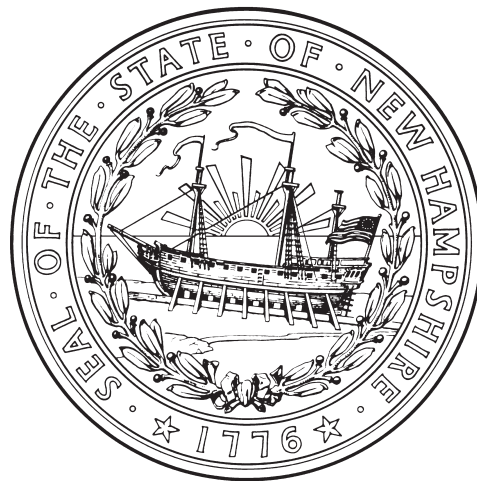


May 3, 2018
Nos. 15-16

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MAY 2, 2018 SESSION
COMMENCEMENT – MAY 3, 2018 SESSION**

SENATE JOURNAL 15 *(continued)*

May 2, 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 386, relative to access to criminal records.

SB 413, relative to name availability for business organizations and relative to reinstatement of a limited liability company.

SB 425, relative to limited liability companies.

SB 435, relative to alternative programs for granting credit leading to graduation.

SB 477, establishing a therapeutic cannabis medical oversight board.

SB 513, establishing September as New Hampshire recovery month.

HOUSE MESSAGE

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

SB 502-FN, relative to transparency and standards for acquisition transactions in health care.

SB 525-FN, prohibiting the distribution of adult education financial assistance to any student who is not a legal resident.

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 112, establishing a council on the creative economy.

SB 373, requiring rulemaking by the department of corrections.

SB 383, establishing a commission to recommend policies that will enhance access to affordable health care for all New Hampshire residents.

SB 427, limiting the liability of successor corporations for asbestos-related claims.

SB 432-FN-LOCAL, establishing a commission to study whether it is in the best interest of students to require schools to offer an SAT preparation course as an elective.

SB 452, relative to renewable energy fund incentive payments.

SB 508, establishing a committee to study the prevalence of post-traumatic stress disorder (PTSD) and other related disorders among first responders.

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 16

May 3, 2018

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

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

Let us pray.

Dear God, we give you thanks for hard work. We give thanks to all those citizens of New Hampshire who are working today. We give thanks for people that grow our food, that sell us seeded goods, that make houses, that sit at a desk, that cure our diseases, that innovates and creates. We give thanks for entrepreneurs that create businesses that others can work at. It is through our hard work that we not only provide for our family, but that we serve our neighbors; and it's through hard work that we give ourselves to the greater good. Help us today to do the hard work that we have been called to do. Help us pass laws that make life fair and good for all us citizens. Help us be good stewards of the tax money that hard working people have paid. Help us be just, fair, and wise in this work that we have been called to do, and let us never tire of doing our best for those hard working citizens who are counting on us. Amen.

Senator Reagan led the Pledge of Allegiance and invited 4th grade students from Epsom Central School visiting in the gallery to join in.

INTRODUCTION OF GUESTS

Senator Feltes introduced students from Second Start Adult Education Center in Concord visiting in the gallery.

INTRODUCTION OF PAGES

Senator Giuda introduced Kaycee Reagan and Roderick Emley from Woodsville High School, serving as Senate Pages for the day.

SPECIAL ORDER

Without objection, the following bill is special ordered to the end of the day. Adopted.

ENERGY AND NATURAL RESOURCES

HB 114, relative to minimum electric renewable portfolio standards.

REGULAR CALENDAR

ENERGY AND NATURAL RESOURCES

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

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

Energy and Natural Resources

April 17, 2018

2018-1594s

06/10

Amendment to HB 317

Amend RSA 374-F:3, VI as inserted by section 1 of the bill by replacing it with the following:

VI. Benefits for All Consumers. Restructuring of the electric utility industry should be implemented in a manner that benefits all consumers equitably and does not benefit one customer class to the detriment of another. Costs should not be shifted unfairly among customers. A nonbypassable and competitively neutral system benefits charge applied to the use of the distribution system may be used to fund public benefits related to the provision of electricity. Such benefits, as approved by regulators, may include, but not necessarily be limited to, programs for low-income customers, energy efficiency programs, funding for the electric utility industry's share of commission expenses pursuant to RSA 363-A, support for research and development, and investments in commercialization strategies for new and beneficial technologies. ***Legislative approval of the New Hampshire general court shall be required to increase the system benefits charge. This requirement of prior approval of the New Hampshire general court shall not apply to the full implementation of Order No. 25,932 issued by the commission, dated August 2, 2016.***

2018-1594s

AMENDED ANALYSIS

This bill requires legislative approval for increases in the system benefits charge.

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 1233, preempting local regulation of seeds and fertilizer.
Ought to Pass, Vote 3-2. Senator Bradley for the committee.

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

HB 1402, relative to ordinances regarding forestry activities.
Ought to Pass, Vote 5-0. Senator Avard for the committee.

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

HB 1458, relative to exempting certain rules governing marine species from the administrative procedures act.
Ought to Pass, Vote 4-1. Senator Fuller Clark for the committee.

Senator Avard offered a Floor Amendment.

Sen. Avard, Dist 12
Sen. Bradley, Dist 3
May 1, 2018
2018-1852s
04/10

Floor Amendment to HB 1458

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

AN ACT relative to exempting certain rules governing marine species from the administrative procedures act and relative to immunity for campground owners.

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

2 Findings. The state of New Hampshire finds that:

I. Camping is a popular form of recreation in the state. It affords residents of the state access to natural environments, outdoor activity and relaxation. It is a major source of tourism visits from nonresidents which generate employment, taxes and economic activity for the state. Camping, by its very nature, involves experiences in natural environments which inherently involve risks and hazards which are not present in the built environment.

II. Persons who choose to camp must accept the inherent risks of camping, without an expectation that they may recover damages if they are injured as a consequence of the experience they have selected.

3 New Subdivision; Campground Immunity. Amend RSA 216-I by inserting after section 15 the following new subdivision:

Campground Immunity

216-I:16 Definitions. In this subdivision:

I. "Camping" means all aspects of visiting, staying at, and using a recreational campground or camping park.

II. "Inherent risk of camping" means a danger or condition that is an integral part of camping, including but not limited to the following:

(a) Naturally occurring features of the natural world, such as trees, infectious agents, tree stumps, roots, brush, rocks, mud, holes, sand, standing water, and soil.

(b) Uneven or unpredictable terrain.

(c) Natural bodies of water and the use of natural bodies of water, including swimming, and aquatic sports.

(d) Another person at a recreational campground or camping park acting in a negligent manner, where the campground owner or employees are not involved.

(e) A lack of lighting at campsites.

(f) Campfires in a properly constructed and maintained fire pit or enclosure provided by the recreational campground or camping park.

(g) Weather.

(h) Insects, birds, bears, and other wildlife.

(i) Violation of safety rules or disregard for signs indicating danger.

(j) Actions by campers or visitors which exceed their physical limitations or abilities.

(k) Animals owned by other persons which cause injury or death, unless the recreational campground or camping park has accepted responsibility for care of the animal or has actual knowledge that the animal poses a hazard to the safety of other campers.

(l) Activities undertaken by a camper or visitor, utilizing the camper's own equipment, and undertaken for the purpose of exercise, relaxation, or pleasure, including but not limited to hunting, fishing, picnicking, exploring, bicycling, horseback riding, operation of a powered vehicle, cutting wood, water sports, harvesting the products of nature and any other outdoor sport, game, or educational activity.

III. "Willful disregard" means conduct committed with an intentional or reckless disregard for the safety of the actor or others.

216-I:17 Immunity.

I. Except as provided in paragraph II, a campground owner, including any employees, officers, and agents of a campground owner, shall be immune from civil liability for acts or omissions related to camping at a recreational campground or camping park resulting in the death of or injury to a person, or damage to property, caused by the inherent risk of camping.

II. The provisions of paragraph I shall not apply if the campground owner, including any employee, officer, and agent of a campground owner seeking immunity:

(a) Intentionally causes death or injury to another person or intentionally causes damage to property.

(b) Acts with willful disregard for the safety of another person or property.

(c) Fails to conspicuously post warning signs of a dangerous, inconspicuous condition known to him or her on a recreational campground or camping park, if he or she is aware of the condition.

(d) Is grossly negligent.

III. This section shall not be construed to limit the immunity created under RSA 212:34.

4 Effective Date.

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

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

2018-1852s

AMENDED ANALYSIS

This bill exempts from rulemaking requirements those fish and game rules governing marine species managed under the Magnusson-Stevens Fishery Conservation and Management Act. The bill also provides immunity for campground owners and establishes exceptions to immunity under certain circumstances.

Recess. Out of recess.

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.

Senator Birdsell moved to call the question. Adopted.

The question is on the adoption of the Floor Amendment.

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

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

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

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

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

INTRODUCTION OF GUESTS

Senator Cavanaugh introduced students from Dunbarton Elementary School visiting in the gallery.

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

FINANCE

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

Ought to Pass, Vote 6-0. Senator Daniels for the committee.

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

Senator Woodburn is in opposition to the motion of Ought to Pass on HB 1104-FN.

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

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

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

Senator Daniels moved Ought to Pass.

Senator Daniels offered a Floor Amendment.

Sen. Daniels, Dist 11

May 2, 2018

2018-1884s

04/10

Floor Amendment to HB 1316-FN

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

AN ACT relative to revenue collected from concealed carry licenses and relative to funding the permits and licensing unit of the state police.

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

2 Pistols and Revolvers; License to Carry. Amend RSA 159:6, I(b) to read as follows:

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for 5 years. When required, license renewal shall take place within the month of the fifth anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted to out-of-state residents shall be \$100, which fee shall be for the use of the state. ~~[Of the revenue collected by the state, the first \$400,000 in each fiscal year shall be credited as agency income to the department of safety, division of state police, support services bureau, permits and licensing unit, and the remainder shall be credited to the general fund. Any unexpended agency income shall lapse to the general fund at the end of each fiscal year.]~~ The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. The form shall require no more information than was required on the state of New Hampshire application for pistol/revolver license, form DSSP 85, as revised in December 2009. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

3 State Police; Rulemaking Power. Amend RSA 106-B:7, II to read as follows:

II. Notwithstanding RSA 106-B:10 or any other provision of law to the contrary, the fees collected pursuant to RSA 106-B:7, I(b) shall be credited to a special nonlapsing account by the department of administrative services for the department of safety to cover the expenses of staffing the criminal records section, maintaining and updating the database, and conducting such checks. Such fees shall not be deposited in the general fund. ***No funds from this account shall be transferred or used to cover any costs of the permits and licensing unit of the division of state police.***

4 Effective Date.

I. Sections 2 and 3 of this act shall take effect July 1, 2019.

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

2018-1884s

AMENDED ANALYSIS

This bill requires a portion of revenues collected from concealed carry permits to be credited to the permits and licensing unit of the state police for the fiscal year ending June 30, 2018. The bill also prohibits the use of the criminal records fund to cover any costs of the permits and licensing unit of the state police.

The question is on the adoption of the Floor Amendment.

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

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

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

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

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

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.

Ought to Pass, Vote 5-1. Senator D'Allesandro for the committee.

Senator Sanborn offered a Floor Amendment.

Sen. Sanborn, Dist 9

May 1, 2018

2018-1869s

05/10

Floor Amendment to HB 1356

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

AN ACT relative to data sharing between the department of environmental services and the department of health and human services; making an appropriation to the department of business and economic affairs for relocation costs; and relative to the exemption for recreational vehicles from property taxation.

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

3 Taxation of Property; Exemption; Recreational Vehicles. RSA 72:7-d is repealed and reenacted to read as follows:

72:7-d Exemption; Recreational Vehicles. For purposes of this chapter, recreational vehicles, as defined in RSA 216-I:1, VIII, having a maximum width of 8 feet and 6 inches while being transported, and located at a "recreational campground or camping park," as those terms are defined in RSA 216-I:1 VII, shall not be taxable as real estate.

4 Definition of Recreational Campground or Camping Park. Amend RSA 216-I:1, VII to read as follows:

VII. "Recreational campground or camping park" means a parcel of land on which 2 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only ***for an undetermined or indefinite amount of time***, and not for permanent year-round residency, excluding recreation camps as defined in RSA 485-A:23.

5 Effective Date.

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

II. Sections 3 and 4 of this act shall take effect April 1, 2019.

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

2018-1869s

AMENDED ANALYSIS

This bill:

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

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

III. Removes the requirement that recreational vehicles exempt from property taxation have a valid motor vehicle registration and number plate; removes the requirement that campground owners provide local assessing officials with the name and address of recreational vehicles at the campground that fall within the tax exemption; and amends the definition of recreational campground or camping park to mean campsites intended for temporary occupancy for an undetermined or indefinite amount of time.

Recess. Out of recess.

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 1427-FN, relative to the reduction in the calculation of state retirement system annuities at age 65. Inexpedient to Legislate, Vote 4-2. Senator Daniels for the committee.

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

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

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

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

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

Senator Bradley moved to Lay on the Table HB 1427-FN.

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

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

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

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

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

Ought to Pass with Amendment, Vote 5-1. Senator D'Allesandro for the committee.

Senate Finance
April 25, 2018
2018-1782s
01/03

Amendment to HB 1468

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

AN ACT establishing a commission to study legislative oversight activities related to the department of health and human services and relative to the nursing home bed moratorium.

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

3 Residential Care and Health Facility Licensing; License or Registration Required. RSA 151:2, VI is repealed and reenacted to read as follows:

(a) No new license shall be issued for, and there shall be no increase in licensed capacity of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat individuals for substance use disorder or mental health issues.

(b) This moratorium shall not prohibit the relocation or transfer of beds to a nursing home, skilled nursing facility, or intermediate care facility; provided that the beds to be transferred or relocated were in existence as of July 1, 2016, that the receiving facility is located in the same county as the facility where those beds were located as of July 1, 2016, and that the action shall not reduce the number of Medicaid beds located in that county. This restriction on transfers shall not apply to any beds transferred from one entity to another before the effective date of this paragraph.

(c) This moratorium shall not prohibit the relocation or transfer of beds to a rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services; provided that the beds to be transferred or relocated were licensed on July 1, 2016. This restriction on transfers shall not apply to any beds transferred from one entity to another before the effective date of this paragraph.

2018-1782s

AMENDED ANALYSIS

This bill establishes a commission to study legislative oversight activities related to the department of health and human services.

This bill also establishes a moratorium on licenses for new health care facilities and increases in licensed capacity in existing facilities, except for rehabilitation facilities whose sole purpose is to treat individuals for substance use disorder or mental health issues.

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.

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

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

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

Senator Reagan moved to Lay on the Table HB 1592-FN.

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

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

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

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

Recess. Out of recess.

Senator Bradley moved to Lay on the Table HB 1592-FN.

Recess. Out of recess.

Senator Bradley moved to Lay on the Table HB 1592-FN.

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

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

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

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

HB 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.

Ought to Pass with Amendment, Vote 4-2. Senator Giuda for the committee.

Senate Finance

April 25, 2018

2018-1779s

01/03

Amendment to HB 1626-FN

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

AN ACT requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs and making an appropriation therefor, and relative to liquor commission shortfalls.

Amend the bill by replacing all after section 3 with the following:

4 Appropriation; Department of Health and Human Services. The sum of \$300,000 for the biennium ending June 30, 2019 is hereby appropriated to the department of health and human services for the purposes of sections 1-3 of this act. This appropriation is in addition to any other funds appropriated to the department of health and human services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

5 Revenue Shortfalls; Suspension. RSA 176:16-a, relative to liquor commission revenue shortfalls, is suspended for the biennium ending June 30, 2019.

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

2018-1779s

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services, in conjunction with the governor's commission on alcohol and drug abuse prevention, treatment and recovery, to make an annual report relative to the cost effectiveness and outcomes of programs funded in whole or in part by the governor's commission.

This bill also suspends the law regarding liquor commission shortfalls for the biennium ending June 30, 2019.

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. Failed.

Senator Sanborn offered a Floor Amendment.

Sen. Sanborn, Dist 9
May 3, 2018
2018-1912s
01/03

Floor Amendment to HB 1626-FN

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

AN ACT requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs and making an appropriation therefor, relative to liquor commission shortfalls, and relative to direct shipper licenses.

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

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.

2018-1912s

AMENDED ANALYSIS

This bill:

I. Requires the commissioner of the department of health and human services, in conjunction with the governor's commission on alcohol and drug abuse prevention, treatment and recovery, to make an annual report relative to the cost effectiveness and outcomes of programs funded in whole or in part by the governor's commission.

II. Suspends the law regarding liquor commission shortfalls for the biennium ending June 30, 2019.

III. 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 Sanborn, seconded by Senator Avar.

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

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

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

Senator Soucy offered a Floor Amendment.

Sen. Soucy, Dist 18
May 3, 2018
2018-1920s
08/03

Floor Amendment to HB 1626-FN

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

AN ACT requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs, making an appropriation therefor, and relative to liquor commission shortfalls, and relative to direct shipper permits for out of state retailers.

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

6 New Subparagraph; Direct Shipper Permits; Out of State Retailers. Amend RSA 178:27, I by inserting after subparagraph (b) the following new subparagraph:

(c) The commission may deny a direct shipper permit to an out-of-state retailer which is domiciled in a state that does not extend equal and reciprocal shipping privileges to New Hampshire businesses.

