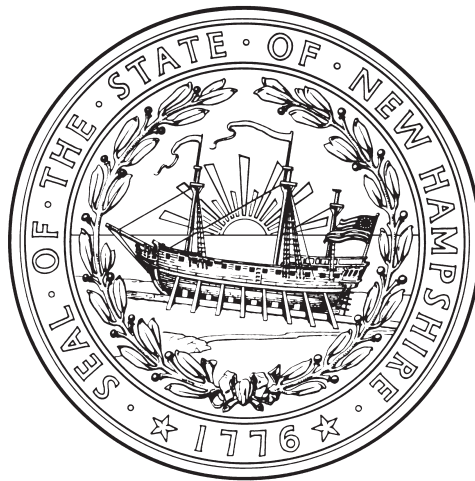


February 1, 2018
Nos. 2-3

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 – JANUARY 18, 2018 SESSION
COMMENCEMENT – FEBRUARY 1, 2018 SESSION**

SENATE JOURNAL 2 *(continued)*

January 18, 2018

INTRODUCTION OF LEGISLATION

Senator Bradley offered the following Resolution:

RESOLVED, That in accordance with the list in the possession of the Senate Clerk, the following legislation shall be by this Resolution read a first and second time by the therein listed title and referred to the therein designated committee. Adopted.

First and Second Reading and Referral

18-2832

SB 588-FN, relative to inspections of laboratories. (Bradley, Dist 3; Executive Departments and Administration)

18-2926

SB 589-FN, relative to regulation of certified recovery support workers. (Reagan, Dist 17; Carson, Dist 14; Gannon, Dist 23; Sytek, Rock. 8; McGuire, Merr. 29; Knirk, Carr. 3; Executive Departments and Administration)

18-2835

SB 590-FN-A, making a supplemental appropriation to the state loan repayment program, relative to emergency involuntary admissions, and relative to the child protection act and making appropriations therefor. (Bradley, Dist 3; Carson, Dist 14; Avard, Dist 12; Gray, Dist 6; Fuller Clark, Dist 21; Watters, Dist 4; Feltes, Dist 15; Danielson, Hills. 7; Rosenwald, Hills. 30; M. MacKay, Hills. 30; Health and Human Services)

18-2906

SB 591-FN, relative to accreditation of health care providers by pharmacy benefit managers. (Soucy, Dist 18; Reagan, Dist 17; Rosenwald, Hills. 30; Keans, Straf. 23; Health and Human Services)

18-2819

SB 592-FN-A, relative to the child welfare system. (Carson, Dist 14; Morse, Dist 22; Bradley, Dist 3; Avard, Dist 12; Reagan, Dist 17; Hinch, Hills. 21; Kotowski, Merr. 24; Bove, Rock. 5; Umberger, Carr. 2; Health and Human Services)

January 24, 2018

2018-0270-EBA

08/03

Enrolled Bill Amendment to SB 48

The Committee on Enrolled Bills to which was referred SB 48

AN ACT establishing a commission to study the efficiency and effectiveness of fish and game department operations.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 48

This enrolled bill amendment corrects the name of the commission established to make it consistent throughout the bill.

Enrolled Bill Amendment to SB 48

Amend this bill by replacing section 3 with the following:

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

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

January 19, 2018
 2018-0207-EBA
 06/04

Enrolled Bill Amendment to SB 247-FN-A

The Committee on Enrolled Bills to which was referred SB 247-FN-A
 AN ACT preventing childhood lead poisoning from paint and water.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 247-FN-A

This enrolled bill amendment makes grammatical corrections.

Enrolled Bill Amendment to SB 247-FN-A

Amend section 18 of the bill by replacing line 1 with the following:

18 New Section; Lead in Drinking Water in Schools and Licensed Child Care Facilities. Amend
 Amend RSA 485:17-a, I as inserted by section 18 of the bill by replacing line 10 with the following:
 approved by the department, within 30 days of notification of parents or, in consultation with the
 Amend RSA 540-A:3-a as inserted by section 19 of the bill by replacing line 5 with the following:
 shall notify the tenant or prospective tenant and shall install on the kitchen faucet a filtering
 Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

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

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 3

February 1, 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:

Dear God, we start this morning by praying for our colleague, Senator D'Allesandro, who is absent to be with his brother Paul in Boston with pneumonia. Strengthen them; give them the assurance of healing presence.

