 10 or fewer residential units.

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

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

#### EDUCATION

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

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

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

Senator Reagan moved Inexpedient to Legislate.

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

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

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

Senate Education

April 10, 2018

2018-1427s

04/06

#### Amendment to HB 1636

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

AN ACT establishing a committee to study teacher preparation and education programs and relative to chartered public school use of unused school district facilities.

Amend section 2 of the bill by replacing paragraph I with the following:

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

- (a) Four members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) One member of the senate, appointed by the president of the senate.

Amend the bill by replacing section 4 with the following:

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

Amend the bill by replacing all after section 5 with the following:

6 New Subdivision; Chartered Public School Use of Unused District Facilities. Amend RSA 194 by inserting after section 60 the following new subdivision:

#### Chartered Public School Use of Unused District Facilities

##### 194:61 Unused District Facilities.

I. For the purpose of this section, “unused facility” means a school building owned by a school district in which less than 10 percent of the square footage of the school building is used during a school year for direct student instruction and for which no purchase and sale contract has been executed.

II. The superintendent of each school district shall annually report to the department of education each unused facility owned by the school district. The department shall establish and maintain a list of unused facilities owned by each school district and make such list available on the department’s website. If a school district plans to reuse an unused facility within a 12 month period, the school district may exclude the facility from the annual report to the department. However, a school district may exclude an unused facility from the school district’s annual report only once.

III. Each school district shall make an unused facility available to a chartered public school if the facility has been unused for 2 consecutive school years.

IV. A school district that owns an unused facility shall decide whether to sell or lease the facility or unused part of the facility. Once a school district has decided to lease an unused facility, the chartered public school shall have the right of first refusal. If a chartered public school leases the unused facility, it shall be at fair market value or less for a term of 10 years. The chartered public school may renew the lease for one additional 10 year term. The lease shall include ingress to and egress from the facility, and where a part of a facility is leased, the right to access and use of the common area shared by all tenants and users of the facility. If a chartered public school leases the entire facility, the chartered public school may incur debt to make improvements to the facility, and the school district shall subordinate its interest in the lease to such debt.

V. During the term of a lease, a chartered public school shall be responsible for direct expenses related to the facility or the part of the facility leased, including utilities, insurance, maintenance, property taxes, and repairs. If the chartered public school fails to apply for a property tax exemption, a lien shall not attach to the property.

VI. If a school district decides to sell an unused facility a chartered public school shall have the right of first refusal. A school district shall publicly disclose the amount of debt owed on an unused facility within 7 days of an inquiry from a potential buyer. The chartered public school has 6 months after the date of making an offer in writing to complete the purchase of the facility for a price negotiated with the school district. If a chartered public school acquires an unused facility for an amount that is less than the appraised value of the facility, and resells such facility within 10 years of purchase, any amount exceeding the original purchase price, plus any outstanding debt, real estate commissions, and closing costs shall be paid to the school district.

##### 7 Effective Date.

- I. Section 6 of this act shall take effect 60 days after its passage.
- II. The remainder of this act shall take effect upon its passage.

2018-1427s

## AMENDED ANALYSIS

This bill establishes a committee to study teacher preparation and education programs. The bill also makes unused school district facilities available to chartered public schools.

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

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

Senator Soucy moved to divide the question: Committee Amendment 2018-1427s; Section 2, I. (a) and (b), Section 4, and Section 7.

The Chair ruled the question divisible.

Recess. Out of recess.

The question is on the adoption of Committee Amendment 2018-1427s; Section 2, I. (a) and (b), Section 4, and Section 7. Adopted.

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

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

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

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

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

## INTRODUCTION OF GUESTS

Senator Soucy introduced United State Senator Jeanne Sheehan visiting on the Senate Floor.

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2

May 1, 2018

2018-1851s

04/06

## Floor Amendment to HB 1636

Amend the bill by replacing sections 6 and 7 with the following:

6 New Subdivision; Chartered Public School Use of Unused District Facilities. Amend RSA 194 by inserting after section 60 the following new subdivision:

## Chartered Public School Use of Unused District Facilities

194:61 Unused District Facilities.

I. For the purpose of this section, "unused facility" means a school building owned by a school district in which less than 10 percent of the square footage of the school building is used during a school year for direct student instruction and for which the school district has no school board-approved written plan for future use. In order to comply with this paragraph, such school board-approved plan shall include direct student academic instruction within 2 years of the plan's approval.

II. On July 1, 2019, and on July 1 every year thereafter, the superintendent of each school district shall report to the department of education each unused facility owned by the school district. The department shall establish and maintain a list of unused facilities owned by each school district and make such list available on the department's website. A school district may exclude an unused facility from the school district's annual report only once.

III. Pursuant to paragraph I, a school district shall offer an unused facility to a chartered public school for purchase or lease as follows:

(a) If a school district's school board extends an offer to purchase or lease an unused facility to a party, other than an approved chartered public school operating in this state, the contract shall include a provision which makes the purchase or lease subject to the right of first refusal by an approved chartered public school operating in this state.

(b)(1) If the offer to purchase or lease is accepted, the school district selling or leasing the unused facility shall, by first class certified mail, notify all approved chartered public schools in this state, as listed on the department of education's website, of the contract to purchase or lease the unused facility. The certified mail notice shall contain clear language that the unused facility is available to any approved chartered public school in this state only, and shall list the offering school district's name and location, the square footage of the unused facility, the contact information of the offering school district's representative, and the expiration date of the right of first refusal which shall be 60 days after the date of the certified mailing.

(2) The offering school district shall also post notice of the contract for the purchase or lease of an unused facility in a newspaper of statewide circulation for at least 5 days.

(3) A chartered public school that fails to exercise its right of first refusal shall forfeit such right as it pertains to the specific unused facility and any future right or interest in the specific unused facility.

(c) If the offering school district has not received an offer to purchase or lease an unused facility from a party, other than an approved chartered public school operating in this state, a chartered public school may initiate, and the school board of the offering school district shall engage in, good faith negotiations for the purchase or lease of the unused facility.

(d) If 2 or more chartered public schools notify the offering school district indicating an interest in the unused facility, to lease or purchase, the offering school district shall make the final selection of the purchaser or lessee.

(e) The criteria used to evaluate parties interested in the purchase or lease of an unused facility shall be public information and shall not be subject to RSA 91-A.

IV. In right of first refusal negotiations with a chartered public school, it shall be the option of the offering school district whether to sell or lease the property under consideration, at fair market value or less, for a term to be agreed upon by the parties. A lease shall include ingress to and egress from the facility, and where a part of a facility is leased, the right to access and use of the common area shared by all tenants and users of the facility. If a chartered public school leases the entire facility, the chartered public school may incur debt to make improvements to the facility, and the school district shall subordinate its interest in the lease to such debt.

V. The chartered public school shall have 6 months after the date of making a written offer to complete the purchase or lease of the unused facility for a price negotiated with the school district.

VI. During the term of a lease, a chartered public school shall be responsible for direct expenses related to the facility or any part of the facility leased, including utilities, insurance, maintenance, property taxes, and repairs.

VII. If a chartered public school plans to sell an unused facility which it has purchased, it shall first offer the facility to the school district from which it was purchased. Such offer shall be governed by the procedures set forth in paragraphs III, IV, and V.

#### 7 Effective Date.

I. Section 6 of this act shall take effect July 1, 2019.

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

2018-1851s

#### AMENDED ANALYSIS

This bill establishes a committee to study teacher preparation and education programs. The bill also makes unused school district facilities available to chartered public schools.

Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

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

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

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

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

Recess. Out of recess.

Senator Giuda moved to Lay on the Table HB 1636. Adopted.

#### ELECTION LAW AND INTERNAL AFFAIRS

HB 1264, relative to construction of the terms "resident," "inhabitant," "residence," and "residency." Ought to Pass, Vote 3-2. Senator Birdsell for the committee.

Senator Birdsell offered a Floor Amendment.

Sen. Birdsell, Dist 19

May 2, 2018

2018-1890s

03/05

#### Floor Amendment to HB 1264

Amend the bill by replacing section 2 with the following:

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

Senator Feltes moved to Lay on the Table HB 1264.

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

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, Avard, 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.

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

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

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

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

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1254, establishing a committee to study the procedures for adoption of national codes by the state of New Hampshire.

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

Senate Executive Departments and Administration

April 25, 2018

2018-1776s

05/10

#### Amendment to HB 1254

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



AN ACT establishing a committee to study the procedures for adoption of national codes by the state of New Hampshire and repealing the joint legislative oversight committee on the emergency management system.

Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 7:

6 Repeal. RSA 21-P:51, relative to the joint legislative committee on the emergency management system, is repealed.

2018-1776s

#### AMENDED ANALYSIS

This bill establishes a committee to study the procedures for adoption of national codes as part of the state building code and state fire code. The bill also repeals the joint legislative committee on the emergency management system.

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

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

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

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2  
 Sen. Daniels, Dist 11  
 Sen. Avard, Dist 12  
 Sen. Sanborn, Dist 9  
 Sen. Innis, Dist 24  
 Sen. Reagan, Dist 17  
 May 2, 2018  
 2018-1887s  
 05/10

#### Floor Amendment to HB 1254

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

AN ACT establishing a committee to study the procedures for adoption of national codes by the state of New Hampshire; establishing a moratorium on the adoption of changes to the state building code and state fire code; and repealing the joint legislative oversight committee on the emergency management system.

Amend the bill by inserting after section 5 the following and renumbering the original sections 6 and 7 to read as 7 and 8, respectively:

6 State Building Code and State Fire Code; Moratorium on the Adoption of Changes Pending the Legislative Study. Notwithstanding RSA 155-A:10, V, or any other provision of law to the contrary, no amendment to the state building code or state fire code shall be made prior to November 1, 2018, unless legislation is brought forth in either chamber based on the findings and recommendations of the study committee established in sections 1-5 of this act, in which case the moratorium shall continue until such legislation has been enacted or rejected.

2018-1887s

#### AMENDED ANALYSIS

This bill:

I. Establishes a committee to study the procedures for adoption of national codes as part of the state building code and state fire code.

II. Establishes a moratorium on the adoption of changes to the state building code and state fire code pending the finding of the study committee.

III. Repeals the joint legislative committee on the emergency management system.

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

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

HB 1310, establishing a committee to study all non-regulatory boards and commissions.  
Inexpedient to Legislate, Vote 3-1. Senator Reagan for the committee.

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

HB 1327, relative to apprentice electricians.  
Ought to Pass with Amendment, Vote 4-0. Senator Gannon for the committee.

Senate Executive Departments and Administration  
April 25, 2018  
2018-1780s  
10/05

#### Amendment to HB 1327

Amend the bill by replacing sections 2 and 3 with the following:

2 New Section; Supervision of Apprentice Electricians. Amend RSA 319-C by inserting after section 2 the following new section:

#### 319-C:2-a Supervision of Apprentice Electricians.

I. A journeyman electrician may have 2 apprentice electricians under his or her direct supervision beginning on the first anniversary of the journeyman electrician's initial date of licensure.

II. Each journeyman electrician on a work site may have 2 apprentice electricians working under his or her direct supervision, to a maximum of 3 journeyman electricians per work site. Each additional journeyman electrician may have one apprentice electrician under his or her direct supervision.

III. Each master electrician on a work site may have 2 apprentice electricians working under his or her direct supervision, to a maximum of 6 master electricians per work site. Each additional master electrician may have one apprentice electrician under his or her direct supervision.

IV. The maximum number of licensed electricians with 2 apprentice electricians working under their direct supervision on a work site shall not exceed 6.

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

The question is on the adoption of the Committee Amendment.

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

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

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

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

Senator Kahn moved to Lay on the Table HB 1327. Failed.

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

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

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

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

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

HB 1472, relative to the state building code provisions for energy conservation in new building construction. Ought to Pass, Vote 4-0. Senator Cavanaugh for the committee.

Recess. Out of recess.

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

HB 1530, requiring criminal history records checks for applicants for allied health professional licensure or certification.

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

Senate Executive Departments and Administration  
April 25, 2018  
2018-1778s  
10/05

#### Amendment to HB 1530

Amend RSA 328-F:18-a, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) A criminal history record release form, as provided by the New Hampshire division of state police which authorizes the release of his or her criminal history record, if any, to the office of licensed allied health professionals.

Amend RSA 328-F:18-a, V as inserted by section 1 of the bill by replacing it with the following:

V. Pending the results of a criminal history record check, an applicant for licensure may be employed in a profession of the allied health field on a conditional basis for up to 90 calendar days before the office of licensed allied health professionals receives the results of a criminal history record check required for licensure, if the conditional employee:

- (a) Is under the direct supervision of a licensee;
- (b) Has provided a written attestation to the employer and the board that no disqualifying criminal history exists; and
- (c) The allied health governing board is not a member of an interstate licensure compact.

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 1545, relative to the statewide interoperability executive committee.  
Ought to Pass with Amendment, Vote 4-0. Senator Gannon for the committee.

Senate Executive Departments and Administration  
April 25, 2018  
2018-1777s  
05/10

#### Amendment to HB 1545

Amend RSA 21-P:48, IV(gg) as inserted by section 1 of the bill by replacing it with the following:

(gg) The director of fire standards and training and emergency medical services, or designee.

Amend RSA 21-P:48, IV(ii)-(kk) as inserted by section 1 of the bill by replacing them with the following:

- (ii) The commissioner of the department of information technology, or designee.
- (jj) The commissioner of the department of corrections, or designee.
- (kk) Not more than 2 representatives of private, broadband technology-related businesses, appointed by the executive management group.
- (ll) Not more than 2 representatives of the university of New Hampshire broadband technology-related business, appointed by the executive management group of the SIEC.
- (mm) Not more than 7 subject matter experts, based on the identified need of the SIEC, appointed by the executive management group.

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 1603, relative to employee representation on the independent investment committee in the New Hampshire retirement system.

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

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

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avarad, 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 1805, establishing a committee to study level dollar amortization of retirement system unfunded accrued liability and relative to the retirement system board of trustees.

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.

#### JUDICIARY

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

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

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

Senator Avarad is in opposition to the motion of Inexpedient to Legislate on HB 135.

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

Interim Study, Vote 3-1. Senator Carson for the committee.

Senator Avarad moved to call the question. Adopted.

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

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

The following Senators voted Yes: Woodburn, Watters, Hennessey, Ward, Kahn, Daniels, Lasky, Carson, Feltes, Cavanaugh, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: Giuda, Gray, French, Sanborn, Avarad, Reagan, Soucy, Birdsell, D'Allesandro.

The following Senators filed a Declaration of Intent: Bradley.

Roll Call, Yeas: 14 - Nays: 9. Adopted.