2018-1920s

AMENDED ANALYSIS

This bill:

I. Requires the commissioner of the department of health and human services, in conjunction with the governor's commission on alcohol and drug abuse prevention, treatment and recovery, to make an annual report relative to the cost effectiveness and outcomes of programs funded in whole or in part by the governor's commission.

II. Suspends the law regarding liquor commission shortfalls for the biennium ending June 30, 2019.

III. Enables the liquor commission to deny direct shipper permits to out of state retailers domiciled in states that do not extend equal and reciprocal shipping privileges to New Hampshire businesses.

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.

Senator Feltes moved to Lay on the Table HB 1626-FN. Adopted.

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

Ought to Pass with Amendment, Vote 6-0. Senator Reagan for the committee.

Senate Finance

April 25, 2018

2018-1781s

08/03

Amendment to HB 1743-FN

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

AN ACT relative to funding for the Sununu youth services center and relative to positions at the department of health and human services.

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

1 Appropriation; Department of Health and Human Services; Sununu Youth Services Center. In addition to any other sums appropriated to accounting unit 05-95-42-421510-7916, the sum of \$3,600,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of health and human services for the purpose of funding rehabilitation programs and other operational costs of the Sununu youth services center. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Department of Health and Human Services; Unfunded Positions. Amend 2017, 156:183 to read as follows:

156:183 Department of Health and Human Services; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of health and human services~~[, with prior approval of the fiscal committee of the general court,]~~ may fill unfunded positions during the biennium ending June 30, 2019, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

3 New Paragraph; Commissioner; Report to Fiscal Committee of the General Court. Amend RSA 621:12 by inserting after paragraph II the following new paragraph:

III. The commissioner shall provide a monthly report to the fiscal committee of the general court the average daily census and the estimated monthly cost per resident at the Sununu youth services center.

4 Repeal. RSA 2017, 156:168, II, relative to emergency funding for the operational costs of the Sununu youth services center, is repealed.

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

2018-1781s

AMENDED ANALYSIS

This bill:

I. Makes an appropriation to the department of health and human services for funding rehabilitation programs and other operational costs of the Sununu youth services center.

II. Allows the department of health and human services to fill certain unfunded positions.

III. Requires the commissioner of the department of health and human services to give a monthly report to the fiscal committee of the general court regarding the census and estimated monthly cost per resident at the Sununu youth services center.

IV. Repeals a provision relative to emergency funding for the operational costs of the Sununu youth services center.

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.

HEALTH AND HUMAN SERVICES

HB 1476, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. Interim Study, Vote 3-2. Senator Avard for the committee.

Senator Birdsell 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 Avard, seconded by Senator Giuda.

The following Senators voted Yes: Giuda, Bradley, Gray, Ward, Sanborn, Daniels, Avard, Lasky, Carson, Feltes, Soucy, Birdsell, Gannon, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, French, Kahn, Cavanaugh, Reagan, D'Allesandro, Fuller Clark, Innis.

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

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

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

Health and Human Services

April 25, 2018

2018-1772s

05/10

Amendment to HB 1562

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

AN ACT relative to collaboration between the department of health and human services and foster parents and relative to the disposition of interests in condominium units.

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

1 New Subdivision; Foster Parents. Amend RSA 170-E by inserting after section 50 the following new subdivision:

Foster Parents

170-E:51 Collaboration Between the Department of Health and Human Services and Foster Parents. The general court finds that foster parents providing care for children who are in the custody of the department of health and human services play an integral, indispensable, and vital role in the department's effort to care for dependent children displaced from their homes. The general court further finds that it is in the best interest of the department of health and human services to acknowledge foster parents as active and participating members of this system and to support them through the following foster parent rights, as primary caregivers for children in the care and custody of the state of New Hampshire.

170-E:52 Foster Parents. When a child is placed in a foster home pursuant to a juvenile court order:

I. The foster parent shall be treated with consideration and respect.

II. The department of health and human services shall consult with the foster parent prior to the release of the foster parent's address, phone number, or other personally identifying information to the child's parent or guardian.

III. The department of health and human services shall make a representative of the department available 24 hours a day, 7 days a week, for the purpose of aiding the foster parent in caring for the acute needs of the foster child.

IV. The foster parent shall be given timely notice of scheduled meetings and appointments involving the foster child. The foster parent shall:

(a) Be provided with a written copy of information pertinent to the care of the child.

(b) Receive reasonable notice of any changes to the case plan.

(c) Be apprised of the number of times the child has moved from one foster home to another and, as appropriate, the reasons therefor.

(d) Have the ability to request a team meeting to address concerns specific to the child, including participation in development of the child's permanency plan.

V. The foster parent shall be given reasonable notice of any plan to remove a child from the foster home. The notice shall include the reason for the change or termination in placement, provided there is no concern for the safety and welfare of the child.

VI. Pursuant to RSA 169-C:14, the foster parent shall receive notice of all court proceedings, may submit written reports, and, at the court's discretion, may attend such hearings and provide oral reports of the child's behavior, progress, and developmental, educational, and healthcare needs.

2 New Paragraph; Condominium Act; Limitations on Dispositions of Units. Amend RSA 356-B:50 by inserting after paragraph IV the following new paragraph:

V. No unit owner, or owner of a time sharing interest as defined in RSA 356-B:3, XXVIII, shall convey his or her interest in a condominium unit to the condominium unit owners' association without the acceptance of the deed by the condominium board of directors or its managing agent prior to the recordation thereof in the county registry of deeds.

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

2018-1772s

AMENDED ANALYSIS

This bill provides for collaboration between the department of health and human services and foster parents, requires the department to provide foster parents with certain information, and enables foster parents to participate in meetings and court hearings for a child in their care.

The bill also requires the acceptance by the condominium board of directors or its managing agent prior to the conveying and recording of a deed transferring a condominium interest to the unit owners' association.

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.

MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider the following action taken by the body on HB 1476, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.: Refer to Interim Study. Adopted.

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

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

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Gray, Ward, Daniels, Avard, Lasky, Carson, Feltes, Cavanaugh, Soucy, Birdsell, Gannon, Morse.

The following Senators voted No: Hennessey, French, Sanborn, Kahn, Reagan, D'Allesandro, Fuller Clark, Innis.

Roll Call, Yeas: 16 - Nays: 8. Adopted.

HB 1791-FN, allowing pharmacists to disclose information relative to lower cost drugs under the managed care law. Ought to Pass with Amendment, Vote 5-0. Senator Avard for the committee.

Health and Human Services

April 18, 2018

2018-1637s

01/04

Amendment to HB 1791-FN

Amend RSA 420-J:8, XVI as inserted by section 1 of the bill by replacing it with the following:

XVI. No contract between an insurance carrier or pharmacy benefit manager and a contracted pharmacy shall contain a provision prohibiting divulgence to a covered person or the insurance department relative to monetary matters which would prove beneficial in lowering costs to such covered person.

2018-1637s

AMENDED ANALYSIS

This bill declares that a contract between an insurance carrier or pharmacy benefit manager and a contracted pharmacy shall not contain a provision prohibiting the pharmacist from providing certain information to an insured or the insurance department.

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

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

Sen. Innis, Dist 24

May 2, 2018

2018-1875s

01/10

Floor Amendment to HB 1791-FN

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

AN ACT allowing pharmacists to disclose information relative to lower cost drugs under the managed care law and relative to biological products dispensed by pharmacists.

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

2 Prescription Labels. Amend RSA 318:47-a to read as follows:

318:47-a Prescription Labels. Whenever a pharmacist dispenses a noncontrolled drug pursuant to a prescription, he *or she* shall affix to the container in which such drug is dispensed a label showing at least the name and address of the pharmacy and the name or initials of the dispensing pharmacist or pharmacist-in-charge; the prescription identification number assigned by the pharmacy; the date dispensed; any directions as may be stated on the prescription; the name of the prescribing practitioner; the name of the patient; all pertinent auxiliary labels; and, unless otherwise indicated by the prescribing physician, dentist, veterinarian, or advanced practice registered nurse, the name, strength, and quantity of the drug dispensed. All drugs dispensed to a patient that have been filled using a centralized prescription processing system shall bear a label containing an identifiable code that provides a complete audit trail of the dispensing of the drug and pharmaceutical care activities. ***A biological product, as defined in RSA 318:47-dd, I, shall also be labeled as provided in RSA 318:47-dd, VII.*** No person shall alter, deface, or remove any label so affixed. A compounded drug product shall also be labeled as provided in RSA 318:14-a, II. The compound drug product shall bear the label of the pharmacy responsible for compounding and dispensing the product directly to the patient for administration, and the prescription shall be filed at that pharmacy. Compounded prescription labels shall include the phrase "compounded per subscriber request" or a similar statement on the prescription label or through the use of an auxiliary label attached to the prescription container.

3 Substituting Generic Drugs. Amend RSA 318:47-d to read as follows:

318:47-d Pharmacies; Substituting Generic Drugs. Pharmacies, including mail-order pharmacies, may substitute generically equivalent drug products for all legend and non-legend prescriptions unless the prescribing practitioner handwrites “medically necessary” on each paper prescription, or uses electronic indications when transmitted electronically, or gives instructions when transmitted orally that the brand name drug product is medically necessary. ***In this section, “drug product” does not include a biological product.***

4 New Section; Substituting Biological Products. Amend RSA 318 by inserting after section 47-d the following new section:

318:47-dd Pharmacies; Substituting Biological Products.

I. In this section:

(a) “Biological product” means a virus, therapeutic serum, toxin, antitoxin, vaccine, blood, blood component or derivative, allergenic product, protein (except any chemically synthesized polypeptide), or analogous product, or arsphenamine or derivative of arsphenamine (or any other trivalent organic arsenic compound), applicable to the prevention, treatment, or cure of a disease or condition of human beings.

(b) “Proper name” means the nonproprietary name for a biological product designated by the federal Food and Drug Administration license for use upon each package of the product.

(c) “Interchangeable biological product” means a biological product that the federal Food and Drug Administration:

(1) Has licensed and determined meets the standards for interchangeability pursuant to 42 U.S.C. section 262(k)(4); or

(2) Has determined is therapeutically equivalent as set forth in the latest edition of or supplement to the federal Food and Drug Administration’s Approved Drug Products with Therapeutic Equivalence Evaluations.

II. The board shall maintain a link on its website to the federal Food and Drug Administration’s Lists of Licensed Biological Products with Reference Product Exclusivity and Biosimilarity or Interchangeability Evaluations.

III. A pharmacist may substitute a biological product pursuant to this section only if it has been licensed by the federal Food and Drug Administration as an interchangeable biological product for the prescribed biological product.

IV. When a pharmacist dispenses an interchangeable biological product for the prescribed biological product, the pharmacist or his or her designee shall inform the patient.

V. A pharmacist shall not substitute an interchangeable biological product pursuant to this section if the prescriber indicates that substitution is not authorized by specifying on the prescription “medically necessary” on a paper prescription, or uses electronic indications when transmitted electronically, or gives instructions when transmitted orally that the biological product prescribed is medically necessary.

VI.(a) Within 3 business days following the dispensing of a biological product, the dispensing pharmacist or the pharmacist’s designee shall make an entry of the specific product provided to the patient, including the name of the product and the manufacturer. The communication shall be conveyed by making an entry that is electronically accessible to the prescriber through:

(1) An interoperable electronic medical records system;

(2) An electronic prescribing technology; or

(3) A pharmacy benefit management system; or

(4) A pharmacy record.

(b) Entry into an electronic records system as described in this paragraph is presumed to provide notice to the prescriber. Otherwise, the pharmacist shall communicate the biological product dispensed to the prescriber using facsimile, telephone, electronic transmission, or other prevailing means, provided that the communication shall not be required where:

(1) There is no federal Food and Drug Administration-approved interchangeable biological product for the biological product prescribed; or

(2) A refill prescription is not changed from product dispensed on the prior filling of the prescription.

VII. The label of all biological products dispensed by a pharmacist shall include the proper name and the name of the manufacturer of the product.

5 New Section; Physicians and Surgeons; Annual Education Program. Amend RSA 329 by inserting after section 9-f the following new section:

329:9-g Annual Education Program. The board, in conjunction with the New Hampshire Medical Society and other prescribing and dispensing stakeholders, shall establish an annual education program that covers the prescribing of biosimilar and interchangeable biological products. Such program shall include a review of interchangeable biological products approved by the federal Food and Drug Administration (FDA) including any evaluation information in determining interchangeability. The annual education program shall be implemented by December 31, 2018 or prior to the first interchangeable biological product being approved by the FDA.

6 Effective Date.

I. Section 5 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect January 1, 2019.

2018-1875s

AMENDED ANALYSIS

This bill declares that a contract between an insurance carrier or pharmacy benefit manager and a contracted pharmacy shall not contain a provision prohibiting the pharmacist from providing certain information to an insured or the insurance department.

This bill also establishes requirements for dispensing and substituting biological products by pharmacists and establishes an annual education program relative to biological products.

Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

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

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

The following Senators voted No: (None)

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

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

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

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

Health and Human Services

April 18, 2018

2018-1638s

01/03

Amendment to HB 1809-FN

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

AN ACT relative to balance billing under the managed care law and relative to coverage for emergency services.

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

1 New Section; Prohibition on Balance Billing; Payment for Reasonable Value of Services. Amend RSA 329 by inserting after section 31-a the following new section:

329:31-b Prohibition on Balance Billing; Payment for Reasonable Value of Services.

I. When a commercially insured patient is covered by a managed care plan as defined under RSA 420-J:3, XXV, a health care provider performing anesthesiology, radiology, emergency medicine, or pathology services shall not balance bill the patient for fees or amounts other than copayments, deductibles, or coinsurance, if the service is performed in a hospital or ambulatory surgical center that is in-network under the patient's health insurance plan. This prohibition shall apply whether or not the health care provider is contracted with the patient's insurance carrier.

II. Pursuant to paragraph I, fees for health care services submitted to an insurance carrier for payment shall be limited to a commercially reasonable value, based on payments for similar services from New Hampshire insurance carriers to New Hampshire health care providers.

III. In the event of a dispute between a provider and an insurance carrier relative to the reasonable value of a service under this section, the insurance commissioner shall have exclusive jurisdiction under RSA 420-J:8-e to determine if the fee is commercially reasonable. The provider and the insurance carrier shall each make best efforts to resolve any dispute prior to applying to the insurance commissioner for resolution, which shall include presenting to the other party evidence supporting its contention that the fee level it is proposing is commercially reasonable. The department of insurance may require the parties to engage in mediation prior to rendering a decision.

2 New Section; Reasonable Value of Health Care Services. Amend RSA 420-J by inserting after section 8-d the following new section:

420-J:8-e Reasonable Value of Health Care Services. In the event of a dispute between a health care provider and an insurance carrier relative to the reasonable value of a service under RSA 329:31-b, the commissioner shall have exclusive jurisdiction to determine if the fee is commercially reasonable. Either the provider or the insurance carrier may petition for a hearing under RSA 400-A:17. The petition shall include the appealing party's evidence and methodology for asserting that the fee is reasonable, and shall detail the efforts made by the parties to resolve the dispute prior to petitioning the commissioner for review. The department may require the parties to engage in mediation prior to rendering a decision.

3 New Subparagraph; Network Adequacy; Rulemaking. Amend RSA 420-J:7, II by inserting after subparagraph (d) the following new subparagraph:

(e) Standards for addressing in-network access to hospital based providers, such as anesthesiologists, radiologists, pathologists, and emergency medicine physicians.

4 New Paragraph; Network Adequacy; Report Required. Amend RSA 420-J:7 by inserting after paragraph IV the following new paragraph:

V. The commissioner shall provide a report annually on the findings associated with network adequacy review to the chairpersons of the house and senate committees having jurisdiction over insurance issues.

5 Coverage for Emergency Services; Definitions. Amend the introductory paragraph of RSA 417-F:1, I to read as follows:

I. "Emergency services" means health care services that are provided to an enrollee, insured, or subscriber in a licensed hospital emergency facility by a provider after the sudden onset of a medical condition that manifests itself by symptoms of sufficient severity ***that a prudent layperson with average knowledge of health and medicine could reasonably expect*** that the absence of immediate medical attention could be expected to result in any of the following:

6 Managed care Law; Emergency Medical Condition. RSA 420-J:3, XV is repealed and reenacted to read as follows:

XV. "Emergency medical condition" means the sudden and, at the time, unexpected onset of a health condition that requires immediate medical attention such that a prudent layperson with average knowledge of health and medicine could reasonably expect that failure to provide medical attention could result in serious impairment to bodily functions or serious dysfunction of a bodily organ or part, or could place the person's health in serious jeopardy.

7 Managed Care Law; Emergency Services. Amend the introductory paragraph of RSA 420-J:3, XVI to read as follows:

XVI. "Emergency services" means health care services that are provided to an enrollee, insured, or subscriber in a licensed hospital emergency facility by a provider after the sudden onset of a medical condition that manifests itself by symptoms of sufficient severity ***that a prudent layperson with average knowledge of health and medicine could reasonably expect*** that the absence of immediate medical attention could ~~[be expected to]~~ result in any of the following:

8 Report. The insurance commissioner shall make a report on or before July 1, 2020 detailing the impact of RSA 329:31-b as inserted by section 1 of this act and RSA 420-J:8-e as inserted by section 2 of the act on health insurance premium rates to the chairpersons of the house and senate committees having jurisdiction over insurance issues.