This morning we give thanks for our government and its leaders. Help them to be men and women acting justly and righteously; that we may lead a quiet and peaceable life in all goodness and honesty. Give our leaders wise and understanding hearts and let knowledge be pleasant to them. Guide them in making wise and just choices. Guard over them with understanding, keeping them out of danger; make their hearts and ears attentive to wise counsel, doing what is right for the people they serve. Give us upright, just and fair men and women in our government that our state will be secure and prosperous. Help them to do justice, love kindness, and walk with humility. Let all of us who enjoy the fruits of liberty and justice having seen their example pitch in and do our part to make our country and state a better place to live. Amen.

Senator Bradley led the Pledge of Allegiance.

Senator D'Allesandro is excused for the day.

INTRODUCTION OF GUESTS

(The Chair recognized Senator Avar.)

SENATOR AVARD: Thank you, Mister President. I would like to introduce and congratulate the coach and the team for the Hollis Thunder FIRST LEGO League, and congratulate them on their winning the State Championship in Windham, New Hampshire. Coach Gregory Szczeszynski. Did I say that right? Elliott Miller, Christopher Pyle, and Ania Szczeszynski congratulations! And we're looking forward to them representing our state in the 2018 FIRST LEGO League World Festival in April in Detroit, Michigan. Congratulations!

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Mister President. I would like to introduce two people that are in the Senate chambers today, Melanie Zalman McDonald. Melanie is the Executive Director of The Jewish Federation of New Hampshire, a statewide nonprofit out of Manchester, New Hampshire. The Federation carries out a number of activities serving thousands of people statewide, and among those are the only full day Jewish preschool; the monthly newsletter, the Jewish Reporter, circulated to 4,000 households; provides social services for needy families; produces the Jewish Film Festival, now in its 10th year; and is a powerful voice against anti-Semitism in partnership with twenty different agencies across the state. So, Melanie, thank you for being here today, and thank you for bringing your guest, as well.

Her guest is Noam Wolf, who hails from Maccabim-Re'ut, a city between Jerusalem and Tel Aviv in Israel. Noam, she arrived in Manchester, New Hampshire in August through a partnership between The Jewish Federation of New Hampshire and The Jewish Agency for Israel on a Shaliach. A Shaliach means that she is a designated emissary for New Hampshire, and carrying out a variety of educational and public service activities throughout the state. Her goal is to bridge the gap between the people in Israel and in the United States, and to promote a better understanding of Israeli ideals. And in her short seven months in the United States so far she's been able to present 140 different educational programs to people of all ages across the state. Welcome to the Senate chamber.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I'd like to introduce to the body Joseph Mitchell who is a good friend and a freshman at White Mountain Community College who is with us today. Welcome to the Senate, Joe Mitchell.

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: I only see one in the audience so far, because they were so busy providing us a wonderful breakfast this morning, and they might show up later so I'm going to ask for a second accommodation, Mister President. But today some of you may have come down to visit the American Cancer Society, which is the best run cancer society in America; run by the best people in the state of New Hampshire, residing in the best Senate district in the state of New Hampshire, Mister President. And so I welcome all the members of the Cancer Society who were kind enough to give many of us breakfast this morning to talk a bit about their issues. So if you could please welcome them to the chamber.

INTRODUCTION OF PAGES

Senator Kahn introduced Oni Saleh from Keene High School, serving as Senate Page for the day.

SPECIAL ORDER

Without objection, the following bill is special ordered to the beginning of the calendar. Adopted.

TRANSPORTATION

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

FN REPORT FOR FEBRUARY 1, 2018

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

CONSENT CALENDAR:

JUDICIARY

SB 496-FN, relative to mediation for child support arrearages over \$5,000.

SB 558-FN, relative to discrimination based on pregnancy or lactation—if Interim Study recommendation is overturned.

SB 574-FN, clarifying the repayment period for parental reimbursement.

REGULAR CALENDAR:

HEALTH AND HUMAN SERVICES

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

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

SB 549-FN-A, making an appropriation to the department of health and human services for the Sununu health services center and relative to infants born with substance abuse or withdrawal symptoms resulting from prenatal drug exposure or fetal alcohol spectrum disorder.

JUDICIARY

SB 387-FN, relative to liability of governmental units.

TRANSPORTATION

SB 521-FN, authorizing Sophia's Fund to issue decals for multi-use decal plates.

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

CONSENT CALENDAR:

COMMERCE

SB 429-FN, extending the authority of the department of justice to trade or commerce involving insurance.