Senator Avarad is in opposition to the motion of Interim Study on HB 476.

HB 1295, relative to persons held in civil contempt.

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

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

HB 1319, prohibiting discrimination based on gender identity.

Interim Study, Vote 3-2. Senator French for the committee.

Senator Bradley presiding.

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

A roll call was requested by Senator Lasky, seconded by Senator Avarad.

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

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

The following Senators were excused: Cavanaugh.

Roll Call, Yeas: 11 - Nays: 12. Failed.

Senator Cavanaugh is in opposition to the motion of Interim Study on HB 1319.

Senator Reagan moved Ought to Pass.

A roll call was requested by Senator Feltes, seconded by Senator D'Allesandro.

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

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

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

HB 1347, relative to information to be included in the minutes under the right-to-know law.  
Ought to Pass with Amendment, Vote 4-1. Senator Gannon for the committee.

Senate Judiciary  
April 24, 2018  
2018-1720s  
01/05

#### Amendment to HB 1347

Amend RSA 91-A:2, II as inserted by section 1 of the bill by replacing it with the following:

II. Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means of telephone or electronic communication, or in any other manner, shall be open to the public. Except for town meetings, school district meetings, and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not limited to, tape recorders, cameras, and videotape equipment, at such meetings. Minutes of all such meetings, including nonpublic sessions, shall include the names of members, persons appearing before the public bodies, and a brief description of the subject matter discussed and final decisions. ***The names of the members who made or seconded each motion shall be recorded in the minutes.*** Subject to the provisions of RSA 91-A:3, minutes shall be promptly recorded and open to public inspection not more than 5 business days after the meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any public body, or any subordinate body thereof, without exception. Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places one of which may be the public body's Internet website, if such exists, or shall be printed in a newspaper of general circulation in the city or town at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the public body, who shall post a notice of the time and place of such meeting as soon as practicable, and shall employ whatever further means are reasonably available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting of a legislative committee is held, publication made pursuant to the rules of the house of representatives or the senate, whichever rules are appropriate, shall be sufficient notice. If the charter of any city or town or guidelines or rules of order of any public body require a broader public access to official meetings and records than herein described, such charter provisions or guidelines or rules of order shall take precedence over the requirements of this chapter. For the purposes of this paragraph, a business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.

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

President Morse presiding.

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

HB 1372, prohibiting the implanting of subcutaneous identification devices in individuals.  
Ought to Pass with Amendment, Vote 4-1. Senator French for the committee.

Senate Judiciary  
April 24, 2018  
2018-1734s  
08/10

Amendment to HB 1372

Amend RSA 644:22, I(g) as inserted by section 1 of the bill by replacing it with the following:

(g) "Subcutaneous" means existing or introduced under the skin. For purposes of this section, subcutaneous shall not include information temporarily attached to the skin by means of an adhesive strip or bracelet upon which or within which personal information is maintained or stored.

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 1443, relative to a jury's determination as to the applicability of a law.  
Inexpedient to Legislate, Vote 4-1. Senator Lasky for the committee.

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

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

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

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

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

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

Interim Study, Vote 2-1. Senator Carson for the committee.

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

PUBLIC AND MUNICIPAL AFFAIRS

HB 1307, relative to the presentation of a default budget.  
Inexpedient to Legislate, Vote 5-0. Senator Birdsell for the committee.

Recess. Out of recess.

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

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

The following Senators voted Yes: Giuda, Kahn, Lasky, Feltes, Cavanaugh, Soucy, Birdsell, D'Allesandro, Fuller Clark.

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

Roll Call, Yeas: 9 - Nays: 15. Failed.

Senator Gray moved Ought to Pass.

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

RULES AND ENROLLED BILLS

CACR 15, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

Ought to Pass, Vote 3-0. Senator Avar. 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 French.

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

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

Roll Call, Yeas: 20 - Nays: 4. Adopted by necessary 3/5 vote. Resolution ordered to Third Reading.

CACR 16, Relating to privacy. Providing that an individual's right to live free of governmental intrusion is natural, essential, and inherent.

Ought to Pass, Vote 3-0. Senator Fuller Clark 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 French.

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

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

Roll Call, Yeas: 15 - Nays: 9. Adopted by necessary 3/5 vote. Resolution ordered to Third Reading.

#### MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider the following action taken by the body on CACR 15, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.: Rescind Order to Third Reading and Reconsider the vote on Ought to Pass. Adopted.

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

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

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Sanborn, Kahn, Daniels, Avard, 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 by necessary 3/5 vote. Resolution ordered to Third Reading.

HB 1243, relative to exemptions from property attachments.

Interim Study, Vote 3-0. Senator Daniels for the committee.

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

#### TRANSPORTATION

HB 314, relative to autonomous vehicles.

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

Senate Transportation

April 18, 2018

2018-1646s

03/10

#### Amendment to HB 314

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

AN ACT establishing an automated and connected vehicle testing and deployment commission.

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

1 New Subdivision; Automated and Connected Vehicle Testing and Deployment Commission. Amend RSA 265 by inserting after section 161 the following new subdivision:

Automated and Connected Vehicle Testing and Deployment Commission

265:162 Automated and Connected Vehicle Testing and Deployment Commission.

I. There is established an automated and connected vehicle testing and deployment commission.

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

(a) The director of the office of strategic initiatives, or designee.

(b) The commissioner of the department of transportation, or designee.

(c) The commissioner of the department of safety, or designee.

(d) The commissioner of the insurance department, or designee.

(e) The director of the division of economic development, or designee.

(f) The director of the division of state police, or designee.

(g) The director of the division of motor vehicles, or designee.

(h) Three members of the house of representatives, one of whom shall be a member of the minority party, appointed by of the speaker of the house of representatives.

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

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

IV. To prepare the state for the use of automated vehicle technologies on public roadways, the commission shall:

(a) Follow developments in the testing and deployment of automated and connected vehicle technology, including both federal and state laws, regulations, and guidance on the subject.

(b) Identify all agencies with pertinent jurisdiction to support the testing and deployment of automated and connected vehicles.

(c) Consider avenues to encourage the development of automated and connected vehicles technologies and their component hardware and software in New Hampshire, and to that end, shall work with both universities and companies in the sector to support innovation and development.

(d) Examine ways to educate residents on the benefits of automated and connected vehicle technologies, including enhanced mobility, increased safety, more efficient land use, expanded roadway capacity, and reduced environmental impact.

(e) Review existing state statutes and administrative rules and identify existing statutes or rules that impede the testing and deployment of automated and connected vehicles; such review shall include, but not be limited to, existing laws pertaining to vehicle registration and titling, vehicle insurance requirements, drivers' licenses, and general rules of the road.

(f) Solicit input from representatives of:

(1) New Hampshire colleges and universities.

(2) Disabled communities.

(3) Elder communities.

(4) Public transportation providers.

(5) Automated and connected vehicle manufacturers.

(6) Automated and connected vehicle technology suppliers.

(7) Automobile dealers.

(8) The trucking industry.

(9) Urban planning professionals.

(10) Any other relevant actors with expertise or interest in the area of automated and connected vehicle technologies.

V. The commission shall be chaired by the director of the office of strategic initiatives, or his or her designee. The first meeting of the commission shall be called by the chairperson and shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.

VI. The commission shall report its initial findings and any recommendations to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before December 1, 2018, and provide annual reports thereafter every December 1. Such annual reports shall include a summary of commission activities during the period, and may include recommendations for legislative and regulatory consideration.