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

2018-1638s

AMENDED ANALYSIS

This bill prohibits balance billing under the managed care law.

This bill also clarifies coverage for emergency services.

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

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

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

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

The following Senators voted No: (None)

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

HB 1816-FN, relative to Medicaid managed care.

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

Health and Human Services

April 25, 2018

2018-1770s

01/04

Amendment to HB 1816-FN

Amend the bill by replacing section 1 with the following:

1 New Subparagraphs; Medicaid Managed Care Program; Waiver; Eligibility; Medical Loss Ratio. Amend RSA 126-A:5, XIX by inserting after subparagraph (g) the following new subparagraphs:

(h) The commissioner shall develop and implement enhanced eligibility screening to stop per member/per month payments to managed care organizations in a timely manner for services for persons who are no longer eligible.

(i) Notwithstanding RSA 126-A:5, XIX(a) and 2017, 258:1, long-term supports and services, including, specifically nursing facility services and services provided under the choices for independence waiver, the developmental disabilities waiver, the in-home supports waiver, and the acquired brain disorder waiver, as those waivers are issued by the Centers for Medicare and Medicaid Services under 42 U.S.C. section 1396(c), shall not be incorporated into the department's care management program for delivery by a managed care organization, as defined in RSA 126-A:5, XIX (c)(3), under contract with the state. The department may develop a plan to offer on a voluntary basis only county or other locally-based Programs of the All Inclusive Care for the Elderly (PACE) or similar accountable care organization (ACO) models to provide on a non-fee-for-service basis nursing facility and choices for independence home care services for beneficiaries who voluntarily elect to participate. Any such plan for voluntary PACE and/or ACO models shall be approved by the oversight committee on health and human services, established in RSA 126-A:13, and the fiscal committees of the general court prior to implementation.

2018-1770s

AMENDED ANALYSIS

This bill declares that the remaining unimplemented phases of step 2 of the program shall not be incorporated into the department of health and human services' care management program for delivery by a managed care organization. This bill also requires the commissioner of the department of health and human services to implement enhanced eligibility screening.

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

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

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

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

The following Senators voted No: (None)

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

HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order. Ought to Pass, Vote 4-0. Senator Hennessey for the committee.

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

SPECIAL ORDER

Without objection, Senator Bradley moved to special order HB 2018 to after the bills that were removed from the Consent Calendar. Adopted.

WAYS AND MEANS

HB 1819-FN, relative to administration of the education tax credit. Ought to Pass, Vote 4-0. Senator Feltes for the committee.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

May 3, 2018

2018-1901s

03/10

Floor Amendment to HB 1819-FN

Amend the bill by replacing section 17 with the following:

17 Effective Date.

I. Section 9 of this act shall take effect July 1, 2018, at 12:01 a.m.

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

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.

REMOVED FROM THE CONSENT CALENDAR BILLS

ENERGY AND NATURAL RESOURCES

HB 1238, relative to animal cruelty involving an equine colt. Ought to Pass, Vote 5-0. Senator Bradley for the committee.

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

HB 1515, relative to an exemption from the combustion ban on construction and demolition debris. Ought to Pass with Amendment, Vote 5-0. Senator Avar for the committee.

Energy and Natural Resources
April 25, 2018
2018-1799s
10/01

Amendment to HB 1515

Amend the bill by replacing section 2 with the following:

2 Solid Waste Management; Permit Required. Amend RSA 149-M:9, XIV to read as follows:

XIV. ~~[Notwithstanding any provision of law or rule to the contrary,]~~ The department shall not certify as a waste-derived product the wood component of construction and demolition debris, or any mixture of or derivation therefrom, to be combusted in any manner, except ~~[that]~~:

(a) Methane gas collected from the decomposition of waste at a facility authorized pursuant to this chapter as a landfill for the disposal of solid waste may be certified as a waste-derived product for distribution and use as a fuel, provided that it meets market fuel standards;

(b) As allowed under RSA 125-C:10-c, II(d).

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

Senator Woodburn offered a Floor Amendment.

Sen. Woodburn, Dist 1
May 2, 2018
2018-1883s
06/10

Floor Amendment to HB 1515

Amend RSA 125-C:10-c, II(d) as inserted by section 1 of the bill by replacing it with the following:

(d) The combustion of bio-oil or bio-synthetic gas produced from the wood component of construction and demolition debris using non-combustion thermal or chemical processes including, but not limited to, pyrolysis or gasification. The non-combustion thermal or chemical processes proposed shall be subject to the review requirements of this chapter, RSA 125-I, and the administrative rules of the air resources division of the department of environmental services. The wood derived from construction and demolition debris shall be processed in a manner no less stringent than the requirements referenced in subparagraph (b).

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 1550, requiring electric bills to include the cost of compliance with renewable energy standards. Interim Study, Vote 5-0. Senator Innis for the committee.

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

Senator Bradley moved Ought to Pass.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3
May 2, 2018
2018-1888s
10/06

Floor Amendment to HB 1550

Amend the bill by replacing section 1 with the following:

1 Electric Utilities; Annual Disclosure of Electric Service Energy Sources and Environmental Characteristics; Renewable Energy Standards; Billing. RSA 378:49, II(c) is repealed and reenacted to read as follows:

(c) Provide such information to electric customers at least annually in conjunction with billing, whether distributed through the mail or online, or other mailed or online communication to customers, as approved by the commission, including the commission's estimated cost on a per kilowatt-hour basis for compliance with the electric renewable portfolio standard under RSA 362-F. The estimated cost for the calendar year shall be calculated once per year and provided in the customer's December bill, whether distributed through the mail or online. Each customer's bill shall identify the cost as an estimate and provide a link to information about the electric renewable portfolio standard, including its benefits, at the public utilities commission's website. The costs for a utility to provide this information shall be recovered from electric customers through the distribution rates of the respective electric distribution utility.

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.

JUDICIARY

HB 1313, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile.
Interim Study, Vote 5-0. Senator Carson for the committee.

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

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

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

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

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

Senator Sanborn moved Ought to Pass.

Senator Carson moved to Lay on the Table HB 1313.

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

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

The following Senators voted No: Woodburn, Giuda, Bradley, French, Sanborn, Daniels, Avard, Birdsell, Innis, Morse.

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

PUBLIC AND MUNICIPAL AFFAIRS

HB 1392, relative to tallies of votes on budget items or warrant articles.
Ought to Pass with Amendment, Vote 5-0. Senator Kahn for the committee.

Public and Municipal Affairs

April 26, 2018

2018-1802s

06/03

Amendment to HB 1392

Amend RSA 32:5, V-a as inserted by section 1 of the bill by replacing it with the following:

V-a. The legislative body of any town, school district, or village district may vote to require that all votes by an advisory budget committee, a town, school district, or village district budget committee, and the governing body or, in towns, school districts, or village districts without a budget committee, all votes of the governing body relative to budget items or any warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town, school district, or village district warrant next to the affected warrant article. Unless the legislative body has voted otherwise, if a town or school district has not voted to require such tallies to be printed in the town or school district warrant next to the affected warrant article, the governing body, *the elected budget committee, or the budget committee adopted under RSA 32:14* may, [do so] on its own initiative, *require that the tallies of its votes be printed next to the affected article.*

2018-1802s

AMENDED ANALYSIS

This bill permits the budget committee to require that the numerical tally of all votes be printed on the affected warrant unless the legislative body has voted otherwise.

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

Senator Gray offered a Floor Amendment.

Sen. Gray, Dist 6

May 1, 2018

2018-1855s

06/03

Floor Amendment to HB 1392

Amend RSA 32:5, V-a as inserted by section 1 of the bill by replacing it with the following:

V-a. The legislative body of any town, school district, or village district may vote to require that all votes by an advisory budget committee, a town, school district, or village district budget committee, and the governing body or, in towns, school districts, or village districts without a budget committee, all votes of the governing body relative to budget items or any warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town, school district, or village district warrant next to the affected warrant article. Unless the legislative body has voted otherwise, if a town or school district has not voted to require such tallies to be printed in the town or school district warrant next to the affected warrant article, the governing body *or the budget committee adopted under RSA 32:14* may, ~~[do so]~~ on its own initiative, *require that the tallies of its votes be printed next to the affected article.*

2018-1855s

AMENDED ANALYSIS

This bill permits the budget committee to require that the numerical tally of all votes be printed on the affected warrant unless the legislative body has voted otherwise.

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, Senator Bradley moved to special order HB 2018 to the end of the Addendum Calendar. Adopted.

ADDENDUM REGULAR CALENDAR

FINANCE

HB 169-FN, relative to limits on wagers in charitable games of chance.
Inexpedient to Legislate, Vote 3-3. Senator D'Allesandro for the committee.

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

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

The following Senators voted Yes: Watters, Hennessey, Gray, Kahn, D'Allesandro, Morse.

The following Senators voted No: Woodburn, Giuda, Bradley, French, Ward, Sanborn, Daniels, Avard, Lasky, Carson, Feltes, Cavanaugh, Reagan, Soucy, Birdsell, Fuller Clark, Gannon, Innis.

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

Senator French moved Ought to Pass.

Senator French offered a Floor Amendment.

Sen. French, Dist 7
 May 2, 2018
 2018-1896s
 08/04

Floor Amendment to HB 169-FN

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

AN ACT relative to limits on wagers in charitable games of chance and licensing historic racing.

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

2 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.

3 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.

4 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**.

5 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.

6 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 any 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.

7 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 other 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 shall display 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 paid 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 paid to the lottery commission for use according to the special fund established in RSA 284:21-j.

8 Effective Date.

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

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

2018-1896s

AMENDED ANALYSIS

This bill raises the limits on wagers in charitable games of chance.

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

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 407-FN, requiring workers' compensation to cover prophylactic treatment for exposure.
Ought to Pass, Vote 5-1. Senator D'Allesandro for the committee.

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

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.
Ought to Pass, Vote 6-0. Senator Feltes for the committee.

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

HB 1102-FN, enabling the department of health and human services to contract with certain certified physicians.
Ought to Pass, Vote 6-0. Senator Daniels for the committee.

SPECIAL ORDER

Without objection, Senator Bradley moved to special order HB 1102-FN to the end of the calendar. Adopted.

HB 1103-FN, relative to financial responsibility for voluntary services provided pursuant to a report of abuse or neglect that is "unfounded but with reasonable concern."
Ought to Pass, Vote 6-0. Senator Feltes for the committee.

Recess. Out of recess.

Senator Feltes offered a Floor Amendment.

Sen. Feltes, Dist 15
May 3, 2018
2018-1916s
05/04

Floor Amendment to HB 1103-FN

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

AN ACT relative to financial responsibility for voluntary services provided pursuant to a report of abuse or neglect that is "unfounded but with reasonable concern"; relative to eligibility for the New Hampshire home visiting program; relative to the Home visiting program; and making an appropriation to the department of health and human services for community-based prevention and diversion programs for children and youth.

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

2 New Section; Protection for Maternity and Infancy. Amend RSA 132 by inserting after section 10-d the following new section:

132:10-e Home Visiting Program. The New Hampshire home visiting program shall be available to Medicaid eligible families without restriction.

3 New Paragraph; Services for Children, Youth and Families; Incentive Funds. Amend RSA 170-G:4 by inserting after paragraph XIX the following new paragraph:

XX. Encourage cities, towns and counties to develop and maintain prevention programs, court diversion programs and alternatives to out of home placement for children, youth and families through the transfer of funds to cities, town and counties which have or are developing such programs. The transfer of funds shall be in such amounts as are appropriated by the general court for this purpose. The method of distribution shall be based on rules adopted by the commissioner pursuant to RSA 541-A. For the purposes of this paragraph, prevention programs shall include programs or activities for the prevention of child abuse and neglect as well as programs or activities for the prevention of children in need of services (CHINS) and delinquent behaviors.

4 Department of Health and Human Services; Incentive Funds for Community-Based Services; Funding Source. The department of health and human services is authorized to utilize up to \$1,000,000 in the fiscal year ending June 30, 2019, for the purpose of funding community-based services under RSA

170-G:4, XX. The sum shall be a charge against the excess appropriation allocation account established in RSA 126-A:75, as inserted by legislation which becomes law in the 2018 general session. If the excess appropriation allocation account in RSA 126-A:75 does not become law, the sum of \$1,000,000 for the fiscal year ending June 30, 2019, is hereby appropriated to the department of health and human services for the purpose of funding community-based prevention programs and services pursuant to RSA 170-G:4, XX. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2018-1916s

AMENDED ANALYSIS

This bill:

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

II. Provides that the New Hampshire home visiting program shall be available to Medicaid eligible families.

III. Makes an appropriation to the department of health and human services for community-based prevention and diversion programs for at risk children and youth.

Recess. Out of recess.

President Pro Tempore Carson presiding.

The question is on the adoption of the Floor Amendment.

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

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

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

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

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

Recess. Out of recess.

President Morse presiding.

HB 1565-FN, requiring the secure psychiatric unit to be accredited as a behavioral health facility. Ought to Pass, Vote 5-1. Senator Giuda for the committee.

Senator Feltes offered a Floor Amendment.

Sen. Feltes, Dist 15

May 2, 2018

2018-1874s

01/05

Floor Amendment to HB 1565-FN

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

AN ACT establishing a commission to examine issues relative to accreditation of the secure psychiatric unit and requires certain reports.

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

1 New Section; Commission to Examine Issues Relative to Accreditation of the Secure Psychiatric Unit. Amend RSA 21-H by inserting after section 8-a the following new section:

21-H:8-b Commission Established. There is established a commission to examine issues relative to accreditation of the secure psychiatric unit.

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

- (a) One member of the senate, appointed by the president of the senate.
- (b) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of corrections, or designee.
- (d) The attorney general, or designee.
- (e) The executive director of New Futures, or designee.
- (f) A representative of the National Alliance on Mental Illness New Hampshire, appointed by the alliance.
- (g) The chief executive officer of the New Hampshire hospital, or designee.
- (h) A representative of the Community Behavioral Health Association, appointed by the association.
- (i) Two members of the community who have an interest in patient rights, appointed by the governor.

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

III.(a) The commission's study shall include, but not be limited to:

- (1) Reviewing organizations providing accreditation of facilities similar to the secure psychiatric unit.
- (2) Analyzing the types of accreditation available from these organizations, such as psychiatric hospitals, behavioral health facilities, and mental health services facilities.
- (3) Costs and time lines for accreditation.

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

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

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

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

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

3 Repeal. RSA 21-H:8-b, relative to the commission to examine issues relative to accreditation of the secure psychiatric unit.

4 Effective Date.

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

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

2018-1874s

AMENDED ANALYSIS

This bill establishes a commission to examine issues relative to accreditation of the secure psychiatric unit. The bill also requires the commissioner of the department of health and human services to submit a biennial report in even-numbered years of its findings as to whether certain provisions, standards, or practices should be revised to improve treatment at the secure psychiatric unit.

Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

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

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

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

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

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

HB 1614, relative to the international registration plan and relative to registration of semi-trailers. Ought to Pass with Amendment, Vote 4-2. Senator Daniels for the committee.

Senate Finance
April 30, 2018
2018-1840s
03/08

Amendment to HB 1614

Amend the bill by replacing section 14 with the following:

14 Effective Date.

I. Sections 5-13 of this act shall take effect January 1, 2019.

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

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

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

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

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

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

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

HB 1673-FN-L, relative to the interest charged on late and delinquent property tax payments. Ought to Pass with Amendment, Vote 5-1. Senator Feltes for the committee.

Senate Finance
April 30, 2018
2018-1841s
05/01

Amendment to HB 1673-FN-LOCAL

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

AN ACT relative to the interest charged on late and delinquent property tax payments and relative to prorated assessments for damaged buildings.

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

8 Prorated Assessments for Damaged Buildings; Application Deadline. Amend RSA 76:21, III to read as follows:

III. A person aggrieved of a property tax for a building damaged as provided in paragraph I shall file an application with the assessing officials in writing within 60 days of the event described in paragraph I **or by March 1, whichever is later.**

9 Effective Date.

I. Section 8 of this act shall take effect January 1, 2019.

II. The remainder of this act shall take effect April 1, 2019.

2018-1841s

AMENDED ANALYSIS

This bill lowers the interest rate charged on late and delinquent property tax payments from 12 to 8 percent and 18 to 14 percent per annum. The bill also extends the application deadline for prorated assessments of damaged buildings.

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.

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

HB 1686-FN, relative to applications for and the use of education tax credits.
Ought to Pass, Vote 4-2. Senator Giuda for the committee.

Senator Feltes offered a Floor Amendment.