EDUCATION

SB 361, relative to dual and concurrent enrollment agreements between high schools and colleges and universities.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

SB 534-FN, relative to the classification of certain state employee positions.

REGULAR CALENDAR:

EDUCATION

SB 355-FN, relative to the names of colleges in the community college system.

ENERGY AND NATURAL RESOURCES

SB 528-FN-L, relative to dam registration fees and relative to permit fees for constructing or reconstructing a dam.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 457-FN, waiving initial licensure fees for indigent applicants for certain professions—if Inexpedient to Legislate recommendation is overturned.

SB 465-FN, relative to documentation requirements for the department of labor.

HEALTH AND HUMAN SERVICES

SB 310-FN, establishing a pilot program for community-based diversion services.

SB 551-FN, relative to deductibles under health insurance policies—if Interim Study recommendation is overturned.

JUDICIARY

SB 390-FN, establishing the office of solicitor general in the department of justice and establishing an unclassified attorney position in the department of justice.

SB 492-FN, prohibiting bump stocks in New Hampshire—if Interim Study recommendation is overturned.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS REMOVED

JUDICIARY

SB 496-FN, by Senator Carson

CONSENT CALENDAR

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

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

COMMERCE

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

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

This bill is an attempt to allow our consumers to better protect their financial security by eliminating the \$10 fee paid to the credit bureaus. Now the law states in order to take action to protect one's credit one must prove that their credit has been compromised and adds a \$10 fee. This legislation removes that \$10 fee and allows you to freeze your credit for free.

SB 312, clarifying the New Hampshire Foundation Act.

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

This bill makes three simple technical corrections to the Foundation Act. First, it clarifies that the principal office of a foundation need not be located in New Hampshire. This is consistent with the LLC Act, the Corporations Act and the Trust Act. It also adds a missing "and" and corrects a cross reference to the "General Powers" section of the Act. Finally, it adds a cross reference to the "Capital" section of the Act, to clarify that the language in this section limiting a founders powers must be read in conjunction with the "Reserved Power" section.

SB 315, relative to the definition of beverage.

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

Mead is fermented with three basic ingredients: honey, yeast and water. It isn't classified as beer or wine, but stands apart in its own rank of alcoholic beverage. The amendment defines "mead" in statute and includes mead in the RSA that allows the commission to approve a malted beverage greater than 6 but not to exceed 8 percent of alcohol.

Commerce

January 24, 2018

2018-0283s

08/04

Amendment to SB 315

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

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

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

1 Beverage; Definition. Amend RSA 175:1, VIII to read as follows:

VIII. "Beverage" means any beer, wine, similar fermented malt or vinous liquors and fruit juices, and any other liquid intended for human consumption as a beverage having an alcoholic content of not less than 1/2 of one percent by volume and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit and specialty beer as defined in RSA 175:1, LXIV-a. The commission may approve any fermented malt beverage **or mead** greater than 6 percent but not to exceed 8 percent or any cider greater than 6 percent.

2 New Paragraph; Definitions; Mead. Amend RSA 175:1 by inserting after paragraph XLVIII the following new paragraph:

XLVIII-a. "Mead" means an alcoholic beverage primarily made from honey, water, and yeast, and which may contain fruit, fruit juices, spices, or herbs added before or after fermentation as completed, except that the ratio of fermentable sugars from honey must exceed 50 percent of the total fermentable sugars used to produce mead.

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

2018-0283s

AMENDED ANALYSIS

This bill defines mead and allows the liquor commission to approve certain meads.

SB 319, relative to exempt securities.

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

This bill modifies the exemption from securities regulation for government issued securities including any industrial development bond or industrial revenue bond. NH is currently one of only 9 states that requires that when these securities are sold to the public a notice needs to be filed. NH is such a small state that it does not make sense for a bond issuer from other states to file a form and pay a fee in NH. The fee is modest but the legal and accounting costs to prepare the form far exceed the amount of the fee. This puts NH at a competitive disadvantage.

SB 348, relative to senior-specific certifications or designations for securities broker-dealers.
Ought to Pass, Vote 5-0. Senator Soucy for the committee.

The Legislature recently recodified the Securities Act but this particular provision was omitted. This bill would prohibit the use of senior designations unless the designation has been issued by a group that has been recognized by the nationally recognized accrediting organization. The original statute dealing with professional designation arose as a result of financial professionals that were falsely implying that they had expertise in senior issues and trying to capitalize on that market by offering products which may or may not have suited senior citizens. It is important to correct this oversight so the bureau can protect this age group that has been targeted in the past. In addition the bill makes technical corrections to federal and state statutory citations.