2 Repeal. RSA 265:162, relative to the automated and connected vehicle testing and deployment commission, is repealed.

3 Effective Date.

I. Section 2 of the act shall take effect December 2, 2022.

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

2018-1646s

#### AMENDED ANALYSIS

This bill establishes an automated and connected vehicle testing and deployment commission.

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

Senator Birdsell offered a Floor Amendment.

Sen. Birdsell, Dist 19

April 30, 2018

2018-1832s

03/05

#### Floor Amendment to HB 314

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

AN ACT establishing an automated and connected vehicle testing and deployment commission and establishing an automated vehicle pilot program.

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

1 New Subdivision; Automated and Connected Vehicle Testing and Deployment Commission. Amend RSA 265 by inserting after section 161 the following new subdivision:

#### Automated and Connected Vehicle Testing and Deployment Commission

265:162 Automated and Connected Vehicle Testing and Deployment Commission.

I. There is established an automated and connected vehicle testing and deployment commission.

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

(a) The director of the office of strategic initiatives, or designee.

(b) The commissioner of the department of transportation, or designee.

(c) The commissioner of the department of safety, or designee.

(d) The commissioner of the insurance department, or designee.

(e) The director of the division of economic development, or designee.

(f) The director of the division of state police, or designee.

(g) The director of the division of motor vehicles, or designee.

(h) Three members of the house of representatives, one of whom shall be a member of the minority party, appointed by of the speaker of the house of representatives.

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

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

IV. To prepare the state for the use of automated vehicle technologies on public roadways, the commission shall:

- (a) Follow developments in the testing and deployment of automated and connected vehicle technology, including both federal and state laws, regulations, and guidance on the subject.

- (b) Identify all agencies with pertinent jurisdiction to support the testing and deployment of automated and connected vehicles.

- (c) Consider avenues to encourage the development of automated and connected vehicles technologies and their component hardware and software in New Hampshire, and to that end, shall work with both universities and companies in the sector to support innovation and development.

- (d) Examine ways to educate residents on the benefits of automated and connected vehicle technologies, including enhanced mobility, increased safety, more efficient land use, expanded roadway capacity, and reduced environmental impact.

- (e) Review existing state statutes and administrative rules and identify existing statutes or rules that impede the testing and deployment of automated and connected vehicles; such review shall include, but not be limited to, existing laws pertaining to vehicle registration and titling, vehicle insurance requirements, drivers' licenses, and general rules of the road.

- (f) Solicit input from representatives of:

- (1) New Hampshire colleges and universities.

- (2) Disabled communities.

- (3) Elder communities.

- (4) Public transportation providers.

- (5) Automated and connected vehicle manufacturers.

- (6) Automated and connected vehicle technology suppliers.

- (7) Automobile dealers.

- (8) The trucking industry.

- (9) Urban planning professionals.

- (10) Any other relevant actors with expertise or interest in the area of automated and connected vehicle technologies.

V. The commission shall be chaired by the director of the office of strategic initiatives, or his or her designee. The first meeting of the commission shall be called by the chairperson and shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.

VI. The commission shall report its initial findings and any recommendations to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before December 1, 2018, and provide annual reports thereafter every December 1. Such annual reports shall include a summary of commission activities during the period, and may include recommendations for legislative and regulatory consideration.

2 New Subdivision; Automated Vehicle Pilot Program. Amend RSA 21-P by inserting after section 68 the following new subdivision:

#### Automated Vehicle Pilot Program

##### 21-P:69 Automated Vehicle Pilot Program.

I. No person may test an automated vehicle in this state unless the person participates in the automated vehicle pilot program and provides notice under this section. A person shall provide notice to the department, upon blanks furnished by it for that purpose, to participate in an automated vehicle pilot program. The notice shall be accompanied by:

(a) Information as to the date range and general geographic locations where the automated vehicles will be operated. Testing may move to other areas with prior notice to the department; and

(b) Evidence that the owner of the vehicle has obtained an instrument of insurance, surety bond, or proof of self-insurance in the amount of at least \$5,000,000.

II. The annual fee to participate in an automated vehicle pilot program shall be \$500.

III. The director may suspend, revoke, or refuse to renew a company's participation in the automated vehicle pilot program for any of the following reasons:

(a) Failure to comply with the rules of the road of the state.

(b) Any material misstatement on the notice for participation in the pilot program.

(c) A finding that the operation of an autonomous vehicle by the person would create a danger to the public.

(d) Failure to comply with the other requirements of this section.

3 Repeal. The following are repealed:

I. RSA 265:162, relative to the automated and connected vehicle testing and deployment commission.

II. RSA 21-P:69, relative to the automated vehicle pilot program.

4 Effective Date.

I. Section 3 of the act shall take effect December 2, 2019.

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

2018-1832s

#### AMENDED ANALYSIS

This bill establishes an automated and connected vehicle testing and deployment commission. This bill also establishes an automated vehicle pilot program.

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

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

HB 500, relative to organizations that are authorized to issue decals.  
Inexpedient to Legislate, Vote 5-0. Senator Birdsell for the committee.

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

Senator Birdsell moved Ought to Pass.

Senator Birdsell offered a Floor Amendment.

Sen. Birdsell, Dist 19

April 26, 2018

2018-1815s

03/08

#### Floor Amendment to HB 500

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

1 Multi-Use Decal Plates; Organizations. Amend the introductory paragraph of RSA 261-B:88, I to read as follows:

I. Organizations that have statutory authority to issue decals (i) shall have been granted and continue to hold tax exempt status under 26 U.S.C. section 501(c)(3) **or 501(c)(10)** to participate in the multi-use decal number plate program, (ii) shall have a New Hampshire address registered with the department of justice, and (iii) shall not be named for, or associated with, a political issue or a person who seeks, holds, or has held a public office. To issue decals under this chapter, an organization shall file an annual report with the director of motor vehicles, in a format and time established by the director, containing the following:

2 Annual Report. Amend RSA 261-B:88, I(g) to read as follows:

(g) Verification of the organization's continuing status as a tax-exempt organization under 26 U.S.C. section 501(c)(3) **or 501(c)(10)**.

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

2018-1815s

#### AMENDED ANALYSIS

This bill allows organizations that are tax exempt under 26 U.S.C. section 501(c)(10) to qualify for authorization to issue decals for multi-use decal plates.

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

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

HB 1549, relative to the availability of vehicle accident reports.  
Ought to Pass, Vote 5-0. Senator Watters for the committee.

Senator Birdsell moved to Lay on the Table HB 1549. Adopted.

HB 1595, relative to the use of the left lane of a multilane roadway.  
Ought to Pass, Vote 5-0. Senator Ward for the committee.

Senator Birdsell offered a Floor Amendment.

Sen. Birdsell, Dist 19  
April 23, 2018  
2018-1714s  
03/05

#### Floor Amendment to HB 1595

Amend RSA 265:16, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Motor vehicles shall not be operated continuously in the left lane of a multilane roadway whenever it impedes the flow of other traffic at or below the posted speed limit unless reasonable and prudent under the conditions having regard to the actual and potential hazards then existing.

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 bill is special ordered to Thursday, May 3, 2018. Adopted.

#### TRANSPORTATION

HB 2018, relative to the state 10-year transportation improvement program.

#### WAYS AND MEANS

HB 263, relative to facilities licenses for charitable gaming.  
Ought to Pass with Amendment, Vote 3-2. Senator Giuda for the committee.