Sen. Feltes, Dist 15

May 1, 2018

2018-1861s

10/04

Floor Amendment to HB 1686-FN

Amend the bill by replacing section 5 with the following:

5 Contributions to Scholarship Organizations. Amend RSA 77-G:3 to read as follows:

77-G:3 Contributions to Scholarship Organizations. For each contribution made to a scholarship organization, a business organization [or], business enterprise, **or individual** may claim a credit equal to 85 percent of the contribution against the business profits tax due pursuant to RSA 77-A, [or] against the business enterprise tax due pursuant to RSA 77-E, **against the tax on interest and dividends under RSA 77**, or apportioned against [both] **each** provided the total credit granted [against both] shall not exceed the maximum education tax credit allowed. Credits provided under this chapter shall not be deemed taxes paid for the purposes of RSA 77-A:5, X. The department of revenue administration shall not grant the credit without a scholarship receipt. No business organization [or], business enterprise, **or individual** shall direct, assign, or restrict any contribution to a scholarship organization for the use of a particular student or nonpublic school. No business organization [or], business enterprise, **or individual** shall receive more than 10 percent of the aggregate amount of tax credits permitted in RSA 77-G:4. **No business organization, business enterprise, or individual shall receive a total or aggregate local, state and/or federal tax benefit greater than the donation itself.**

Senator Bradley presiding.

The question is on the adoption of the Floor Amendment.

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

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

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

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

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

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

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

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

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

HB 1775, relative to the appointment of guardians ad litem in parenting cases.
Ought to Pass, Vote 6-0. Senator Feltes for the committee.

Senator D'Allesandro offered a Floor Amendment.

Sen. D'Allesandro, Dist 20
May 1, 2018
2018-1846s
01/05

Floor Amendment to HB 1775

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

AN ACT relative to the appointment of guardians ad litem in parenting cases and relative to alcohol and drug free housing.

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

2 New Paragraph; Commissioner of Health and Human Services; Alcohol and Drug Free Housing. Amend RSA 126-A:5 by inserting after paragraph XXX the following new paragraph:

XXXI. The commissioner shall monitor and require certification of alcohol and drug free housing in New Hampshire. In this paragraph, "alcohol and drug free housing" means a residence, commonly known as a sober home, that provides or advertises as providing, an alcohol and drug free environment for persons recovering from substance use disorders, provided that "alcohol and drug free housing" shall not include a halfway house, treatment unit, detoxification facility, or any other facility requiring a license pursuant to RSA 151. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to monitoring and certifying alcohol and drug free housing.

3 Effective Date.

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

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

2018-1846s

AMENDED ANALYSIS

This bill revises criteria for appointment of a guardian ad litem under RSA 461-A; limits the role of the guardian ad litem absent express authorization from the court; revises the procedure for determining guardian ad litem fees; and repeals the provision governing supreme court standards for non-certified guardians ad litem. The bill is a request of the committee to study RSA 461-A, relative to parental rights and responsibilities, established in 2016, 281.

This bill also requires the commissioner of the department of health and human services to monitor and certify alcohol and drug free housing in New Hampshire.

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.

President Morse presiding.

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.

Ought to Pass with Amendment, Vote 6-0. Senator Reagan for the committee.

Senate Finance

April 30, 2018

2018-1842s

05/06

Amendment to HB 1817-FN

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees making appropriations therefor; making an appropriation for red list bridge projects; and making an appropriation to the revenue stabilization account.

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

5 Classified Salaries; June 8, 2018. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2019 shall be established as follows commencing June 8, 2018.

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
01	20,923.50	21,489.00	22,054.50	22,717.50	23,361.00	24,063.00	24,706.50	25,369.50
02	21,489.00	22,054.50	22,717.50	23,361.00	24,063.00	24,706.50	25,369.50	26,071.50
03	22,054.50	22,717.50	23,361.00	24,063.00	24,706.50	25,369.50	26,071.50	26,890.50
04	22,717.50	23,361.00	24,063.00	24,706.50	25,369.50	26,071.50	26,890.50	28,704.00
05	23,361.00	24,063.00	24,706.50	25,369.50	26,071.50	26,890.50	28,704.00	29,776.50
06	24,063.00	24,706.50	25,369.50	26,071.50	26,890.50	28,704.00	29,776.50	30,868.50
07	24,706.50	25,584.00	26,617.50	27,631.50	28,704.00	29,776.50	30,868.50	32,136.00
08	25,584.00	26,617.50	27,631.50	28,704.00	29,776.50	30,868.50	32,136.00	33,364.50
09	26,617.50	27,631.50	28,704.00	29,776.50	30,868.50	32,136.00	33,364.50	34,651.50
10	27,631.50	28,704.00	29,776.50	30,868.50	32,136.00	33,364.50	34,651.50	35,997.00
11	28,704.00	29,776.50	30,868.50	32,136.00	33,364.50	34,651.50	35,997.00	37,459.50
12	29,776.50	30,868.50	32,136.00	33,364.50	34,651.50	35,997.00	37,459.50	39,097.50
13	30,868.50	32,136.00	33,364.50	34,651.50	35,997.00	37,459.50	39,097.50	40,696.50
14	32,136.00	33,364.50	34,651.50	35,997.00	37,459.50	39,097.50	40,696.50	42,471.00
15	33,364.50	34,768.50	36,172.50	37,635.00	39,097.50	40,696.50	42,471.00	44,167.50
16	34,768.50	36,172.50	37,635.00	39,097.50	40,696.50	42,471.00	44,167.50	46,059.00
17	36,172.50	37,635.00	39,097.50	40,696.50	42,471.00	44,167.50	46,059.00	47,950.50
18	37,635.00	39,097.50	40,696.50	42,471.00	44,167.50	46,059.00	47,950.50	49,939.50

19	39,097.50	40,696.50	42,471.00	44,167.50	46,059.00	47,950.50	49,939.50	52,045.50
20	40,696.50	42,471.00	44,167.50	46,059.00	47,950.50	49,939.50	52,045.50	54,717.00
21	42,471.00	44,167.50	46,059.00	47,950.50	49,939.50	52,045.50	54,717.00	57,096.00
22	44,167.50	46,059.00	47,950.50	49,939.50	52,045.50	54,717.00	57,096.00	59,572.50
23	46,059.00	48,048.00	50,193.00	52,377.00	54,717.00	57,096.00	59,572.50	62,244.00
24	48,048.00	50,193.00	52,377.00	54,717.00	57,096.00	59,572.50	62,244.00	64,974.00
25	50,193.00	52,377.00	54,717.00	57,096.00	59,572.50	62,244.00	64,974.00	67,918.50
26	52,377.00	54,717.00	57,096.00	59,572.50	62,244.00	64,974.00	67,918.50	70,843.50
27	54,717.00	57,096.00	59,572.50	62,244.00	64,974.00	67,918.50	70,843.50	74,022.00
28	57,096.00	59,572.50	62,244.00	64,974.00	67,918.50	70,843.50	74,022.00	78,000.00
29	59,572.50	62,244.00	64,974.00	67,918.50	70,843.50	74,022.00	78,000.00	81,666.00
30	62,244.00	64,974.00	67,918.50	70,843.50	74,022.00	78,000.00	81,666.00	85,410.00
31	64,974.00	68,055.00	71,233.50	74,470.50	78,000.00	81,666.00	85,410.00	89,427.00
32	68,055.00	71,233.50	74,470.50	78,000.00	81,666.00	85,410.00	89,427.00	93,463.50
33	71,233.50	74,470.50	78,000.00	81,666.00	85,410.00	89,427.00	93,463.50	97,500.00
34	74,470.50	78,000.00	81,666.00	85,410.00	89,427.00	93,463.50	97,500.00	101,517.00
35	78,000.00	81,666.00	85,410.00	89,427.00	93,463.50	97,500.00	101,517.00	105,553.50

The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

6 Classified Salaries; January 4, 2019. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2019 shall be established as follows commencing January 4, 2019:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08	STEP 09
01	21,255.00	21,820.50	22,386.00	23,068.50	23,712.00	24,433.50	25,096.50	25,759.50	26,481.00
02	21,820.50	22,386.00	23,068.50	23,712.00	24,433.50	25,096.50	25,759.50	26,481.00	27,300.00
03	22,386.00	23,068.50	23,712.00	24,433.50	25,096.50	25,759.50	26,481.00	27,300.00	29,152.50
04	23,068.50	23,712.00	24,433.50	25,096.50	25,759.50	26,481.00	27,300.00	29,152.50	30,225.00
05	23,712.00	24,433.50	25,096.50	25,759.50	26,481.00	27,300.00	29,152.50	30,225.00	31,336.50
06	24,433.50	25,096.50	25,759.50	26,481.00	27,300.00	29,152.50	30,225.00	31,336.50	32,623.50
07	25,096.50	25,974.00	27,027.00	28,060.50	29,152.50	30,225.00	31,336.50	32,623.50	33,871.50
08	25,974.00	27,027.00	28,060.50	29,152.50	30,225.00	31,336.50	32,623.50	33,871.50	35,178.00
09	27,027.00	28,060.50	29,152.50	30,225.00	31,336.50	32,623.50	33,871.50	35,178.00	36,543.00
10	28,060.50	29,152.50	30,225.00	31,336.50	32,623.50	33,871.50	35,178.00	36,543.00	38,025.00
11	29,152.50	30,225.00	31,336.50	32,623.50	33,871.50	35,178.00	36,543.00	38,025.00	39,702.00
12	30,225.00	31,336.50	32,623.50	33,871.50	35,178.00	36,543.00	38,025.00	39,702.00	41,320.50
13	31,336.50	32,623.50	33,871.50	35,178.00	36,543.00	38,025.00	39,702.00	41,320.50	43,114.50
14	32,623.50	33,871.50	35,178.00	36,543.00	38,025.00	39,702.00	41,320.50	43,114.50	44,830.50

15	33,871.50	35,295.00	36,718.50	38,200.50	39,702.00	41,320.50	43,114.50	44,830.50	46,761.00
16	35,295.00	36,718.50	38,200.50	39,702.00	41,320.50	43,114.50	44,830.50	46,761.00	48,672.00
17	36,718.50	38,200.50	39,702.00	41,320.50	43,114.50	44,830.50	46,761.00	48,672.00	50,700.00
18	38,200.50	39,702.00	41,320.50	43,114.50	44,830.50	46,761.00	48,672.00	50,700.00	52,845.00
19	39,702.00	41,320.50	43,114.50	44,830.50	46,761.00	48,672.00	50,700.00	52,845.00	55,555.50
20	41,320.50	43,114.50	44,830.50	46,761.00	48,672.00	50,700.00	52,845.00	55,555.50	57,954.00
21	43,114.50	44,830.50	46,761.00	48,672.00	50,700.00	52,845.00	55,555.50	57,954.00	60,469.50
22	44,830.50	46,761.00	48,672.00	50,700.00	52,845.00	55,555.50	57,954.00	60,469.50	63,180.00
23	46,761.00	48,769.50	50,953.50	53,176.50	55,555.50	57,954.00	60,469.50	63,180.00	65,949.00
24	48,769.50	50,953.50	53,176.50	55,555.50	57,954.00	60,469.50	63,180.00	65,949.00	68,952.00
25	50,953.50	53,176.50	55,555.50	57,954.00	60,469.50	63,180.00	65,949.00	68,952.00	71,916.00
26	53,176.50	55,555.50	57,954.00	60,469.50	63,180.00	65,949.00	68,952.00	71,916.00	75,133.50
27	55,555.50	57,954.00	60,469.50	63,180.00	65,949.00	68,952.00	71,916.00	75,133.50	79,170.00
28	57,954.00	60,469.50	63,180.00	65,949.00	68,952.00	71,916.00	75,133.50	79,170.00	82,894.50
29	60,469.50	63,180.00	65,949.00	68,952.00	71,916.00	75,133.50	79,170.00	82,894.50	86,697.00
30	63,180.00	65,949.00	68,952.00	71,916.00	75,133.50	79,170.00	82,894.50	86,697.00	90,772.50
31	65,949.00	69,088.50	72,306.00	75,601.50	79,170.00	82,894.50	86,697.00	90,772.50	94,867.50
32	69,088.50	72,306.00	75,601.50	79,170.00	82,894.50	86,697.00	90,772.50	94,867.50	98,962.50
33	72,306.00	75,601.50	79,170.00	82,894.50	86,697.00	90,772.50	94,867.50	98,962.50	103,057.50
34	75,601.50	79,170.00	82,894.50	86,697.00	90,772.50	94,867.50	98,962.50	103,057.50	107,152.50
35	79,170.00	82,894.50	86,697.00	90,772.50	94,867.50	98,962.50	103,057.50	107,152.50	111,247.50

The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

7 Classified Increases; June 8, 2018. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of June 8, 2018, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

8 Classified Increases; January 4, 2019. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of January 4, 2019, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

9 Compensation for Certain State Officers; Unclassified State Employees; June 8, 2018. RSA 94:1-a, I(a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06
AA	54,607.28	58,168.76	61,729.72	65,289.12	68,849.04	72,410.00

BB	56,781.40	60,483.28	64,187.76	67,891.72	71,594.64	75,297.56
CC	59,415.72	63,297.00	67,177.76	71,058.52	74,938.76	78,820.56
DD	62,555.48	66,642.68	70,731.44	74,819.68	78,906.88	82,993.56
EE	66,251.12	70,587.92	74,923.16	79,258.92	83,594.68	87,932.52
FF	70,833.36	75,473.84	80,115.88	84,757.40	89,399.96	94,039.40
GG	76,462.36	81,476.72	86,492.12	91,505.96	96,521.36	101,536.24
HH	83,258.76	88,726.04	94,193.32	99,661.12	105,128.40	110,596.20
II	88,026.64	93,811.64	99,597.68	105,382.68	111,168.20	116,953.20
JJ	92,794.00	98,896.20	104,999.96	111,102.68	117,205.40	123,310.20
KK	95,165.72	101,427.56	107,689.40	113,951.24	120,213.08	126,475.44
LL	0.00	0.00	0.00	0.00	0.00	130,183.56
MM	0.00	0.00	0.00	0.00	0.00	134,581.72
NN	0.00	0.00	0.00	0.00	0.00	139,747.40
OO	0.00	0.00	0.00	0.00	0.00	145,786.68
PP	0.00	0.00	0.00	0.00	0.00	153,006.36
QQ	0.00	0.00	0.00	0.00	0.00	161,694.00

10 Compensation for Certain State Officers; Unclassified State Employees; January 4, 2019. RSA 94:1-a, I(a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07
AA	55,426.80	59,041.32	62,655.84	66,268.80	69,882.28	73,496.28	77,110.28
BB	57,633.16	61,390.68	65,150.80	68,910.40	72,668.96	76,427.52	80,186.08
CC	60,307.00	64,246.52	68,185.52	72,124.52	76,063.00	80,003.04	83,943.08
DD	63,494.08	67,642.64	71,792.76	75,942.36	80,090.92	84,238.96	88,387.00
EE	67,245.36	71,647.16	76,047.40	80,448.16	84,848.92	89,251.76	93,654.60
FF	71,896.24	76,606.40	81,318.12	86,028.80	90,741.04	95,450.16	100,159.28
GG	77,609.48	82,699.24	87,789.52	92,878.76	97,969.56	103,059.32	108,149.08
HH	84,507.80	90,057.24	95,606.68	101,156.12	106,705.56	112,255.52	117,805.48
II	89,347.44	95,219.28	101,092.16	106,963.48	112,835.84	118,707.68	124,579.52
JJ	94,186.04	100,379.76	106,575.04	112,769.28	118,963.52	125,160.36	131,357.20
KK	96,593.64	102,949.08	109,305.04	115,661.00	122,016.44	128,372.92	134,729.40
LL	0.00	0.00	0.00	0.00	0.00	0.00	139,007.96
MM	0.00	0.00	0.00	0.00	0.00	0.00	143,704.34
NN	0.00	0.00	0.00	0.00	0.00	0.00	149,219.98
OO	0.00	0.00	0.00	0.00	0.00	0.00	155,668.50
PP	0.00	0.00	0.00	0.00	0.00	0.00	163,377.50
QQ	0.00	0.00	0.00	0.00	0.00	0.00	172,654.04

11 Salary Wages for Councilors and Commissioners; June 8, 2018. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing June 8, 2018:

	Maximum
Governor's councilors	\$16,999.84
Racing and charitable gaming commissioners	\$13,185.12
Sweepstakes commission, chairman	\$19,176.56
Sweepstakes commission, members	\$10,794.68

12 Salary Wages for Councilors and Commissioners; January 4, 2019. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing January 4, 2019:

	Maximum
Governor's councilors	\$17,514.12
Racing and charitable gaming commissioners	\$13,584.22
Sweepstakes commission, chairman	\$19,756.62
Sweepstakes commission, members	\$11,121.50

13 Department of Justice; Attorney Salaries; June 8, 2018. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on June 8, 2018:

	Minimum	Market anchor	Maximum
	\$50,562		\$120,681
Attorney		\$60,950	
Assistant attorney general		\$83,024	
Senior assistant attorney general		\$102,502	
Associate attorney general		\$112,891	

14 Department of Justice; Attorney Salaries; January 4, 2019. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on January 4, 2019:

	Minimum	Market anchor	Maximum
	\$53,990		\$125,080
Attorney \$65,082			
Assistant attorney general		\$88,653	
Senior assistant attorney general		\$109,451	
Associate attorney general		\$120,544	

15 Legislative Employees; June 8, 2018. Legislative employees shall receive 1.5 percent salary increases effective June 8, 2018, if such increases are approved by the appointing authority.

16 Legislative Employees; January 4, 2019. Legislative employees shall receive 1.5 percent salary increases effective January 4, 2019, if such increases are approved by the appointing authority.