SB 429-FN, extending the authority of the department of justice to trade or commerce involving insurance.
Ought to Pass with Amendment, Vote 5-0. Senator French for the committee.

The original intent of this bill was to remove the insurance commissioner from the consumer protection act because although not law or a rule, the commission wouldn't allow anyone to go before the commission who was being represented by an attorney. The committee amendment replaces all and allows the insured to be represented by an attorney in dispute with an insurer in front of the commission as well as codifying other policies of the department. Adding this to statute clears up any confusion with the department.

Commerce
January 24, 2018
2018-0279s
03/01

Amendment to SB 429-FN

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

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

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

1 New Section; Consumer Services Program. Amend RSA 400-A by inserting after section 15-d the following new section:

400-A:15-e Consumer Services Program.

I. The commissioner shall maintain a program to investigate complaints and respond to inquiries received, and, when warranted, refer matters for enforcement, further investigation, or examination against insurers, producers, or any other entity subject to the regulatory authority of the commissioner. The program shall include, but not be limited to, the following:

- (a) A toll-free telephone number dedicated to the handling of complaints and inquiries.
- (b) A standardized complaint form designed to assure that complaints will be properly registered and tracked.
- (c) Maintenance of a comprehensive database of complaints and inquiries adequate to promote efficient case handling and to allow department analysts to discern potential issues with regulated entities and market trends that require follow up and potential regulatory action.
- (d) The commissioner shall, if deemed appropriate, notify insurers, producers, or other regulated entities against whom the complaint is made of the nature of the complaint, may request appropriate relief for the complainant, and may meet and confer with the complainant and the regulated entity in order to mediate the complaint. This section shall not be construed to give the commissioner power to adjudicate claims.
- (e) Retention of records on complaints and inquiries consistent with the insurance department's general record retention policy.

(f) Sharing of complaint information, pursuant to RSA 21-U, with other state agencies regulating financial services.

(g) Referral of complaints not within the department's jurisdiction to appropriate public and private agencies.

(h) Complaint handling goals that can be tested against consumer satisfaction surveys carried out pursuant to paragraph V.

(i) Inclusion in the department's annual report to the governor and council, required under RSA 400-A:26, detailed information regarding the program required by this section, that shall include, but not be limited to: a description of the operation of the complaint handling process, listing the number of complaints and inquiries received; enforcement actions taken pursuant to complaints received; the amount of staffing resources devoted to the handling and resolution of complaints; and the amount of recoveries made on behalf of consumers.

II. The commissioner may establish a secure, online complaint response system to distribute and receive complaint information from insurers and other regulated entities. Insurers or other regulated entities shall be required to submit and receive complaint information, including, but not limited to, requested claim files, underwriting files, correspondence, and other supporting documents, using any system established by the commissioner pursuant to this paragraph.

III.(a) In receiving complaints and inquiries, investigating complaints, and responding to complaints and inquiries by members of the public concerning the handling of insurance claims by insurers or producers, or alleged misconduct by insurers or producers, the commissioner shall not decline to investigate complaints for any of the following reasons:

(1) The insured is represented by an attorney in a dispute with an insurer, or is in mediation or arbitration.

(2) The insured has a civil action against an insurer.

(3) The complaint is from an attorney, if the complaint is based upon evidence or reasonable beliefs about violations of law known to an attorney because of a civil action.

(b) Consistent with the principles of res judicata and administration and judicial economy, the commissioner may defer any mediation effort or enforcement proceeding related to a complaint until the finality of a dispute, mediation, arbitration, or civil action involving the claim is known.

(c) Nothing in this section shall be construed to waive the confidential and privileged nature of all documents, materials, or other information in possession of the department pursuant to an investigation of a complaint as provided in RSA 400-A:16.

IV. In coordination with the consumer services program, the commissioner shall provide for the education of, and dissemination of information to, members of the general public concerning insurance matters. The commissioner may in person or through employees of the department meet with individuals, organizations, and associations interested in insurance for the purpose of securing cooperation in the enforcement of the insurance laws of this state and may disseminate information concerning the insurance laws of this state for the assistance and information of the public. In addition, the commissioner shall arrange for public service announcements, website information, social media statements, and other outreach efforts reasonably designed to inform consumers of the availability of the department's consumer assistance program and how to register a complaint or make an inquiry to the department.