Senate Ways and Means  
April 25, 2018  
2018-1784s  
08/04

#### Amendment to HB 263

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

AN ACT relative to facilities licenses for charitable gaming and relative to security requirements for games of chance.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:



2 New Subparagraph; Games of Chance; Surveillance Requirements; Additional Security. Amend RSA 287-D:15, III by inserting after subparagraph (f) the following new subparagraph:

(g) No additional security requirements shall be imposed by any local or state agency without the approval of the commission.

2018-1784s

#### AMENDED ANALYSIS

This bill:

I. Allows the leasee of a building to apply for a facilities license.

II. Removes the requirement of a certificate of good standing from the department of revenue administration.

III. Removes the limit on facilities licenses that may be issued annually.

IV. Requires lottery commission approval for additional security requirements for games of chance imposed by a local or state agency.

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

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

Senate Ways and Means

April 18, 2018

2018-1620s

10/04

#### Amendment to HB 324

Amend RSA 72:12-e as inserted by section 1 of the bill by deleting paragraph VI and renumbering the original paragraph VII to read as paragraph VI.

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

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

Senate Ways and Means

April 18, 2018

2018-1622s

10/04

#### Amendment to HB 1251

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

AN ACT relative to indicia for payment of taxes on the transfer of real property, and temporarily reducing the real estate transfer tax for first-time home buyers.

Amend the bill by replacing all after section 7 with the following:

8 Tax on Transfer of Real Property; Rate; Exception Added. Amend RSA 78-B:1, I(b) to read as follows:

(b) ***Except as provided in RSA 78-B:1-b***, the rate of the tax is \$.75 per \$100, or fractional part thereof, of the price or consideration for such sale, grant, or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of \$20. The tax imposed shall be computed to the nearest whole dollar.

9 New Section; Rate of Transfer Tax for First-time Home Buyers. Amend RSA 78-B by inserting after section 1-a the following new section:

78-B:1-b Rate of Transfer Tax for First Time Home Buyers. Notwithstanding RSA 78-B:1, I(b), beginning January 1, 2018 the rate of the tax is \$.50 per \$100, or fractional part thereof, of the price or consideration for such sale, grant, or transfer applicable to the buyer for the purchase of a qualifying first home, as follows:

I. The rate of tax provided for in this section shall be applied to the amount of tax owed by and actually paid by the buyer pursuant to RSA 78-B:1 and shall not apply to any amounts paid by the buyer on behalf of the seller.

II. For purposes of this section, the term:

(a) "Qualifying first home" shall mean:

(1) The purchase of residential real estate, the price of which does not exceed \$300,000;

(2) That will be utilized as the buyer's principal residence as defined in Internal Revenue Code Section 121 and related Treasury Regulations; and

(3) That is the buyer's first purchase of residential real estate.

(b) "Buyer" shall mean the purchaser, grantee, assignee, or transferee of any real estate or any interest in real estate.

10 Applicability Date. RSA 78-B:1-b, as inserted by section 9 of this act, shall apply to transfers occurring on and after January 1, 2018.

11 Payment of Tax; Exception Added. Amend RSA 78-B:4, III to read as follows:

III. ***Except as provided in RSA 78-B:1-b***, the rate of tax established in RSA 78-B:1 shall apply to both the purchaser, grantee, assignee, or transferee and the seller, grantor, assignor, or transferor.

12 Prospective Repeal. RSA 78-B:1-b, relative to a transfer tax rate for first-time home buyers, is repealed.

13 Exception Deleted. Amend RSA 78-B:1, I(b) to read as follows:

(b) ~~[Except as provided in RSA 78-B:1-b,]~~ The rate of the tax is \$.75 per \$100, or fractional part thereof, of the price or consideration for such sale, grant, or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of \$20. The tax imposed shall be computed to the nearest whole dollar.

14 Exception Deleted. Amend RSA 78-B:4, III to read as follows:

III. ~~[Except as provided in RSA 78-B:1-b,]~~ The rate of tax established in RSA 78-B:1 shall apply to both the purchaser, grantee, assignee, or transferee and the seller, grantor, assignor, or transferor.

15 Report Required; Department of Revenue Administration. On or before January 1, 2019 and on or before January 1, 2020, the commissioner of revenue administration shall report to the speaker of the house of representatives, the senate president, and the governor on the number of first-time home buyers using the lower transfer tax rate provided in RSA 78-B:1-b and the department's assessment of whether the number of first-time home buyers increased or decreased as a result of the reduced tax rate.

16 Effective Date.

I. Sections 12-14 of this act shall take effect January 1, 2020.

II. Sections 1-7 of this act shall take effect July 1, 2018.

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

2018-1622s

#### AMENDED ANALYSIS

This bill removes references to stamps to indicate payment of the tax on transfers of real property and certain fees for recording deeds. This bill reduces, for a 2-year period, the rate of the tax on the transfer of real property for first time home buyers, provided the purchase price does not exceed \$300,000. The bill also requires the department of revenue administration to report on the usage of the reduced rate.

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

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

HB 1260, relative to the payout value of bingo games at private campgrounds and hotels.  
Ought to Pass with Amendment, Vote 3-2. Senator Giuda for the committee.

Senate Ways and Means  
 April 25, 2018  
 2018-1785s  
 08/04

#### Amendment to HB 1260

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

AN ACT relative to the payout value of bingo games at private campgrounds and hotels, the hours of operation of Keno, and the sale of Lucky 7 tickets during bingo games.

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

2 Keno; Hours of Operation. Amend RSA 284:47, I to read as follows:

I. A licensee may operate keno games at its business between the hours of 11 a.m. and ~~[11 p.m.]~~ **1 a.m.**

3 Lucky 7 Tickets; Sales During Bingo. Amend RSA 287-E:21, II(a)-(b) to read as follows:

(a) The regular meeting place of or a facility owned, leased or utilized by the charitable organization for its activities; ~~[or]~~

(b) Any other location where the sale of lucky 7 tickets is conducted in conjunction with and at the same time as an event sponsored or co-sponsored by the charitable organization, to be held once a year, and will be held for no more than 4 consecutive days; **or**

**(c) Lucky 7 tickets sold in conjunction with bingo games may be sold between the hours of 12 p.m. and 1 a.m. on any licensed game date.**

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

2018-1785s

#### AMENDED ANALYSIS

This bill:

I. Raises the maximum payout value for bingo games at private campgrounds and hotels.

II. Extends the hours a licensee may operate Keno games.

III. Allows the sale of Lucky 7 tickets during certain hours of a bingo licensed game date.

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

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

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

Senator Morse is in opposition to the Committee Amendment on HB 1260.

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

HB 1276, adding an exemption for certain raffles conducted by charitable organizations. Ought to Pass with Amendment, Vote 5-0. Senator Daniels for the committee.

Senate Ways and Means  
 April 18, 2018  
 2018-1629s  
 08/05

#### Amendment to HB 1276

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

AN ACT adding an exemption for certain raffles conducted by charitable organizations and relative to charitable gaming licenses.

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

3 Charitable Gaming Licenses; Expiration Date. Amend RSA 287-D:6, IV and V to read as follows:

IV. Only one license shall be issued to each applicant [~~per year~~] ***in any 12 month period*** to operate games of chance for 10 days, which 10 days need not be consecutive.

V. Licenses shall expire [~~on December 31 of each year~~] ***12 months from the date of issue or after the completion of the tenth game date, whichever comes first.***

2018-1629s

#### AMENDED ANALYSIS

This bill allows certain raffles to be conducted by charitable organizations without a permit or printed tickets.