17 Increases in Salary; Other Non-Classified or Unclassified Employees, Unrepresented New Hampshire State Troopers. All other non-classified or unclassified employees or unrepresented New Hampshire state troopers not covered by the provisions for salary increases in this act shall be granted a salary increase of 1.5 percent effective June 8, 2018, and an additional salary increase of 1.5 percent effective January 4, 2019.

18 Judicial Salaries; June 8, 2018. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	\$169,781
Associate justices, supreme court	\$164,674
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	\$164,674
Associate justices, superior court	\$154,442
District court justices prohibited from practice pursuant to RSA 502-A:21-a	\$154,442
Probate judges prohibited from practice pursuant to RSA 547:2-a	\$154,442

19 Judicial Salaries; January 4, 2019. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	\$181,290
Associate justices, supreme court	\$175,837
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	\$175,837
Associate justices, superior court	\$164,911
District court justices prohibited from practice pursuant to RSA 502-A:21-a	\$164,911
Probate judges prohibited from practice pursuant to RSA 547:2-a	\$164,911

20 Judges; State Employee Health Plan; Application. The cost sharing and plan design for judges who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees' Association of New Hampshire, Inc.

21 Judicial Employees; June 8, 2018. All unrepresented judicial employees shall receive 1.5 percent salary increases on June 8, 2018.

22 Judicial Employees; January 4, 2019. All unrepresented judicial employees shall receive 1.5 percent salary increases on January 4, 2019.

23 Appropriation. The following sums are appropriated from the following sources for the purposes of sections 5-22 of this act for the fiscal year ending June 30, 2019:

FY 2019

All	Liquor	General	Federal	Highway	Turnpike	Fish & Game	Other
\$27,023,000	\$943,000	\$12,743,000	\$4,546,000	\$2,719,000	\$469,000	\$236,000	\$5,367,000

The department of administrative services is authorized to make rounding adjustments of up to +\$.01 per hour as needed to properly process the employee's payroll within the currently designed human resources/ payroll system (NH FIRST).

24 Floating Holidays and Bonus Days.

I. Floating holidays: Unrepresented classified employees shall be authorized 3 floating holidays. Employees shall accrue one day on July 1, one day on October 1, and one day on January 1 of each fiscal year.

II. Bonus days: Bonus days shall sunset for all unrepresented classified employees after the fiscal year 2018 accrual. Any bonus time previously accrued shall remain to the employees' credit not to exceed 64 hours.

25 Appropriation; Department of Transportation; Red List Bridge Projects. The sum of \$20,000,000 is hereby appropriated to the department of transportation for the fiscal year ending June 30, 2018, for the purposes of funding state red list bridge projects. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

26 Appropriation; Revenue Stabilization Account. The sum of \$10,000,000 is hereby appropriated to the revenue stabilization account established pursuant to RSA 9:13-e, for the fiscal year ending June 30, 2018, for the purposes of said fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

27 Effective Date.

I. Section 3 of this act shall take effect July 1, 2019.

II. Sections 1, 2, and 4 of this act shall take effect July 1, 2018.

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

2018-1842s

AMENDED ANALYSIS

This bill:

I. Establishes the position of state demographer in the office of strategic initiatives and establishes a commission on demographic trends.

II. Requires certain state agencies to prepare 10-year current services cost projections for identified programs.

III. Requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

IV. Provides salary increases for state employees and makes appropriations therefor.

V. Makes an appropriation to the department of transportation for red list bridge projects.

VI. Makes an appropriation to the revenue stabilization account.

The Chair ruled sections of the Committee Amendment and the 7 Floor Amendments non-germane.

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

Recess. Out of recess.

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

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3
May 3, 2018
2018-1905s
04/01

Floor Amendment to HB 1817-FN

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account; establishing a recovery friendly workplace initiatives tax credit against business taxes administered by the community development finance authority; relative to the counting of kindergarteners for “average daily membership in attendance”; and temporarily reducing the real estate transfer tax for first-time home buyers.

Amend the bill by replacing all after section 26 with the following:

27 New Paragraph; Community Development Finance Authority; Recovery Friendly Workplace Initiatives Tax Credit. Amend RSA 162-L:4 by inserting after paragraph I the following new paragraph:

I-a. The authority shall dedicate the contributions received pursuant to RSA 162-L:10, I-a exclusively to investing or lending to nonprofit organizations that deliver recovery friendly workplace programs. Such contributions shall not exceed \$1,000,000 in any state fiscal year. In this section, “recovery friendly workplace programs” means programs that educate employers in evidence-based practices that reduce substance misuse in the workplace and create work environments that are conducive to enabling persons in addiction and mental health recovery to sustain and re-enter the workforce as productive members of society. Such programs shall include the training of all employees, including specialized training for human resources personnel, and shall be consistent with Substance Abuse and Mental Health Services Administration (SAMHSA) standards. The term “recovery friendly workplace programs” also includes the propagation of public awareness and information that supports health and safety for employees, while promoting active community engagement that will assist in reducing the negative impact of unaddressed substance misuse and untreated mental health. On or by September 30, 2020, the authority shall make public on its website and provide a report to the governor, the president of the senate, and the speaker of the house of representatives concerning the effectiveness of the recovery friendly workplace initiatives tax credit, including, but not limited to, how many workers in recovery were attracted to and retained in the workforce.

28 New Paragraph: Community Development Finance Authority; Recovery Friendly Workplace Initiatives Tax Credit. Amend RSA 162-L:10 by inserting after paragraph I the following new paragraph:

I-a. A recovery friendly workplace initiatives tax credit equal to up to 75 percent of the contribution made during the period of July 1, 2018 through June 30, 2020 may be carried forward for no more than 5 succeeding tax years and shall be allowed against any of the following individually or in combination:

- (a) Taxes imposed by RSA 77-A.
- (b) Taxes imposed by RSA 400-A.
- (c) Taxes imposed by RSA 77-E.

29 Community Development Finance Authority; New Investment Tax Credit; Annual Limit. Amend RSA 162-L:10, IV(b) to read as follows:

(b) Contributions received by the authority for which credit is to be taken shall not exceed [~~\$5,000,000~~] **\$6,000,000** in any state fiscal year. Contributions received by the authority in excess of [~~\$5,000,000~~] **\$6,000,000** in any state fiscal year shall not be eligible for credit in such fiscal year but may be carried forward to the next succeeding fiscal year or years and shall be given priority in determining the total contributions eligible for credit in such fiscal year.

30 New Paragraph; Business Profits Tax; Recovery Friendly Workplace Initiatives Tax Credit. Amend RSA 77-A:5 by inserting after paragraph XV the following new paragraph:

XVI. The recovery friendly workplace initiatives tax credit as computed in RSA 162-L:10, I-a.

31 New Section; Business Enterprise Tax; Recovery Friendly Workplace Initiatives Tax Credit. Amend RSA 77-E by inserting after section 3-d the following new section:

77-E:3-e Recovery Friendly Workplace Initiatives Tax Credit. The recovery friendly workplace initiatives tax credit, as computed in RSA 162-L:10, I-a, shall be allowed against the tax due under this chapter.

32 Applicability. The tax credits authorized in sections 27-31 of this act shall apply to tax years beginning on and after January 1, 2019.

33 Definitions; Average Daily Membership in Attendance. Amend RSA 198:38, I(a) to read as follows:

I.(a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year, provided that no kindergarten pupil shall count as more than 1/2 day attendance per school year ***except in school districts where the kindergarten pupil is attending a full-day school district operated kindergarten program***. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements, ***or in the case of kindergarten programs only during fiscal year 2019 a combination of school district expense and private payments***. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.

34 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.

35 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.

36 Applicability Date. RSA 78-B:1-b, as inserted by section 2 of this act, shall apply to transfers occurring on and after January 1, 2018.

37 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.

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

39 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.

40 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.

41 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.

42 Effective Date.

I. Section 3 of this act shall take effect July 1, 2019.

II. Sections 1, 2, and 4 of this act shall take effect July 1, 2018.

III. Sections 38-40 of this act shall take effect January 1, 2020.

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

2018-1905s

AMENDED ANALYSIS

This bill:

I. Establishes the position of state demographer in the office of strategic initiatives and establishes a commission on demographic trends.

II. Requires certain state agencies to prepare 10-year current services cost projections for identified programs.

III. Requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

IV. Provides salary increases for state employees and makes appropriations therefor.

V. Makes an appropriation to the department of transportation for red list bridge projects.

VI. Makes an appropriation to the revenue stabilization account.

VII. Establishes a credit against the business profits tax and the business enterprise tax for donations made to the community development finance authority for recovery friendly workplace initiatives.

VIII. Modifies the definition of "average daily membership in attendance" to include full-day kindergarten and provide for certain private payments.

IX. 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 and requires the department of revenue administration to report on the usage of the reduced rate.

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

Senator Kahn is in opposition to Floor Amendment 2018-1905s, Paragraph 35 on HB 1817-FN.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

May 3, 2018

2018-1931s

05/10

Floor Amendment to HB 1817-FN

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account; making an appropriation for transitional housing; and making an appropriation for the state loan repayment program.

Amend the bill by inserting after section 26 the following and renumbering the original section 27 to read as 29:

27 Appropriation; Housing Finance Authority; Affordable Housing Fund.

I. The sum of \$5,000,000 is hereby appropriated to the housing finance authority for the biennium ending June 30, 2019, for deposit in the affordable housing fund established in RSA 204-C:57. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The purpose of the appropriation made in this section shall be to provide safe, affordable, and stable transitional housing opportunities to those leaving mental health and substance use disorder treatment facilities. Locations of the housing opportunities shall be determined using data, recognizing that many of the needs are in rural areas of New Hampshire. Within 30 days of the effective date of this section, the housing finance authority shall form a working group of subject matter experts with knowledge and experience in addressing substance use disorder treatment and mental health needs as they relate to and impact transitional housing. The working group shall develop a data-driven process to award the funds, guidelines for accountability, and metrics for demonstrating results that maintain employability and sustained treatment effects as priorities.

III. Beginning on January 1, 2019, and each January 1 thereafter, the housing finance authority shall submit a report to the governor, the senate president, and the speaker of the house of representatives regarding the findings and recommendations of the working group and disbursement of the funds appropriated in this section for transitional housing.

28 Supplemental Appropriation; State Loan Repayment Program. In addition to any other sums appropriated to the department of health and human services in 2017, 155, accounting unit 05-95-90-901010-7965, line 073, grants-non-federal, there is hereby appropriated the sum of \$1,000,000 for the fiscal year ending June 30, 2019, for the state loan repayment program. The department may exceed this amount if new federal funds become available to the program. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2018-1931s

AMENDED ANALYSIS

This bill:

I. Establishes the position of state demographer in the office of strategic initiatives and establishes a commission on demographic trends.

II. Requires certain state agencies to prepare 10-year current services cost projections for identified programs.

III. Requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

IV. Provides salary increases for state employees and makes appropriations therefor.

V. Makes an appropriation to the department of transportation for red list bridge projects.

VI. Makes an appropriation to the revenue stabilization account.

VII. Makes appropriations to the housing finance authority for transitional housing and to the department of health and human services for the state loan repayment program.

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

TECHNICAL AND ADMINISTRATIVE CORRECTIONS

Without objection, the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate. Adopted.

Senator Innis offered a Floor Amendment.

Sen. Innis, Dist 24
May 2, 2018
2018-1900s
10/04

Floor Amendment to HB 1817-FN

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account; and making an appropriation to the department of business and economic affairs.

Amend the bill by inserting after section 26 the following and renumbering the original section 27 to read as 28:

27 Appropriation; Department of Business and Economic Affairs. The sum of \$100,000 for the biennium ending June 30 2019 is hereby appropriated to the department of business and economic affairs for the purpose of supporting the education and acceleration programs within New Hampshire's non-profit business technology incubators. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2018-1900s

AMENDED ANALYSIS

This bill:

I. Establishes the position of state demographer in the office of strategic initiatives and establishes a commission on demographic trends.

II. Requires certain state agencies to prepare 10-year current services cost projections for identified programs.

III. Requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

IV. Provides salary increases for state employees and makes appropriations therefor.

V. Makes an appropriation to the department of transportation for red list bridge projects.

VI. Makes an appropriation to the revenue stabilization account.

VII. Makes an appropriation to the department of business and economic affairs for supporting the education and acceleration programs of non-profit business technology incubators.

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

Senator D'Allesandro offered a Floor Amendment.

Sen. D'Allesandro, Dist 20
May 2, 2018
2018-1873s
05/04

Floor Amendment to HB 1817-FN

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account; making an appropriation for congregate housing and services; and making an appropriation for the foster parent grandparent program.

Amend the bill by inserting after section 26 the following and renumbering the original section 27 to read as 31:

27 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing Services. Amend 2017, 156:78 to read as follows:

156:78 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the [biennium] **fiscal year** ending June 30, [2019] **2018**.

28 Appropriation; Department of Health and Human Services; Congregate Housing and Services. There is hereby appropriated to the department of health and human services the sum of \$750,000 for the fiscal year ending June 30, 2019, which shall be for the purpose of providing congregate housing and services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

29 Department of Health and Human Services; Foster Grandparent Program. Amend 2017, 156:235 to read as follows:

156:235 Department of Health and Human Services; Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program, established in RSA 161-F:40, are hereby suspended for the [biennium] **fiscal year** ending June 30, [2019] **2018**.

30 Appropriation; Department of Health and Human Services; Foster Grandparent Program. There is hereby appropriated to the department of health and human services the sum of \$100,000 for the fiscal year ending June 30, 2019, which shall be for the purposes of the foster grandparent program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2018-1873s

AMENDED ANALYSIS

This bill:

I. Establishes the position of state demographer in the office of strategic initiatives and establishes a commission on demographic trends.

II. Requires certain state agencies to prepare 10-year current services cost projections for identified programs.

III. Requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

IV. Provides salary increases for state employees and makes appropriations therefor.

V. Makes an appropriation to the department of transportation for red list bridge projects.

VI. Makes an appropriation to the revenue stabilization account.

VII. Makes appropriations to the the department of health and human services for congregate housing and the foster grandparent program.

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

Senator Kahn offered a Floor Amendment.

Sen. Kahn, Dist 10

May 3, 2018

2018-1918s

10/05

Floor Amendment to HB 1817-FN

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees making appropriations therefor; making an appropriation for red list bridge projects; and making an appropriation to the retirement system for payment of retirement system costs of political subdivision employers.

Amend the bill by replacing section 26 with the following:

26 Appropriation; Retirement System; Payment of State Contributions. The sum of \$10,000,000 from the fiscal year ending June 30, 2018 is hereby appropriated to the retirement system for payment of a share of political subdivision employer contributions. The retirement system shall credit any retirement system employer, other than the state, a proportional percentage of its total required contributions for fiscal year 2019 for its group I teachers and group II members to be paid by the state, which shall not exceed a total of \$10,000,000. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2018-1918s

AMENDED ANALYSIS

This bill:

I. Establishes the position of state demographer in the office of strategic initiatives and establishes a commission on demographic trends.

II. Requires certain state agencies to prepare 10-year current services cost projections for identified programs.

III. Requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

IV. Provides salary increases for state employees and makes appropriations therefor.

V. Makes an appropriation to the department of transportation for red list bridge projects.

VI. Makes an appropriation of \$10,000,000 to the retirement system for retirement system employers other than the state for group I teacher and group II member contributions.

The question is on the adoption of the Floor Amendment.

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

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 3, 2018

2018-1903s

05/10

Floor Amendment to HB 1817-FN

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account; and making an appropriation for an actuarial study of family and medical leave insurance.

Amend the bill by inserting after section 26 the following and renumbering the original section 27 to read as 28:

27 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 additional 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. The request for proposals shall be issued only if insurance carriers have not agreed by July 30, 2018 to pay for an independent actuarial analysis in accordance with this section.

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

2018-1903s

AMENDED ANALYSIS

This bill:

I. Establishes the position of state demographer in the office of strategic initiatives and establishes a commission on demographic trends.

II. Requires certain state agencies to prepare 10-year current services cost projections for identified programs.

III. Requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

IV. Provides salary increases for state employees and makes appropriations therefor.

V. Makes an appropriation to the department of transportation for red list bridge projects.

VI. Makes an appropriation to the revenue stabilization account.

VII. Makes an appropriation to the department of employment security and insurance department for the purpose of conducting an actuarial study of family and medical leave insurance.

The question is on the adoption of the Floor Amendment.

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

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

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

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

Senator Bradley presiding.

Senator Morse offered a Floor Amendment.

Sen. Bradley, Dist 3

Sen. Morse, Dist 22

May 2, 2018

2018-1897s

05/01

Floor Amendment to HB 1817-FN

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees and making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account; relative to disproportionate share hospital payments and making an appropriation therefor, and relative to the uncompensated care and Medicaid fund.

Amend the bill by inserting after section 26 the following and renumbering the original section 27 to read as 30:

27 Appropriation; Department of Health and Human Services.

I. Notwithstanding RSA 167:64, the commissioner of the department of health and human services shall make disproportionate share hospital payments in the fiscal year ending June 30, 2018 in an amount equal to 92.2 percent of the total Medicaid enhancement tax collected for that fiscal year, and in the fiscal year ending June 30, 2019 an amount equal to 90.2 percent of the total Medicaid enhancement tax collected for that fiscal year. Such payments shall be a charge against amounts budgeted under account 05-95-47-470010-7943 pursuant to 2017, 144:1 and the uncompensated care and Medicaid fund established pursuant to RSA 167:64. The commissioner is authorized to accept and expend any matching federal funds without further approval from the fiscal committee of the general court.