V. The department shall include, with each notification of final action to a complainant, or, at a minimum, with a number of randomly selected notifications of final action sufficient to assure the validity of results, a complaint handling consumer satisfaction evaluation form. This form shall clearly and concisely seek an evaluation of the department's performance in handling the complainant's grievance. The areas of evaluation shall include, but not be limited to: whether the complaint was handled in a fair and reasonable manner, evaluated thoroughly and without bias; the time required for resolution of the complaint; whether the complaint was referred and, if so, whether it was referred within a satisfactory time; whether the staff involved in handling the complaint demonstrated an adequate knowledge of the issues involved in the complaint; whether the complainant was satisfied with the result of the department's intervention; and whether the complainant would recommend the department's complaint handling services to others.

VI. The commissioner shall ascertain patterns of complaints by insurer, geographic area, insurance line, type of violation, and any other valid basis the commissioner may deem appropriate for further investigation, and periodically evaluate the complaint patterns to determine additional examination, investigative, or enforcement actions which may be taken by the commissioner, and report on all actions taken with respect to those patterns of complaints in his or her annual report to the governor and council pursuant to RSA 400-A: 26, and to the public. For the purposes of this paragraph, complaints mean those written complaints received by the commissioner under paragraph I, and written complaints received by the commissioner from any other sources, alleging misconduct or unlawful acts by insurers or production agencies.

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

2018-0279s

AMENDED ANALYSIS

This bill establishes within the insurance department a consumer services program to investigate complaints and respond to inquiries.

EDUCATION

SB 349, relative to course requirements in a career and technical education program.
Ought to Pass, Vote 5-0. Senator Watters for the committee.

This bill includes a career and technical education program in the non-mathematics content area courses a student may take to fulfill the competency in mathematics requirement. This legislation seeks to clarify and reassert the intent of the fourth-year math program that was implemented several years ago so that it applies to career and technical education (CTE) programs.

SB 356, adding a representative from the community college system to the apprenticeship advisory council.
Ought to Pass, Vote 5-0. Senator Giuda for the committee.

This bill adds a representative from the community college system of New Hampshire (CCSNH) to the apprenticeship advisory council. CCSNH has made important strides in building apprenticeship programs and relationships with employers and community organizations statewide. Adding a representative from the CCSNH would allow them to expand their work to include others on the council as they work to expand apprenticeships to industries beyond the traditional trades, such as healthcare, IT, and advanced manufacturing.

SB 361, relative to dual and concurrent enrollment agreements between high schools and colleges and universities.
Ought to Pass with Amendment, Vote 5-0. Senator Kahn for the committee.

As amended, this legislation extends the dual and concurrent enrollment program to high school courses approved for credit by the university system of New Hampshire. It also requires the department of education and the university system to develop a model dual and concurrent enrollment agreement to be used by participating school districts.

Senate Education
January 23, 2018
2018-0244s
06/05

Amendment to SB 361

Amend RSA 188-E:25, I as inserted by section 1 of the bill by replacing it with the following:

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

Amend the bill by replacing section 2 with the following:

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

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

Amend RSA 188-E:28, I as inserted by section 3 of the bill by replacing it with the following:

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

Amend RSA 188-E:28, III as inserted by section 3 of the bill by replacing it with the following:

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

2018-0244s

AMENDED ANALYSIS

This bill:

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

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

SB 382, relative to withdrawal from cooperative school districts.

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

At the request of the Department of Education, this bill requires certain cooperative school districts to amend their articles of agreement to include a method of withdrawal from the cooperative district. Issues to be considered shall include, but are not limited to, the process for ongoing education following withdrawal or dissolution, maintenance of student records, employment issues, on-going liability issues, capital issues, and bond issues.

ENERGY AND NATURAL RESOURCES

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

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

This bill will create a commission to study the establishment of a state department of energy. Currently, state energy policy is addressed through many different state agencies, leaving the public confused about where to access information regarding energy policy and programs. SB 448 will examine the potential to create a single state agency or consolidation under another agency in order to better provide information and support to an area of policy that is both intricate and complex.

Energy and Natural Resources

January 16, 2018

2018-0158s

06/01

Amendment to SB 448

Amend RSA 162-H:23, I as inserted by section 1 of the bill by inserting after subparagraph (k) the following new subparagraphs:

- (l) One representative of the New Hampshire High Tech Council, appointed by the council.
- (m) The consumer advocate, or designee.
- (n) The commissioner of safety, or designee.