This bill also changes the license period for charitable organization licenses for charitable gaming.

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 1501-FN, relative to regulation of consultants for games of bingo and lucky 7.  
Ought to Pass with Amendment, Vote 3-2. Senator Giuda for the committee.

Senate Ways and Means

April 18, 2018

2018-1631s

08/04

#### Amendment to HB 1501-FN

Amend RSA 287-E:1, VI-b as inserted by section 1 of the bill by replacing it with the following:

VI-b. "Gaming consultant" means any individual or business entity who is hired by or otherwise receives compensation from a charitable organization to provide gaming related services including consultation, management, assistance with the operation of the bingo games or the sale of lucky 7 tickets, record keeping, filing forms with the commission, advertising, or security and who handles, manages, oversees, or disburses any of the funds derived from the operation of the charitable games.

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

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

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

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

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

Senate Ways and Means

April 18, 2018

2018-1621s

10/04

#### Amendment to HB 1554-FN

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

AN ACT phasing out the tax on interest and dividends.

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

1 Rate; 2020. Amend RSA 77:1 to read as follows:

77:1 Rate. The annual tax upon incomes shall be levied at the rate of ~~[5]~~ **4** percent.

2 Rate; 2021. Amend RSA 77:1 to read as follows:

77:1 Rate. The annual tax upon incomes shall be levied at the rate of ~~[4]~~ **3** percent.

3 Rate; 2022. Amend RSA 77:1 to read as follows:

77:1 Rate. The annual tax upon incomes shall be levied at the rate of ~~[3]~~ **2** percent.

4 Rate; 2023. Amend RSA 77:1 to read as follows:

77:1 Rate The annual tax upon incomes shall be levied at the rate of ~~[2]~~ **1** percent.

5 Repeal; 2024. RSA 77, relative the taxations of incomes, is repealed.

6 Reference to Interest and Dividends Tax Deleted. Amend RSA 14-B:8, III(q) to read as follows:

(q) New Hampshire taxes, specifying if business profits tax[; **or** business enterprise tax~~[-or interest and dividends tax]~~.

7 Reference to Interest and Dividends Tax Deleted. Amend RSA 15-A:5, I(d)(17) to read as follows:

(17) New Hampshire taxes, specifying if business profits tax[; **or** business enterprise tax~~[-or interest and dividends tax]~~.

8 Reference to Interest and Dividends Tax Deleted. Amend RSA 21-J:31 to read as follows:

21-J:31 Penalty for Failure to File. Any taxpayer who fails to file a return when due, unless an extension has been granted by the department, shall pay a penalty equal to 5 percent of the amount of the tax due or \$10, whichever is greater, for each month or part of a month during which the return remains unfiled. The total amount of any penalty shall not, however, exceed 25 percent of the amount of the tax due or \$50, whichever is greater. This penalty shall not be applied in any case in which a return is filed within the extended filing period as provided in ~~[RSA 77:18-b,]~~ RSA 77-A:9, RSA 77-E:8, RSA 83-C:6, RSA 83-E:5, RSA 84-A:7, or RSA 84-C:7, or the failure to file was due to reasonable cause and not willful neglect of the taxpayer. The amount of the penalty is determined by applying the percentages specified to the net amount of any tax due after crediting any timely payments made through estimating or other means.

9 Reference to Interest and Dividends Tax Deleted. Amend the introductory paragraph of RSA 21-J:33-a, I to read as follows:

I. If there is a substantial understatement of tax imposed under ~~[RSA 77,]~~ RSA 77-A, RSA 77-E, RSA 78-A, RSA 78-C, RSA 82-A, RSA 83-C, RSA 83-E, or RSA 84-A for any taxable period, there shall be added to the tax an amount equal to 25 percent of the amount of any underpayment attributable to such understatement.

10 Reference to Interest and Dividends Tax Deleted. Amend RSA 21-J:46, III to read as follows:

III. This section shall apply only to tax returns and associated payments under ~~[RSA 77,]~~ RSA 77-A[;] and RSA 77-E.

11 References to Interest and Dividends Tax Deleted; Tax Expenditure Report. Amend RSA 71-C:4, I and II to read as follows:

I. On or before December 15 of every fiscal year the commissioner of the department of revenue administration shall certify in a report to the general court and the governor an analysis of each of the past fiscal year's tax expenditures as identified in RSA 71-C:2, and other credits allowed under ~~[RSA 77,]~~ RSA 77-A, RSA 77-E, RSA 77-G, RSA 78, RSA 78-A, 78-B, RSA 82-A, RSA 83-E, RSA 84-A, RSA 84-C, and RSA 400-A.

II. The report shall be divided into the following parts:

(a) Tax expenditures as determined by the joint committee on tax expenditure review under RSA 71-C:3;

(b) Potential liabilities against the state's revenues, specifically:

(1) Other credits allowed under ~~[RSA 77,]~~ RSA 77-A, RSA 77-E, RSA 77-G, RSA 78, RSA 78-A, RSA 78-B, RSA 82, RSA 82-A, RSA 83-E, RSA 84-A, RSA 84-C, and RSA 400-A against the business profits tax imposed by RSA 77-A; and

## (2) Credit carryovers from overpaid taxes.

12 Returns for Interest and Dividends Taxes. All persons who are liable for a tax under RSA 77 as of December 31, 2023, who thereafter are no longer liable for a tax under RSA 77 because of the passage of this act shall make a return of such taxes due the commissioner of revenue administration in such manner and on such forms as the commissioner shall prescribe in rules adopted under RSA 541-A. The administrative provisions of RSA 77 shall remain in effect to permit the collection of taxes upon income taxable under RSA 77 which is received by persons subject to taxation under that chapter through December 31, 2023, and to permit the distribution of that revenue. Persons who are liable for a tax under RSA 77 who do not report the payment of federal income taxes on a calendar year basis are entitled to such proportion of the exemptions allowed in RSA 77 as the reporting period bears to their taxable year.

## 13 Repeals. The following are repealed:

I. RSA 21-J:45, I(c), relative to reports on status of requested interest and dividends tax refunds.

II. RSA 77-A:4-c, II(c), relative to the duty of a committee to study the taxation of distributions received by investment organizations under the interest and dividends tax.

III. RSA 77, relative to taxation of incomes.

IV. RSA 77-A:4, I, relative to an adjustment to the business profits tax for taxes under RSA 77.

V. RSA 195-H:10, relative to exemption from RSA 77 for income and distributions from qualified tuition programs.

VI. RSA 195-K:4, relative to the exemption from RSA 77 for the achieving a better life experience program.

VII. RSA 261:52-a relative to notice that the interest and dividends tax may be due.

VIII. RSA 391:3 relative to the taxation of common trust funds under RSA 77.

## 14 Effective Date.

I. Section 1 of this act shall take effect January 1, 2020, and shall apply to tax years ending on or after December 31, 2020.

II. Section 2 of this act shall take effect January 1, 2021 and shall apply to tax years ending on or after December 31, 2021.

III. Section 3 of this act shall take effect January 1, 2022, and shall apply to tax years ending on or after December 31, 2022.

IV. Section 4 of this act shall take effect January 1, 2023, and shall apply to tax years ending on or after December 31, 2023.

V. The remainder of this act shall take effect January 1, 2024.

2018-1621s

## AMENDED ANALYSIS

This bill phases out the interest and dividends tax over a 5-year period and repeals the tax on January 1, 2024.