II. For the biennium ending June 30, 2019, in the event estimated Medicaid enhancement tax revenue under account 05-95-47-470010-7948 is less than budgeted as a result of payments authorized in paragraph I, the amount necessary to address the shortfall is hereby appropriated to the department of health and human services. The governor is authorized to draw a warrant for such sum of any money in the treasury not otherwise appropriated.

28 Uncompensated Care and Medicaid Fund. Amend RSA 167:64, I(a) to read as follows:

(a)(1) The commissioner shall provide reimbursement for uncompensated care costs ~~[in accordance with the approved schedule of payments]~~ **from the uncompensated care and Medicaid fund** through either Medicaid rate adjustments or disproportionate share hospital payment adjustments, or a combination thereof, provided however that no hospital shall receive any such reimbursement for uncompensated care costs unless it is a qualified hospital as defined in subparagraph (b)(1). Funds available under this section shall also be used to make provider payments and to support Medicaid services and programs administered by the department in amounts directed by the budget in each year of the biennium.

~~[(2) Expenditure of revenues deposited to the uncompensated care and Medicaid fund shall be made for the following purposes in the following order of priority in fiscal year 2015:-~~

~~(A) To support medical provider payments as budgeted in each year of the biennium;-~~

~~(B) To make disproportionate share hospital payments to support up to 75 percent of the uncompensated care costs of New Hampshire's hospitals with critical access designation consistent with the requirements of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder as budgeted in each year of the biennium based on available funding, to be shared among such hospitals in proportion to the amount of uncompensated care provided;-~~

~~(C) To make disproportionate share hospital payments to support the uncompensated care costs of New Hampshire's general hospitals without critical access designation shared among such hospitals consistent with the requirements of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder in proportion to the amount of uncompensated care provided with funds available from net Medicaid enhancement tax revenue received by the state in fiscal year 2015 in excess of \$190,300,000; and-~~

~~(D) To make a disproportionate share hospital payment to each hospital that meets the criteria set forth for "deemed disproportionate share hospitals" as that term is defined under 42 U.S.C. section 1396r-4 up to an amount as budgeted in each year of the biennium based on available funding. }~~

~~[(3) Subject to subparagraph (a)(3)(D);]~~

(2) Expenditure of revenues deposited to the uncompensated care and Medicaid fund shall be made for the following purposes in the following order of priority in fiscal years [2016, 2017, 2018, and 2019, and in addition in fiscal years 2016, 2017, 2018, and 2019, if New Hampshire hospitals' total aggregate uncompensated care costs as reported to the department in any such fiscal year is less than \$350,000,000, the state shall pay New Hampshire's hospitals not less than \$175,000,000 in disproportionate share hospital payments, shared among such hospitals in proportion to the amount of uncompensated care provided; provided that New Hampshire hospitals with a critical access hospital designation shall continue to receive reimbursements of no less than 75 percent of each hospital's uncompensated care costs and no hospital shall be paid disproportionate share hospital payments of more than 100 percent of uncompensated care costs] 2018 through 2024. However, no hospital shall be paid disproportion-

ate share hospital payments of more than 100 percent of the governing hospital-specific limit on disproportional share hospital payments under Title XIX of the Social Security Act and the provisions of all federal regulations promulgated thereunder:

(A) To make disproportionate share hospital payments to New Hampshire hospitals with and without critical access designation in the following order of priority, [~~provided that, in fiscal years 2016 and 2017, the New Hampshire hospitals shall not be paid more than a cap of \$224,000,000 in disproportionate share hospital payments and in fiscal years 2018 and 2019 the New Hampshire hospitals shall not be paid more than a cap of \$241,900,000 in disproportionate share hospital payments~~] ***and in the following amounts: fiscal year 2018 – 92.2 percent of money collected pursuant to RSA 84-A for the fiscal year; fiscal year 2019 – 90.2 percent of money collected pursuant to RSA 84-A for the fiscal year; fiscal years 2020 through 2024 - 86 percent of money collected pursuant to RSA 84-A for the fiscal year:***

(i) To support 75 percent of the uncompensated care costs of New Hampshire's hospitals with critical access designation consistent with the requirements of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder to be shared among such hospitals in proportion to the amount of uncompensated care provided;

(ii) To make disproportionate share hospital payments to [~~support 50 percent of the uncompensated care costs of~~] New Hampshire's hospitals without critical access hospital designation in fiscal year 2016 and 2017 and 55 percent of uncompensated care costs of New Hampshire's hospitals without critical access hospital designation [~~in fiscal year 2018 and fiscal year 2019 and in fiscal years thereafter consistent with the requirements of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder in proportion to the amount of uncompensated care provided and up to the remaining amount of the applicable cap set forth in subparagraph (a)(3)(A), but not less than the amount guaranteed in disproportionate share hospital payments as set forth in subparagraph (a)(3); and~~] ***in proportion to the amount of uncompensated care provided by each hospital from the remainder of the percentage of money collected pursuant to RSA 84-A for the fiscal year specified in subparagraph (a)(2)(A).***

(B) To make a disproportionate share hospital payment to each hospital that meets the criteria set forth for "deemed disproportionate share hospitals" as that term is defined under 42 U.S.C. section 1396r-4 up to an amount as budgeted in each year of the biennium ***as set forth in subparagraph (b)(1).***

(C) ***To increase hospital service provider rates each year, beginning in fiscal year 2020 through fiscal year 2024, by an amount equal to 5 percent of the revenue collected pursuant to RSA 84-A for the fiscal year.***

(D) Any remaining funds produced from the Medicaid enhancement tax shall be used to support provider payments and to support Medicaid services and programs administered by the department.

~~[(D) Notwithstanding any provision to the contrary, in each of fiscal years 2016, 2017, 2018, and 2019, the amount of uncompensated care reimbursed to non-critical access hospitals shall be reduced in both state contribution and federal match by any shortfall in net Medicaid enhancement tax revenues received below the following thresholds: fiscal year 2016-\$220.5 million; fiscal year 2017-\$228.1 million; fiscal year 2018-\$235.9 million; and fiscal year 2019-\$243.4 million. However, to the extent the aggregate uncompensated care for all hospitals falls below \$375 million and the Medicaid enhancement tax rate is further reduced as set forth in RSA 84-A:2, V, then the threshold for fiscal year 2018 shall be \$229.4 million and for fiscal year 2019 shall be \$235.7 million. Further, the caps in subparagraph (a)(3)(A) and the reimbursements and caps in subparagraph (a)(3)(A)(ii) shall be reduced by 85 percent of the difference between total Medicaid enhancement tax revenue calculated at 5.5 percent of net patient services revenue and Medicaid enhancement tax revenue at the current tax rate for the applicable fiscal year.]~~

29 Medicaid Enhancement Tax. Amend RSA 84-A:2, V to read as follows:

V. For the taxable period ending June 30, 2018, and for every taxable period thereafter, a tax is imposed at a rate of 5.4 percent upon the net patient services revenue of every hospital for the hospital's fiscal year ending during the calendar year in which the taxable period begins [~~unless the total aggregate uncompensated care for hospitals with both a critical and a noncritical access hospital designation falls below \$375 million, at which point the tax rate shall be 5.25 percent~~].

2018-1897s

AMENDED ANALYSIS

This bill:

I. Establishes the position of state demographer in the office of strategic initiatives and establishes a commission on demographic trends.

II. Requires certain state agencies to prepare 10-year current services cost projections for identified programs.

III. Requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

IV. Provides salary increases for state employees and makes appropriations therefor.

V. Makes an appropriation to the department of transportation for red list bridge projects.

VI. Makes an appropriation to the revenue stabilization account.

VII. Makes an appropriation for the purpose of funding disproportionate share hospital payments if there is a shortfall.

VIII. Revises the formula for reimbursing hospitals for uncompensated care costs.

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.

President Morse presiding.

MOTION TO REMOVE FROM THE TABLE

Senator Bradley moved to remove HB 1538-FN from the Table. Adopted.

TRANSPORTATION

HB 1538-FN, authorizing Friends of the Hampton Falls Bandstand, Inc. to issue decals for multi-use decal plates.

The pending motion is Ought to Pass.

Senator Gannon offered a Floor Amendment.

Sen. Gannon, Dist 23

Sen. Bradley, Dist 3

May 3, 2018

2018-1915s

04/06

Floor Amendment to HB 1538-FN

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

AN ACT limiting the liability of successor corporations for asbestos-related claims.

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

1 Findings. The New Hampshire general court finds that:

I. Asbestos-related claims threaten the continued viability of uniquely situated companies that have never manufactured, sold, or distributed asbestos or asbestos products and are liable only as successor corporations.

II. The viability of these businesses is threatened due solely to their status as successor corporations by merger or consolidation that occurred prior to January 1, 1972. In 1972, the Occupational Safety and Health Administration within the United States Department of Labor first promulgated rules establishing exposure limits in an attempt to protect employees against asbestos.

III. Twenty-five other states have enacted legislation similar to RSA 507-H to provide limits on asbestos-related liabilities for innocent successors because this liability has created an overpowering public necessity to provide an immediate, remedial, legislative solution.

IV. The viability of these innocent successor companies is an important public interest as solvent companies provide direct and indirect employment opportunities and contribute to a sustainable workforce.

V. The purpose of RSA 507-H is to balance the rights of those who have suffered asbestos-related injuries with the interests of innocent successor companies that, through merger or consolidation, became liable solely as successor companies and did not themselves manufacture asbestos containing products. In doing so, this chapter provides a mechanism for those who suffer asbestos-related injuries to recover from innocent successor corporations while at the same time limiting the cumulative recovery by all asbestos claimants from innocent successors without impairing their substantive rights.

2 New Chapter; Successor Corporation Asbestos-Related Liability Fairness Act. Amend RSA by inserting after chapter 507-G the following new chapter:

CHAPTER 507-H
SUCCESSOR CORPORATION ASBESTOS-RELATED
LIABILITY FAIRNESS ACT

507-H:1 Definitions. As used in this chapter:

I. "Asbestos claim" means any claim, wherever or whenever made, for damages, losses, indemnification, contribution, or other relief arising out of, based on, or in any way related to asbestos, including any of the following:

- (a) The health effects of exposure to asbestos;
- (b) Any claim made by or on behalf of any person exposed to asbestos or a representative, spouse, parent, child, or other relative of the person; and
- (c) Any claim for damage or loss caused by the installation, presence, or removal of asbestos.

II. "Corporation" means a corporation for profit, including a domestic corporation organized under the laws of this state or a foreign corporation organized under laws other than the laws of this state.

III. "Successor" means a corporation that assumes or incurs, or has assumed or incurred successor asbestos-related liabilities before January 1, 1972, or any of such successor corporation's successors.

IV. "Successor asbestos-related liability" means any liabilities, whether known or unknown, asserted or unasserted, absolute or contingent, accrued or unaccrued, liquidated or unliquidated, due or to become due, which are related in any way to asbestos claims that were assumed or incurred by a corporation as a result of or in connection with a merger or consolidation, or the plan of merger or consolidation related to the merger or consolidation with or into another corporation, or that are related in any way to asbestos claims based on the exercise of control or the ownership of stock of the corporation before the merger or consolidation. The term includes liabilities that, after the time of the merger or consolidation for which the fair market value of total gross assets is determined under RSA 507-H:4, were or are paid or otherwise discharged, or committed to be paid or otherwise discharged, by or on behalf of the corporation, or by a successor of the corporation, or by or on behalf of a transferor, in connection with settlements, judgments, or other discharges in this state or another jurisdiction.

V. "Transferor" means a corporation from which successor asbestos-related liabilities are or were assumed or incurred.

507-H:2 Application of Limitations.

I. The limitations in RSA 507-H:3 shall apply to any successor corporation.

II. The limitations of RSA 507-H:3 shall not apply to:

(a) Workers' compensation benefits paid by or on behalf of an employer to an employee under the provisions of RSA 281-A or a comparable workers' compensation law of another jurisdiction;

(b) Any claim against a corporation that does not constitute a successor asbestos-related liability;

(c) Any obligation under the National Labor Relations Act, 29 U.S.C. Section 151 et seq., as amended, or under any collective bargaining agreement; or

(d) A successor that, after a merger or consolidation, continued in the business of mining asbestos or in the business of selling or distributing asbestos fibers or in the business of manufacturing, distributing, removing, or installing asbestos-containing products which were the same or substantially the same as those products previously manufactured, distributed, removed, or installed by the transferor.

507-H:3 Limitations on Cumulative Successor Asbestos-related Liabilities.

I. Except as provided in paragraph II, the cumulative successor asbestos-related liabilities of a successor corporation are limited to the fair market value of the total gross assets of the transferor determined as of the time of the merger or consolidation. No successor corporation shall have responsibility for successor asbestos-related liabilities in excess of this limitation.

II. If the transferor had assumed or incurred successor asbestos-related liabilities in connection with a prior merger or consolidation with a prior transferor, then the fair market value of the total assets of the prior transferor determined as of the time of the earlier merger or consolidation shall be substituted for the limitation in paragraph I for purposes of determining the limitation of liability of a successor corporation.

507-H:4 Establishing Fair Market Value of Total Gross Assets.

I. As used in this section, total gross assets include intangible assets.

II. A successor corporation may establish the fair market value of total gross assets for the purpose of the limitations under RSA 507-H:3 through any method reasonable under the circumstances, including:

(a) By reference to the going concern value of the assets or to the purchase price attributable to or paid for the assets in an arms-length transaction; or

(b) In the absence of other readily available information from which the fair market value can be determined, by reference to the value of the assets recorded on a balance sheet.

III. To the extent total gross assets include any liability insurance that was issued to the transferor whose assets are being valued for purposes of this section, the applicability, terms, conditions, and limits of the insurance policy shall not be affected by this section, and this section shall not otherwise affect the rights and obligations of an insurer, transferor, or successor under any insurance contract or any related agreements, including, without limitation, preenactment settlements resolving coverage-related disputes, and the rights of an insurer to seek payment for applicable deductibles, retrospective premiums, or self-insured retentions, or to seek contribution from a successor for uninsured or self-insured periods or periods where insurance is uncollectible or otherwise unavailable. Without limiting the foregoing, to the extent total gross assets include any such liability insurance, a settlement of a dispute concerning any liability coverage entered into by a transferor or successor with the insurers of the transferor before the effective date of this chapter shall be determinative of the total coverage of the liability insurance to be included in the calculation of the transferor's total gross assets.

507-H:5 Adjustment.

I. Except as otherwise provided in this section, the fair market value of total gross assets at the time of the merger or consolidation shall increase annually at a rate of one percent in excess of the prime rate as listed in the first edition of the Wall Street Journal published for each calendar year since the merger or consolidation, unless the prime rate is not published in that edition of the Wall Street Journal, in which case any reasonable determination of the prime rate on the first day of the calendar year may be used.

II. The rate calculated under paragraph I shall not be compounded.

III. The adjustment of the fair market value of total gross assets shall continue as provided in paragraph I until the date the adjusted value is first exceeded by the cumulative amounts of successor asbestos-related liabilities paid or committed to be paid by or on behalf of the successor corporation, a predecessor, or by or on behalf of a transferor after the time of the merger or consolidation for which the fair market value of total gross assets is determined.

IV. No adjustment of the fair market value of total gross assets shall be applied to any liability insurance that may be included in the calculation of total gross assets by RSA 507-H:4, III.

507-H:6 Scope of Act; Application.

I. This chapter shall be liberally construed with regard to successors.

II. This chapter shall apply to all asbestos claims filed against a successor on or after the effective date of this chapter. The chapter shall also apply to any pending asbestos claims against a successor in which trial has not commenced as of the effective date, except that any provisions of this chapter that would be unconstitutional if applied retroactively shall be applied prospectively.

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

2018-1915s

AMENDED ANALYSIS

This bill limits the liability of successor corporations for asbestos-related claims to the fair market value of the total gross assets of the transferor at the time of merger or consolidation and provides methods for establishing the fair market value of the transferor's total gross assets.

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

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

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

Recess. Out of recess.

Senator Feltes withdrew his objection to suspending Senate Rule 3-17.

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

The question is on the adoption of the Floor Amendment.

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

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.

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

Recess. Out of recess.

MOTION TO REMOVE FROM THE TABLE

Senator Bradley moved to remove HB 1592-FN from the Table. Adopted.

FINANCE

HB 1592-FN, requiring the commissioner of the department of environmental services to review ambient groundwater standards for arsenic.

The pending motion is Inexpedient to Legislate.

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

Senator Bradley moved Ought to Pass.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

May 3, 2018

2018-1926s

06/08

Floor Amendment to HB 1592-FN

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

AN ACT requiring the commissioner of the department of environmental services to review ambient groundwater standards for arsenic.

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

1 Department of Environmental Services; Ambient Groundwater Quality Standards. By January 1, 2019, the commissioner of the department of environmental services shall review the ambient groundwater standard for arsenic to determine whether it should be lowered, taking into consideration the extent to which

the contaminant is found in New Hampshire, the ability to detect the contaminant in public water systems, the ability to remove the contaminant from drinking water, the impact on public health, and the costs and benefits to affected entities that will result from establishing the standard. Any proposed change to the ambient groundwater standard for arsenic shall require the approval of the general court. On or before January 1, 2019, the commissioner shall submit a report of the findings to the chairpersons of the house and senate committees with jurisdiction over natural resources.