Senator Bradley presiding.

The question is on the adoption of the Committee Amendment.

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

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

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

The following Senators filed a Declaration of Intent: Bradley.

Roll Call, Yeas: 11 - Nays: 12. Failed.



Senator Morse moved to Lay on the Table.

Senator Avaré requested a Roll Call on the motion to Lay on the Table HB 1554-FN.

Senator Avaré withdrew request for a Roll Call.

Senator Morse moved to Lay on the Table HB 1554-FN. Adopted.

Recess. Out of recess.

#### SPECIAL ORDER

Without objection, the following bill is special ordered to Thursday, May 3, 2018. Adopted.

#### WAYS AND MEANS

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

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 refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 549-FN, relative to beverage vendor fees.

and requests a Committee of Conference.

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

REPRESENTATIVES: Hunt, Biggie, Fromuth and Williams

Senator Innis moved to Accede to House request. Adopted.

The President appointed Senators Innis, French and Lasky.

HB 225-FN, relative to information collection concerning electric renewable portfolio standards.

and requests a Committee of Conference.

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

REPRESENTATIVES: Vose, Barry, Vadney and H. Moffett

Senator Avaré moved to Accede to House request. Adopted.

The President appointed Senators Avaré, Innis and Fuller Clark.

HB 1286, relative to fishing and hunting licenses for permanently disabled veterans.

and requests a Committee of Conference.

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

REPRESENTATIVES: Webb, Spillane, L'Heureux and Laflamme

Senator Avaré moved to Accede to House request. Adopted.

The President appointed Senators Innis, Avaré and Feltes.

HB 561-FN, relative to part-time employment of a retirement system retiree by a participating employer.

and requests a Committee of Conference.

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

REPRESENTATIVES: McGuire, Sytek, Proulx and Goley

Senator Carson moved to Accede to House request. Adopted.

The President appointed Senators Carson, Bradley and Soucy.

HB 1273, relative to licensure of health care professionals employed at the Manchester Veterans Affairs Medical Center.

and requests a Committee of Conference.

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

REPRESENTATIVES: Baldasaro, Massimilla, Hansen and McGuire

Senator Bradley moved to Accede to House request. Adopted.

The President appointed Senators Bradley, Gray and Hennessey.

HB 252, relative to pro se litigants under the right-to-know law.

and requests a Committee of Conference.

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

REPRESENTATIVES: Hynes, Berch, Sylvia and Janvrin

Senator Carson moved to Accede to House request. Adopted.

The President appointed Senators Carson, French and Lasky.

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

and requests a Committee of Conference.

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

REPRESENTATIVES: Welch, Sapareto, Chandley and Murray

Senator Carson moved to Accede to House request. Adopted.

The President appointed Senators Carson, Gannon and Lasky.

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 Innis moved Nonconcurrence and requested a Committee of Conference. Adopted.

The President appointed Senators Innis, French and Soucy.

SB 303, relative to a security freeze on a consumer's credit report.

Senator Innis moved Concurrence. Adopted.

SB 312, clarifying the New Hampshire Foundation Act.

Senator Innis moved Concurrence. Adopted.

SB 318, relative to posting and notification requirements for employers, establishing criteria for workplace inspections, and amending certain provisions of the youth employment law.

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

The President appointed Senators Sanborn, French and Lasky.

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

Senator Innis moved Concurrence. Adopted.

SB 354, relative to disclosure of information relative to lower cost drugs under the managed care law.

Senator Innis moved Concurrence.

Senator Innis withdraws motion of Concurrence.

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

The President will appoint conferees at a later date.

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 Innis moved Concurrence. Adopted.

SB 433, relative to the annual filing of statistical reports to the department of education.

Senator Reagan moved Concurrence. Adopted.

SB 309-FN, regulating groundwater pollution caused by polluting emissions in the air and relative to standards for perfluorochemicals in drinking water, ambient groundwater, and surface water.

Senator Avard moved Concurrence. Adopted.

SB 366, relative to membership and procedures of the site evaluation committee.

Senator Avard moved Concurrence. Adopted.

SB 443, relative to the jurisdiction of counties concerning retail electric supply, and allowing the Carroll county convention to employ a delegation coordinator.

Senator Avard moved Concurrence. Adopted.

SB 451, relative to wildlife trafficking.

Senator Avard moved Concurrence. Adopted.

SB 374, relative to adoption of emergency medical and trauma services protocols.

Senator Carson moved Concurrence. Adopted.

SB 456, relative to the appointment of the state medical director for emergency medical services.

Senator Carson moved Concurrence. Adopted.

SB 531-FN, relative to the office of professional licensure and certification.

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

The President appointed Senators Reagan, Carson and Soucy.

SB 534-FN, relative to the classification of certain state employee positions and relative to a review of certain unclassified positions in the department of health and human services.

Senator Carson moved Concurrence. Adopted.

SB 540-FN, relative to the operation of keno games in unincorporated places and permitting keno games in cigar bars.

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

The President appointed Senators Reagan, Giuda and D'Allesandro.

SB 544-FN, transferring department of safety funds to the fire standards and training and emergency medical services fund.

Senator Daniels moved Concurrence. Adopted.

SB 63, relative to record management of abuse and neglect reports, establishing a pilot program regarding electronic storage of abuse and neglect records, and establishing the excess appropriation allocation account in the department of health and human services.

Senator Bradley moved Concurrence. Adopted.

SB 380, relative to the therapeutic use of cannabis.

Senator Bradley moved Concurrence. Adopted.

SB 385, establishing a foster care children's bill of rights.

Senator Bradley moved Concurrence. Adopted.

SB 478, establishing an advisory council on lactation.

Senator Bradley moved Concurrence. Adopted.

SB 479, relative to the oversight commission on children's services and relative to the commission to review child abuse fatalities.

Senator Bradley moved Concurrence. Adopted.

SB 489, establishing a committee to study parental alienation in New Hampshire.

Senator Bradley moved Concurrence. Adopted.

SB 491, transferring responsibilities for produce safety from the department of health and human services to the department of agriculture, markets and food.

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

The President appointed Senators Bradley, Avard and Fuller Clark.

SB 336, relative to the judicial district for the town of Waterville Valley and the unincorporated place of Livermore.

Senator Carson moved Concurrence. Adopted.

SB 391-FN, relative to sexual assault survivors' rights.

Senator Carson moved Concurrence. Adopted.

SB 493, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

Senator Carson moved Nonconcurrence. Adopted.

SB 496-FN, relative to mediation for certain child support arrearages.

Senator Carson moved Concurrence. Adopted.

SB 498-FN, requiring an annual report detailing activity related to forfeiture of personal property.

Senator Carson moved Concurrence. Adopted.

SB 500, amending references to firearms terminology.

Senator Carson moved Concurrence. Adopted.

SB 556-FN, relative to changes in bail procedures and procedures for annulment of a criminal record.

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

The President appointed Senators Carson, French and Feltes.

SB 339, relative to voting by zoning boards of adjustment.

Senator Gray moved Concurrence. Adopted.

SB 342, requiring identification of specific items in the default budget.

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

The President appointed Senators Gray, Daniels and Woodburn.

SB 393, relative to county financial audits, performance audits, and forensic audits.

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

The President appointed Senators Gray, Ward and Kahn.

SB 506, limiting amendments to warrant articles.

Senator Gray moved Nonconcurrency and requested a Committee of Conference. Adopted.