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

2018-1926s

AMENDED ANALYSIS

This bill requires the commissioner of the department of environmental services to review the ambient groundwater standard for arsenic to determine whether it should be lowered. This bill also requires that any proposed change shall require approval of the general court.

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.

MOTION TO REMOVE FROM THE TABLE

Senator Feltes moved to remove HB 1626-FN from the Table. Adopted.

FINANCE

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, and relative to liquor commission shortfalls.

The pending motion is Order to Third Reading.

Senator Feltes offered a Floor Amendment.

Sen. Feltes, Dist 15

Sen. D'Allesandro, Dist 20

May 3, 2018

2018-1928s

01/04

Floor Amendment to HB 1626-FN

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

AN ACT requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs, and relative to liquor commission shortfalls.

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

5 Revenue Shortfalls; Suspension. RSA 176:16-a, relative to liquor commission revenue shortfalls, is suspended for the biennium ending June 30, 2019.

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

2018-1928s

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services, in conjunction with the governor's commission on alcohol and drug abuse prevention, treatment and recovery, to make an annual report relative to the cost effectiveness and outcomes of programs funded in whole or in part by the governor's commission.

This bill also suspends the law regarding liquor commission shortfalls for the biennium ending June 30, 2019.

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

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

ENERGY AND NATURAL RESOURCES

HB 114, relative to minimum electric renewable portfolio standards.
Interim Study, Vote 4-1. Senator Bradley for the committee.

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

FINANCE

HB 1102-FN, enabling the department of health and human services to contract with certain certified physicians. Ought to Pass, Vote 6-0. Senator Daniels for the committee.

Senator D'Allesandro offered a Floor Amendment.

Sen. D'Allesandro, Dist 20
May 3, 2018
2018-1930s
05/10

Floor Amendment to HB 1102-FN

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

AN ACT regulating groundwater pollution caused by polluting emissions in the air; relative to standards for perfluorochemicals in drinking water, ambient groundwater, and surface water; and authorizing the department of corrections to establish additional expenditure class lines with fiscal committee and governor and council approval.

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

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

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

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

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

I. For the purposes of this section:

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

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

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

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

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

II. A device that emits to the air any PFCs or precursors that have caused or contributed to an exceedance of an ambient groundwater quality standard or surface water quality standard as a result of the deposition of any such PFCs or precursors from the air, shall be subject to the determination and application of best available control technology. Within 6 months of the department determining that the device is subject to such control technology, the owner of the device shall submit to the department an application for a permit.

Within 12 months of permit issuance, the applicant shall complete construction and installation of controls consistent with the permit. Operation of the source may continue through the permitting, construction, and installation time period. A source which can demonstrate to the department that its device no longer contributes to an exceedance of an ambient groundwater quality standard or surface water quality standard shall be exempt from this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Perfluorochemicals

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

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

485-C:6 Ambient Groundwater Quality Standards.

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

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

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

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

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

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

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

8 Department of Environmental Services; Positions Established; Appropriation. There is established within the department of environmental services one classified toxicologist position and one classified human health risk assessor for the purposes of developing appropriate standards to protect groundwater and drinking water quality under RSA 485-C. The sum necessary to pay the salary, benefits, and other costs related to the positions established in this section is hereby appropriated to the department of environmental services for the

biennium ending June 30, 2019. This appropriation shall be in addition to any other appropriations made to the department in the biennium. The governor is authorized to draw a warrant for said sum out of any money in treasury not otherwise appropriated.

9 New Paragraph; Transfer Language; Department of Corrections. Amend RSA 9:16-a by inserting after paragraph IV the following new paragraph:

V. Notwithstanding any provision of law to the contrary, the commissioner of the department of corrections is authorized to transfer funds within and among all accounting units within the department to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to responds to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided if a transfer does not include new accounting units or expenditure classes, only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court and governor and council.

10 Effective Date.

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

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

2018-1930s

AMENDED ANALYSIS

This bill:

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

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

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

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

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

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

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

VIII. Authorizes the department of corrections to establish additional expenditure class lines with legislative fiscal committee and governor and council approval.

Senator D'Allesandro withdrew Floor Amendment 2018-1930s.

Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14

Sen. Bradley, Dist 3

Sen. Sanborn, Dist 9

Sen. Avard, Dist 12

May 3, 2018

2018-1906s

01/04

Floor Amendment to HB 1102-FN

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

AN ACT enabling the department of health and human services to contract with certain certified physicians and relative to recommitment of a prisoner by the parole board.

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

2 New Paragraph; Parole of Prisoners. Amend RSA 651-A:19 by inserting after paragraph VII the following new paragraph:

VIII. Notwithstanding paragraph I or subparagraph VII(a) or (d), the parole board may impose a term of recommitment of less than 90 days for a prisoner whose arrest and parole revocation is determined by the board to be a result of or related to substance abuse, if the prisoner enters and successfully completes a residential substance abuse treatment program deemed acceptable by the board and if the board determines that a recommitment of less than 90 days is necessary to assist the prisoner with substance abuse recovery.

3 Effective Date.

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

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

2018-1906s

AMENDED ANALYSIS

This bill authorizes the commissioner of the department of health and human services to contract with one or more physicians who are certified by an accredited addiction medicine or addiction psychiatry certifying body to review medication assisted treatment in New Hampshire.

This bill also authorizes the parole board to impose a term of recommitment of less than 90 days if the prisoner enters and successfully completes a residential substance abuse treatment program deemed acceptable by the board and if the board determines that such recommitment is necessary to assist the prisoner with substance abuse recovery.

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

Senator Bradley moved to Lay on the Table HB 1102-FN. Adopted.

TRANSPORTATION

HB 2018, relative to the state 10-year transportation improvement program.
Ought to Pass with Amendment, Vote 5-0. Senator Birdsell for the committee.

Senate Transportation

April 26, 2018

2018-1807s

06/01

Amendment to HB 2018

Amend the bill by replacing section 3 with the following:

3 Department of Transportation; Nashua-Manchester-Concord. The project named Nashua-Manchester-Concord, project number 40818, shall be modified to delete the development study for a rail corridor project and the project to design and develop a financial plan for bus service expansion from Concord to Nashua, or other eligible Boston UZA bus services, including parking facilities at existing and new bus terminals.

Amend the bill by replacing section 11 with the following:

11 Project Removed. The project named Hooksett, project number 24862 using 100 percent state aid highway program funds shall be removed from the 10-year transportation improvement plan 2019-2028 based on the elimination of the state aid highway funding.

Amend the bill by inserting after section 18 the following and renumbering the original section 19 to read as 21:

19 Project Restored. The project named Tilton, project number 29753, to reconstruct and re-classify 1.97 miles of Calef Hill Road shall be revised in the 10-year transportation improvement plan with engineering totaling \$256,375 in fiscal year 2020 and construction totaling \$2,336,795 for the biennium ending June 30, 2021, contingent on future funds appropriated by the general court.

20 Department of Transportation; Town of Hudson. The department of transportation is authorized to work with the town of Hudson to plan, engineer, and construct a roadway compatible with turnpike standards within the southern portion of a circumferential highway right-of-way between N.H. Route 3A and N.H. Route 111 in Hudson. Planning, engineering, and construction shall be funded solely with town funds.

2018-1807s

AMENDED ANALYSIS

This bill:

- I. Adopts the 10-year transportation improvement plan for 2019-2028.
- II. Adds a corridor study of Route 114 in the town of Goffstown.
- III. Authorizes the department of transportation to construct and implement all electronic tolling, if feasible.
- IV. Authorizes construction and implementation of all electronic tolling (AET) at Dover and Rochester toll plaza locations and at the Bedford mainline toll plaza.
- V. Requires the department of transportation to make available an optional system of anonymous transponders.
- VI. Provides funding for construction of electronic tolling or open road tolling plazas, consultant services for the public private partnership infrastructure oversight committee, and improvements to central New Hampshire turnpike.
- VII. Moves construction funding for the project named Bedford-Merrimack from 2019 to 2020.
- VIII. Removes funding for the project named Conway, project number 40018.
- IX. Removes the project named Hooksett from the 10-year transportation improvement plan 2019-2028.
- X. Restores and revises the project named Tilton, project number 29753.
- XI. Designates \$100,000 of turnpike funds for the use of the public-private partnership infrastructure oversight commission.
- XII. Amends the project named Newington-Dover.
- XIII. Amends the scope of the project named Walpole-Charlestown and the project named Windham.
- XIV. Moves funding for construction of the project named Nashua-Merrimack-Bedford-Manchester from 2022 through 2026 to 2021 through 2025.
- XV. Moves funding for construction of the project named Manchester from 2026 to 2025.
- XVI. Adds a project named Conway, previously removed from the state 10-year transportation plan, to the plan.
- XVII. Authorizes the department of transportation to plan, engineer, and construct a highway in Hudson with town funds.

Senator Soucy moved to divide the question: Committee Amendment 2018-1807s, Section 3 (Lines 1-7) and then vote on the remainder of the amendment.

The Chair ruled the question divisible.

The question is on the adoption of Committee Amendment 2018-1807s, Section 3 (Lines 1-7).

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

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

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

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

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

Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14
 April 27, 2018
 2018-1824s
 06/01

Floor Amendment to HB 2018

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

AN ACT relative to the state 10-year transportation improvement program and relative to the procedure for driveway permits.

Amend the bill by replacing all after section 20 with the following:

21 New Section; Excavation and Driveway Excavation and Construction Permit Application; Procedure.
 Amend RSA 236 by inserting after section 13 the following new section:

236:13-a Procedure. In processing applications for permits, or amendments to permits, under RSA 236:9 or RSA 236:13:

I. Within 30 days of receipt of such application, the department of transportation shall request any additional information required of the applicant or its agents to complete its evaluation of the application, together with any written technical comments the department deems necessary. Any request for additional information shall specify that the applicant shall submit such information as soon as practicable and notify the applicant that if all of the requested information is not received within 90 days of the request, the department shall deny the application.

II. If the department requests additional information under paragraph I, the department shall, within 60 days of the department's receipt of all requested information:

- (a) Approve the application in whole or in part and issue a permit;
- (b) Deny the application and issue written findings in support of the denial; or
- (c) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant.

III. If no request for additional information is made under paragraph I, the department shall, within 90 days of receipt of the application:

- (a) Approve the application in whole or in part and issue a permit;
- (b) Deny the application, and issue written findings in support of the denial; or
- (c) Extend the time for rendering a decision on the application for good cause.

IV. The time limits under this section shall supersede any time limits provided in any other provision of law. If the department fails to act within the applicable time frame established in paragraphs II and III, the applicant shall be deemed to have a permit by default and may proceed with the project as presented in the application. Nothing in this paragraph shall relieve the applicant from complying with all requirements applicable to the project, including but not limited to requirements established under this section and RSA 236:13.

22 Effective Date.

I. Section 21 of this act shall take effect 60 days after its passage.

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

2018-1824s

AMENDED ANALYSIS

This bill:

I. Adopts the 10-year transportation improvement plan for 2019-2028.

II. Adds a corridor study of Route 114 in the town of Goffstown.

III. Authorizes the department of transportation to construct and implement all electronic tolling, if feasible.

IV. Authorizes construction and implementation of all electronic tolling (AET) at Dover and Rochester toll plaza locations and at the Bedford mainline toll plaza.

V. Requires the department of transportation to make available an optional system of anonymous transponders.

VI. Provides funding for construction of electronic tolling or open road tolling plazas, consultant services for the public private partnership infrastructure oversight committee, and improvements to central New Hampshire turnpike.

VII. Moves construction funding for the project named Bedford-Merrimack from 2019 to 2020.

VIII. Removes funding for the project named Conway, project number 40018.

IX. Removes the project named Hooksett from the 10-year transportation improvement plan 2019-2028.

X. Restores and revises the project named Tilton, project number 29753.

XI. Designates \$100,000 of turnpike funds for the use of the public-private partnership infrastructure oversight commission.

XII. Amends the project named Newington-Dover

XIII. Amends the scope of the project named Walpole-Charlestown and the project named Windham.

XIV. Moves funding for construction of the project named Nashua-Merrimack-Bedford-Manchester from 2022 through 2026 to 2021 through 2025.

XV. Moves funding for construction of the project named Manchester from 2026 to 2025.

XVI. Adds a project named Conway, previously removed from the state 10-year transportation plan, to the plan.

XVII. Authorizes the department of transportation to plan, engineer, and construct a highway in Hudson with town funds.

XVIII. Establishes a procedure for processing applications for certain excavation and driveway permits.

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

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2

Sen. Daniels, Dist 11

May 3, 2018

2018-1932s

08/05

Floor Amendment to HB 2018

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

AN ACT relative to the state 10-year transportation improvement program and establishing a committee to study the removal of the Merrimack tolls.

Amend the bill by replacing section 9 with the following:

9 Bedford to Merrimack. Construction funding for the project named Bedford-Merrimack, project number 16100, shall be moved from 2019 to 2020. The scope of the project shall include improvement to the Bedford mainline toll plaza to include the option of open road tolling or all electronic tolling, and the construction of a noise reducing barrier wall on the F.E. Everett turnpike in the area of Teaberry Lane in the town of Bedford.

Amend the bill by inserting after section 20 the following and renumbering the original section 21 to read as 26:

21 Committee Established. There is established a committee to study the removal of the tolls at exit 10 and exit 11 on the F.E. Everett Turnpike in the town of Merrimack.

22 Membership and Compensation.

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

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

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

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

23 Duties. The committee shall study:

I. Removal of the exit 11 toll on the F.E. Everett Turnpike in the town of Merrimack upon the expiration of the bond, and the financial implications of such removal.

II. Removal of the exit 10 toll on the F.E. Everett Turnpike in the town of Merrimack in fiscal year 2024, and the financial implications of such removal.

24 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 senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

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

2018-1932s

AMENDED ANALYSIS

This bill:

I. Adopts the 10-year transportation improvement plan for 2019-2028.

II. Adds a corridor study of Route 114 in the town of Goffstown.

III. Authorizes the department of transportation to construct and implement all electronic tolling, if feasible.

IV. Authorizes construction and implementation of all electronic tolling (AET) at Dover and Rochester toll plaza locations and at the Bedford mainline toll plaza.

V. Requires the department of transportation to make available an optional system of anonymous transponders.

VI. Provides funding for construction of electronic tolling or open road tolling plazas, consultant services for the public private partnership infrastructure oversight committee, and improvements to central New Hampshire turnpike.

VII. Moves construction funding for the project named Bedford-Merrimack from 2019 to 2020 and adds construction of a noise reducing barrier wall.

VIII. Removes funding for the project named Conway, project number 40018.

IX. Removes the project named Hooksett from the 10-year transportation improvement plan 2019-2028.

X. Restores and revises the project named Tilton, project number 29753.

XI. Designates \$100,000 of turnpike funds for the use of the public-private partnership infrastructure oversight commission.

XII. Amends the project named Newington-Dover.

XIII. Amends the scope of the project named Walpole-Charlestown and the project named Windham.

XIV. Moves funding for construction of the project named Nashua-Merrimack-Bedford-Manchester from 2022 through 2026 to 2021 through 2025.

XV. Moves funding for construction of the project named Manchester from 2026 to 2025.

XVI. Adds a project named Conway, previously removed from the state 10-year transportation plan, to the plan.

XVII. Authorizes the department of transportation to plan, engineer, and construct a highway in Hudson with town funds.

XVIII. Establishes a committee to study removal of the Merrimack tolls.

Senator Watters moved to divide the question: Floor Amendment 2018-1932s, Section 9 (Lines 1-12) and then vote on the remainder of the amendment.

The Chair ruled the question divisible.

The question is on the adoption of Floor Amendment 2018-1932s, Section 9 (Lines 1-12).

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

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

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

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

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

TECHNICAL AND ADMINISTRATIVE CORRECTIONS

Without objection, the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate. Adopted.

Senator Birdsell moved to divide the question: Ought to Pass with Amendment: Sections 3 and the effective date, and then vote on the remainder of the bill.

The Chair ruled the question divisible.

The question is on the adoption of Ought to Pass with Amendment: Section 3 and the effective date.

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

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

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

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

The question is on the adoption of Ought to Pass with Amendment: Remainder of the bill.

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

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

The following Senators voted No: Carson.

Roll Call, Yeas: 23 - Nays: 1. Adopted.

MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider the following action taken by the body on HB 2018, relative to the state 10-year transportation improvement program and establishing a committee to study the removal of the Merrimack tolls.: Ought to Pass with Amendment: Remainder of the bill. Adopted.

The question is on the adoption of Ought to Pass with Amendment: Remainder of the bill.

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

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

The following Senators voted No: (None)

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

MOTION TO REMOVE FROM THE TABLE

Senator D'Allesandro moved to remove HB 1102-FN from the Table. Adopted.

FINANCE

HB 1102-FN, enabling the department of health and human services to contract with certain certified physicians and relative to recommitment of a prisoner by the parole board.

The pending motion is Ought to Pass with Amendment.

Senator D'Allesandro offered a Floor Amendment.

Sen. D'Allesandro, Dist 20

May 3, 2018

2018-1933s

05/08

Floor Amendment to HB 1102-FN

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

AN ACT enabling the department of health and human services to contract with certain certified physicians and authorizing the department of corrections to establish additional expenditure class lines with fiscal committee and governor and council approval.

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

2 New Paragraph; Transfer Language; Department of Corrections. Amend RSA 9:16-a by inserting after paragraph IV the following new paragraph:

V. Notwithstanding any provision of law to the contrary, the commissioner of the department of corrections is authorized to transfer funds within and among all accounting units within the department to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided if a transfer does not include new accounting units or expenditure classes, only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court and governor and council.

3 Effective Date.

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

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

2018-1933s

AMENDED ANALYSIS

This bill authorizes the commissioner of the department of health and human services to contract with one or more physicians who are certified by an accredited addiction medicine or addiction psychiatry certifying body to review medication assisted treatment in New Hampshire.

The bill also authorizes the department of corrections to establish additional expenditure class lines with legislative fiscal committee and governor and council approval.

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

TECHNICAL AND ADMINISTRATIVE CORRECTIONS

Without objection, the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate. Adopted.

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

Recess. Out of recess.

MOTION TO REMOVE FROM THE TABLE

Senator Bradley moved to remove HB 1636 from the Table. Adopted.

EDUCATION

HB 1636, establishing a committee to study teacher preparation and education programs and relative to chartered public school use of unused school district facilities.

The pending motion is Ought to Pass with Amendment.

Senator Kahn offered a Floor Amendment.

Sen. Kahn, Dist 10

May 2, 2018

2018-1898s

04/05

Floor 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, relative to chartered public school use of unused school district facilities, and establishing a death benefit for a school employee killed in the line of duty.

Amend the bill by replacing all after section 6 with the following:

7 New Chapter; Death Benefit for School Employee Killed in Line of Duty. Amend RSA by inserting after chapter 189 the following new chapter:

CHAPTER 189-A

Death Benefit for School Employee Killed in Line of Duty

189-A:1 Death Benefit for School Employee Killed in Line of Duty.

I. In this section:

(a) "Family" means the surviving spouse of the school employee; or, if there is no surviving spouse, the surviving dependent child or dependent children, of such school employee or, if there is no surviving dependent child, a surviving person qualifying as a common-law spouse pursuant to RSA 457:39, or if there is no surviving common-law spouse, the surviving adult child or adult children, or if there is no surviving adult child or adult children, the surviving parent or parents of such school employee. A surviving dependent child shall include a dependent step-child whose expenses of daily living were substantially paid for by the decedent at the time of the death.

(b) "School employee" means any person, full or part time, who is employed by a public school in the state of New Hampshire.

(c) "Public school" means any public school or public academy approved by the state of New Hampshire pursuant to state laws and regulations, including the university system of New Hampshire and the community college system of New Hampshire.

(d) "Killed in the line of duty" means the death of a school employee while in the performance of his or her duties as a result of violence by another, who purposely causes that death or purposely causes serious bodily injury which is the direct or proximate cause of the death of the school employee.

II. In addition to any other benefit for which the school employee or family is eligible, the state treasurer shall pay a \$100,000 death benefit to the family of a school employee killed in the line of duty; provided that under no circumstance shall a family member responsible for the school employee's death be eligible for such benefit. Payment to a dependent child shall be made to the child's trustee for the benefit of the child. The governor, with the consent of the executive council, is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. The attorney general or a designee from the department of justice shall review the records that relate to the circumstances of the employee's death and shall render a determination whether the incident qualifies as a line-of-duty death as defined in subparagraph I(d).

(a) Such determination shall be rendered within 45 days of documented notice of the incident.

(b) If the death of the school employee is determined to qualify as a line-of-duty death as defined in subparagraph I(d), the attorney general or a designee from the department of justice shall notify the commissioner of the department of education, who shall adopt the attorney general's recommendation and submit a request to the governor for payment of the benefit.

(c) Any records received in order to make the determination if the school employee's death qualifies as a line-of-duty death as defined in subparagraph I(d) shall be exempt from RSA 91-A. Upon the request of the decedent's family, any medical records or other records which otherwise are nonpublic shall be destroyed following the vote by the governor and executive council on this matter.

IV. Neither the state nor its agencies or employees shall be civilly liable for any improper payment of the line-of-duty death benefit as provided in this section.

8 Effective Date.

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

II. Section 7 of this act shall take effect January 1, 2019.

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

2018-1898s

AMENDED ANALYSIS

This bill establishes a committee to study teacher preparation and education programs, makes unused school district facilities available to chartered public schools, and establishes a death benefit for a school employee killed in the line of duty.

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: Woodburn, Bradley, Watters, Hennessey, French, Sanborn, Kahn, Avard, Lasky, Carson, Feltes, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Fuller Clark, Gannon, Innis.

The following Senators voted No: Giuda, Gray, Ward, Daniels, Morse.

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

Senator Reagan offered a Floor Amendment.

Sen. Reagan, Dist 17

May 3, 2018

2018-1925s

04/10

Floor 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, relative to chartered public school use of unused school district facilities, and establishing education freedom savings accounts for students.

Amend the bill by replacing all after section 6 with the following:

7 New Chapter; Education Freedom Savings Accounts. Amend RSA by inserting after chapter 194-D the following new chapter:

CHAPTER 194-E EDUCATION FREEDOM SAVINGS ACCOUNTS

194-E:1 Definitions. In this chapter:

I. "Account" means an education freedom savings account established for an eligible student pursuant to this chapter.

II. "Commissioner" means the commissioner of the department of education.

III. "Department" means the department of education.

IV. "Eligible student" means a New Hampshire resident who is at least 5 years of age and not more than 20 years of age, who has not graduated from high school and is:

(a) Currently attending a New Hampshire public school, including a chartered public school, and for whom the adequate education grant in the next school year would be reduced if the student were removed from the average daily membership calculation; or

(b) A kindergarten student; or

(c) Receiving home education pursuant to RSA 193-A.

V. "Nonpublic school" shall mean any public academy or private school approved for attendance by the department.

VI. "Parent" means the natural or adoptive parent or legal guardian of an eligible student.

VII. "Postsecondary institution" means an institution within the university system of New Hampshire or the community college system of New Hampshire.

VIII. "Program" means the education savings account program established in this chapter.

IX. "Resident school district" means the public school district in which the eligible student resides.

X. "Scholarship organization" means a charitable organization incorporated or qualified to do business in this state that:

(a) Is exempt from federal income taxation pursuant to section 501(c)(3) of the Internal Revenue Code;

(b) Complies with applicable state and federal anti-discrimination and privacy laws;

(c) Is registered with the department of justice, director of charitable trusts; and

(d) Has been approved by the department of revenue administration for the purpose of issuing scholarships pursuant to RSA 77-G:5.

XI. "Treasurer" means the treasurer of the state of New Hampshire.

194-E:2 Program Eligibility.

I. There is established an education freedom savings account program. The parent of an eligible student may receive a grant from a scholarship organization if the parent signs a contract with the scholarship organization in which the parent agrees to provide an education for the eligible student in science, mathematics, language, government, history, health, reading, writing, spelling, the history of the constitutions of New Hampshire and the United States, and an exposure to and appreciation of art and music.

II. The parent of an eligible student who signs a contract with a scholarship organization agrees to use the funds deposited in an eligible student's account for any of the following qualifying educational expenses:

(a) Tuition for course fees at any public school, chartered public school, nonpublic school, or program approved by the department pursuant to RSA 186-C:5.

(b) Textbooks, curriculum, or supplemental materials required to administer the curriculum.

(c) Payment to a tutor or tutoring facility.

(d) Fees for transportation to and from an educational service provider paid to a fee-for-service transportation provider, not to exceed \$750 per school year.

(e) Tuition and fees for online learning programs.

(f) Educational services or therapies from a licensed or certified practitioner or provider, including licensed or certified paraprofessionals or educational aides.

(g) Tuition and fees at a postsecondary institution.

(h) Computer hardware and software and other assistive devices if an eligible school, licensed or certified tutor, licensed or certified educational service practitioner or provider, or licensed medical professional verifies in writing that these items are essential for the student to meet annual, measurable goals.

(i) Fees for a nationally standardized norm-referenced achievement test, advanced placement examination, or any exam related to college admission.

(j) Contributions to a Coverdell education savings account established under 26 U.S.C. section 530 for the benefit of the eligible student, except that funds used for elementary or secondary education expenses may be used for expenses otherwise allowed under this section.

III. The parent of an eligible student shall be provided copies of all signed agreements.

IV. The parent of an eligible student shall be required to annually renew the agreement to continue participation in the program.

V. No eligible student shall receive a grant under this chapter and an education tax credit scholarship pursuant to RSA 77-G in the same school year.

VI. Eligible students participating in the program may participate in curricular and co-curricular courses and programs pursuant to RSA 193:1-c. Students in the special school district within the department of corrections established in RSA 194:60 shall not be eligible students.

VII. An agreement shall be automatically terminated if the eligible student no longer resides in this state, and any funds remaining in the account shall be returned to the state treasury.

VIII. The failure to enter into an agreement pursuant to this chapter for any school year for which an eligible student is required to attend a public school shall not preclude the parent of such student from entering into an agreement for a subsequent school year.

194-E:3 Program Funding and Payment.

I. The scholarship organization shall notify the commissioner of any eligible student whose parents have signed an agreement under RSA 194-E:2.

II. The commissioner shall transfer to the scholarship organization 90 percent of the per pupil adequate education grant amount pursuant to RSA 198:40-a, plus any differentiated aid, which would be disbursed to the municipality in which the student resides, for deposit into the eligible student's account.

III. The commissioner shall transfer to the scholarship organization 50 percent of the per pupil adequate education grant amount pursuant to RSA 198:40-a for an eligible student entering kindergarten for deposit into the eligible student's account.

IV. The funding for an eligible student receiving home education shall be as provided in RSA 77-G:2, I(b).

V. Funds received pursuant to this program shall not constitute income taxable to the parent of the eligible student or to the eligible student.

VI. In exchange for the parent's agreement pursuant to RSA 194-E:2, the state treasurer shall transfer funding to the eligible student's account established by the scholarship organization. The transfers shall be made in accordance with the distribution of adequate education grants under RSA 198:42.

VII. All eligible student accounts shall be held in institutions qualified by the state treasurer.

VIII. A scholarship organization shall receive 5 percent of the adequate education grant, including any differentiated aid for which the student would be eligible pursuant to RSA 198:40-a, for administrative expenses.

IX. The department may conduct an audit of an eligible student's account as needed to ensure compliance with this chapter.

X. The department may remove any eligible student from the program for non-compliance with program eligibility requirements of RSA 194-E:2.

(a) The parent may appeal the decision of the scholarship organization to the department.

(b) Any funds remaining in the account for that student shall be sent to the state treasury.

XI. At the time of the eligible student's graduation from a postsecondary institution or after a period of 2 consecutive years after high school graduation in which the eligible student does not enroll in a postsecondary institution, the eligible student's account shall be closed, the parents notified, and any remaining funds shall be returned to the state treasury.

XII. The scholarship organization or the department may refer cases of fraudulent misuse of funds to the attorney general for investigation.

XIII. A school or educational service provider pursuant to RSA 194-E:2 shall not share, refund, or rebate any program funds with the parent or eligible student in any manner.

XIV. Parents may make payments for the costs of educational programs and services not covered by the funds in their accounts.

XV. A scholarship organization may receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of this chapter.

194-E:4 Scholarship Organization; Requirements. A scholarship organization shall:

- I. Develop and maintain agreement forms in cooperation with the department.
- II. Provide copies of agreements signed by parents of eligible students to the department.
- III. Comply with all federal and state laws regarding student privacy.
- IV. Review all receipts for fees and services pursuant to 194-E:2, II.

V. Provide biannual reports on the number of students participating in the program, the providers of services to students, and the value of the program funds to the department, chairman of the house education committee, and the chairman of the senate education committee.

VI. Provide an annual report to the speaker of the house of representatives, the president of the senate, the chairman of the house education committee, the chairman of the senate education committee, the governor, and the department including:

- (a) The number of eligible students with accounts.
- (b) A list of schools and service providers including the number of eligible students served.
- (c) The value of program funds utilized for services during the year.

VII. Conduct an annual survey of parents of eligible students with accounts. The survey shall include the number of years the parent has been in the program, the relative satisfaction of the parent with the program, and suggestions of the parent for improvement. The survey shall be included in the annual report.

VIII. Conduct an annual audit of all accounts of eligible students.

194-E:5 School and Provider of Educational Services; Requirements.

I. Schools and educational service providers shall comply with all federal and state laws regarding student privacy.

II. Schools and educational service providers shall furnish receipts for eligible services pursuant to RSA 194-E:2, II to the parent and the scholarship organization.

III. The school district in which the eligible student resides shall provide a participating school or educational service provider that has admitted an eligible student under this program with a copy of the student's school records, while complying with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. section 1232 (g), and state policies.

194-E:6 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

8 Effective Date.

- I. Section 7 of this act shall take effect 60 days after its passage.
- II. Section 6 of this act shall take effect July 1, 2019.
- III. The remainder of this act shall take effect upon its passage.

2018-1925s

AMENDED ANALYSIS

This bill establishes a committee to study teacher preparation and education programs; makes unused school district facilities available to chartered public schools; and establishes education freedom savings accounts for children between 5 and 20 years of age.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Sanborn, 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.

TECHNICAL AND ADMINISTRATIVE CORRECTIONS

Without objection, the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate. Adopted.

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

MOTION TO REMOVE FROM THE TABLE

Senator Woodburn moved to remove HB 1477-FN from the Table.

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

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

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

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

TECHNICAL AND ADMINISTRATIVE CORRECTIONS

Without objection, the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate for Thursday, May 3, 2018. Adopted.

MOTION TO ADJOURN FROM EARLY SESSION

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

Adopted. Adjournment from the Early Session.

LATE SESSION

LIST OF RULE 6-25'S FOR THE DAY

Senator Giuda: HB 1458

Senator Sanborn: HB 114, HB 169-FN, HB 317, HB 407-FN, HB 1101-FN, HB 1102-FN, HB 1103-FN, HB 1104-FN, HB 1233, HB 1238, HB 1313, HB 1316-FN, HB 1356, HB 1392, HB 1402, HB 1427-FN, HB 1458, HB 1468, HB 1476, HB 1515, HB 1538-FN, HB 1550, HB 1562-FN, HB 1565-FN, HB 1592-FN, HB 1614, HB 1626-FN, HB 1636, HB 1673-FN-L, HB 1686-FN, HB 1743-FN, HB 1775, HB 1791-FN, HB 1809-FN, HB 1816-FN, HB 1817-FN, HB 1819-FN, HB 1822-FN, HB 2018

Senator Soucy: HB 407-FN

LATE SESSION

Third Reading and Final Passage

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

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

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, (Third New Title) enabling the department of health and human services to contract with certain certified physicians and authorizing the department of corrections to establish additional expenditure class lines with fiscal committee and governor and council approval.

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 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 1233, preempting local regulation of seeds and fertilizer.

HB 1238, relative to animal cruelty involving an equine colt.

HB 1316-FN, relative to revenue collected from concealed carry licenses and relative to funding the permits and licensing unit of the state police.

HB 1356, relative to data sharing between the department of environmental services and the department of health and human services; making an appropriation to the department of business and economic affairs for relocation costs; and relative to the exemption for recreational vehicles from property taxation.

HB 1392, relative to tallies of votes on budget items or warrant articles.

HB 1402, relative to ordinances regarding forestry activities.

HB 1458, relative to exempting certain rules governing marine species from the administrative procedures act and relative to immunity for campground owners.

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

HB 1515, relative to an exemption from the combustion ban on construction and demolition debris.

HB 1538-FN, limiting the liability of successor corporations for asbestos-related claims.

HB 1550, requiring electric bills to include the cost of compliance with renewable energy standards.

HB 1562-FN, relative to collaboration between the department of health and human services and foster parents and relative to the disposition of interests in condominium units.

HB 1565-FN, requiring the secure psychiatric unit to be accredited as a behavioral health facility.

HB 1592-FN, requiring the commissioner of the department of environmental services to review ambient groundwater standards for arsenic.

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

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, and relative to liquor commission shortfalls.

HB 1636, (Third New Title) establishing a committee to study teacher preparation and education programs, relative to chartered public school use of unused school district facilities, and establishing education freedom savings accounts for students.

HB 1673-FN-LOCAL, relative to the interest charged on late and delinquent property tax payments and relative to prorated assessments for damaged buildings.

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

HB 1743-FN, relative to funding for the Sununu youth services center and relative to positions at the department of health and human services.

HB 1775, relative to the appointment of guardians ad litem in parenting cases and relative to alcohol and drug free housing.

HB 1791-FN, (New Title) allowing pharmacists to disclose information relative to lower cost drugs under the managed care law and relative to biological products dispensed by pharmacists.

HB 1809-FN, relative to balance billing under the managed care law and relative to coverage for emergency services.

HB 1816-FN, relative to Medicaid managed care.

HB 1817-FN, (Eighth New Title) establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees and making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account; relative to disproportionate share hospital payments and making an appropriation therefor, and relative to the uncompensated care and Medicaid fund.

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

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

HB 2018, relative to the state 10-year transportation improvement program and establishing a committee to study the removal of the Merrimack tolls.

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.