The President appointed Senators Gray, Giuda and Kahn.

SB 507, proclaiming June as post-traumatic stress injury (PTSI) awareness month.

Senator Gray moved Concurrence. Adopted.

SB 510, relative to municipal notice of leases on tax-exempt property.

Senator Gray moved Concurrence. Adopted.

SB 343, relative to legislative ethics guidelines.

Senator Avard moved Nonconcurrency and requested a Committee of Conference. Adopted.

The President appointed Senators Carson, Avard and Soucy.

SB 300, naming a certain bridge connecting Dover and Newington the Ruth L. Griffin bridge and establishing the fallen state troopers' memorial commission.

Senator Birdsell moved Concurrence. Adopted.

SB 411-FN-A, relative to the research and development tax credit.

Senator Sanborn moved Nonconcurrency and requested a Committee of Conference. Adopted.

The President appointed Senators Sanborn, Giuda and Feltes.

SB 564-FN-A, relative to a business tax exemption and a workforce development program for regenerative manufacturing businesses.

Senator Sanborn moved Concurrence. Adopted.

#### SPECIAL ORDER

Without objection, any bills that were not taken up today are special ordered to Thursday, May 3, 2018. Adopted.

#### ENERGY AND NATURAL RESOURCES

HB 1238, relative to animal cruelty involving an equine colt.

HB 1515, relative to an exemption from the combustion ban on construction and demolition debris.

HB 1550, requiring electric bills to include the cost of compliance with renewable energy standards.

#### JUDICIARY

HB 1313, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile.

#### PUBLIC AND MUNICIPAL AFFAIRS

HB 1392, relative to tallies of votes on budget items or warrant articles.

#### MOTION TO ADJOURN FROM EARLY SESSION

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

Adopted. Adjournment from the Early Session.

#### LATE SESSION

##### LIST OF RULE 6-25'S FOR THE DAY

Senator Birdsell: HB 1519, HB 1601, HB 1781

Senator Bradley: HB 476, HB 1554-FN

Senator D'Allesandro: HB 1554-FN

Senator Fuller Clark: HB 1554-FN

Senator Hennessey: HB 1554-FN

Senator Innis: HB 1554-FN

Senator Morse: HB 1554-FN, SB 318

Senator Sanborn: CACR 15, CACR 16, HB 114, HB 135, HB 169-FN, HB 225, HB 252, HB 263, HB 314, HB 317, HB 324, HB 407-FN, HB 476, HB 500, HB 549-FN, HB 561-FN, HB 1101-FN, HB 1102-FN, HB 1103-FN, HB 1104-FN, HB 1100, HB 1233, HB 1238, HB 1243, HB 1251, HB 1254, HB 1260, HB 1261, HB 1264, HB 1273, HB 1276, HB 1285, HB 1286, HB 1294, HB 1295, HB 1307, HB 1309, HB 1310, HB 1313, HB 1316-FN, HB 1319, HB 1327, HB 1347, HB 1356, HB 1372, HB 1373, HB 1377, HB 1382, HB 1392, HB 1402, HB 1404, HB 1427-FN, HB 1443, HB 1458, HB 1467, HB 1468, HB 1472, HB 1476, HB 1487, HB 1488, HB 1498, HB 1501-FN, HB 1502, HB 1515, HB 1519, HB 1521, HB 1530, HB 1537, HB 1545, HB 1549, HB 1550, HB 1554-FN, HB 1562-FN, HB 1565-FN, HB 1578, HB 1586, HB 1587, HB 1592-FN, HB 1595, HB 1601, HB 1603, HB 1605, HB 1614, HB 1626-FN, HB 1627-FN, HB 1654, HB 1673-FN-L, HB 1682-FN, HB 1686-FN, HB 1687, HB 1690-FN, HB 1740, HB 1743-FN, HB 1753-FN-L, HB 1774, HB 1775, HB 1781, HB 1791-FN, HB 1796, HB 1805, HB 1809-FN, HB 1816-FN, HB 1817-FN, HB 1819-FN, HB 1822-FN, HB 2018, SB 63, SB 84, SB 300, SB 303, SB 309-FN, SB 312, SB 318, SB 336, SB 339, SB 342, SB 343, SB 351, SB 354, SB 366, SB 374, SB 380, SB 385, SB 391-FN, SB 393, SB 411-FN-A, SB 433, SB 443, SB 451, SB 456, SB 478, SB 479, SB 489, SB 491, SB 493, SB 496-FN, SB 498-FN, SB 500, SB 506, SB 507, SB 510, SB 531-FN, SB 534-FN, SB 540-FN, SB 544-FN, SB 553-FN, SB 556-FN, SB 564-FN-A

Senator Soucy: HB 407-FN, SB 553-FN

Senator Watters: HB 1554-FN

### LATE SESSION

#### Third Reading and Final Passage

CACR 15, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

CACR 16, Relating to privacy. Providing that an individual's right to live free of governmental intrusion is natural, essential, and inherent.

HB 263, relative to facilities licenses for charitable gaming and relative to security requirements for games of chance.

HB 314, establishing an automated and connected vehicle testing and deployment commission and establishing an automated vehicle pilot program.

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 500, relative to organizations that are authorized to issue decals.

HB 1100, establishing a commission to review and evaluate workforce and job training in New Hampshire and relative to veterans' preference in public employment.

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

HB 1254, establishing a committee to study the procedures for adoption of national codes by the state of New Hampshire; establishing a moratorium on the adoption of changes to the state building code and state fire code; and repealing the joint legislative oversight committee on the emergency management system.

HB 1260, relative to the payout value of bingo games at private campgrounds and hotels, the hours of operation of Keno, and the sale of Lucky 7 tickets during bingo games.

HB 1261, relative to record management of abuse and neglect reports.

HB 1264, relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

HB 1276, adding an exemption for certain raffles conducted by charitable organizations and relative to charitable gaming licenses.

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

HB 1294, relative to religious societies.

HB 1307, relative to the first session of annual meetings.

HB 1309, relative to transferring dogs, cats, and ferrets by animal shelter facilities.

HB 1319, prohibiting discrimination based on gender identity.

HB 1327, relative to apprentice electricians.

HB 1347, relative to information to be included in the minutes under the right-to-know law.

HB 1372, prohibiting the implanting of subcutaneous identification devices in individuals.

HB 1377, establishing a committee to study the emancipation of minors.

HB 1472, relative to the state building code provisions for energy conservation in new building construction.

HB 1487, relative to banks and credit unions.

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

HB 1519, relative to the conduct of condominium unit owners' associations votes without a meeting.

HB 1521, relative to the definition of an emergency for a special assessment in a condominium.



HB 1530, requiring criminal history records checks for applicants for allied health professional licensure or certification.

HB 1545, relative to the statewide interoperability executive committee.

HB 1586, relative to judicial review for underage marriage.

HB 1587, relative to the minimum age for marriage.

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

HB 1601, relative to a declarant's options for condominium expansion.

HB 1605, relative to reinsurance.

HB 1654, relative to automobile medical payments.

HB 1687, relative to banking and consumer credit.

HB 1690-FN, relative to liquor licenses.

HB 1740, relative to costs of blood testing orders.

HB 1774, relative to parenting plans and relocation of a child's residence.

HB 1796, relative to the legislative oversight committee on electric utility restructuring.

HB 1805, establishing a committee to study level dollar amortization of retirement system unfunded accrued liability and relative to the retirement system board of trustees.

#### 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.