Amend RSA 162-H:23, IV as inserted by section 1 of the bill by replacing it with the following:

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

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

The legislation provides for the Office of Professional Licensure and Certification to establish by rule and collect fees for boards and commissions administered by their office and to deposit these fees in the Office of Professional Licensure and Certification Fund. In addition, this creates one unit for budgetary purposes to track financing and to know when fee structures may need to be reviewed.

SB 534-FN, relative to the classification of certain state employee positions.

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

This legislation, which was a request of the Joint Committee on Employee Classification, revises the salaries and titles of certain unclassified employees in the department of health and human services, in addition to increasing certain salaries in order to recruit and retain qualified personnel. The amendment corrects a typographical error in the original bill.

Senate Executive Departments and Administration

January 24, 2018

2018-0275s

05/04

Amendment to SB 534-FN

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

1 Compensation of Certain State Officers; Salaries Established. Amend RSA 94:1-a, I(b) by deleting the following:

- I. EE Department of health and human services, administrator, bureau of division of elderly services and adult community services
- II. HH Department of information technology, chief information security officer
- III. II Department of administrative services, assistant commissioner
- IV. II New Hampshire hospital, chief executive officer
- V. PP Department of health and human services, unit director, medical

2 Compensation of Certain State Officers; Salaries Established. Amend RSA 94:1-a, I(b) by inserting the following:

- I. FF Banking department, general counsel
- II. HH Department of administrative services, project management, innovation and operational analysis unit, director
- III. HH New Hampshire hospital, chief operating officer
- IV. HH Department of information technology, assistant chief information security officer
- V. II Department of information technology, chief information security officer
- VI. JJ Department of administrative services, assistant commissioner
- VII. JJ Department of health and human services, associate commissioner, operations

VIII. JJ Department of health and human services, associate commissioner, population health

IX. KK Department of business and economic affairs, commissioner

Amend RSA 94:3-b, II(b) as inserted by section 3 of the bill by replacing it with the following:

(b) Associate medical examiner, department of justice, \$160,000 - \$240,000

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

4 New Section; Bank Commissioner; General Counsel. Amend RSA 383 by inserting after section 5 the following new section:

383:5-a General Counsel. The commissioner shall appoint a general counsel, who shall serve at the pleasure of the commissioner. The general counsel shall perform such duties and exercise such powers as the commissioner may authorize.

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

2018-0275s

AMENDED ANALYSIS

This bill revises the salaries for certain unclassified positions and adjusts salaries for recruitment and retention purposes. The bill also establishes the position of general counsel in the banking department.

JUDICIARY

SB 338, relative to the growing of cannabis if it becomes legal.

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

This bill would have allowed New Hampshire farmers to legally grow cannabis if cannabis were to become legal in the State. The Committee is aware of the ongoing Commission that is reviewing the concept of cannabis legalization and therefore, would like the Commission to have the opportunity to study this issue before moving forward.

SB 386, relative to access to criminal records.

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

This bill will allow a person to request and receive a copy of the criminal conviction of another person without requiring the individual's authorization to be notarized. Fundamentally, this removes the redundancy of confirming the identity of an individual when their identity is already confirmed through fingerprinting.

SB 558-FN, relative to discrimination based on pregnancy or lactation.

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

This bill would create a cause of action for a person who believes she has been discriminated against by an employer for breast-feeding. The Committee will be examining this issue in SB497-FN and therefore, requests the bill be moved to Interim Study to prevent any confusion.

SB 574-FN, clarifying the repayment period for parental reimbursement.

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

This bill clarifies the reimbursement period for which a parent or guardian may be required to reimburse the state for services provided in a juvenile court proceeding. The bill is a request of the Department of Health and Human Services and the Committee amended the bill to place delinquency orders in line with CHINs orders in regards to ending the obligation of parental reimbursement upon the death of a child.

Senate Judiciary

January 25, 2018

2018-0314s

05/01

Amendment to SB 574-FN

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

4 New Subparagraph; Delinquent Children; Parental Reimbursement Obligation. Amend RSA 169-B:40, I by inserting after subparagraph (f) the following new subparagraph:

(g) If at any point during the reimbursement period, the child or recipient of services dies, no future payments from the parent or person chargeable by law for the child's support and necessities shall be required, provided that proof of death has been provided to the department of health and human services, and the reimbursement obligation shall be dismissed for payments beyond the date of death of the child or recipient. Accrued unpaid reimbursements in arrears shall continue to be paid.

2018-0314s

AMENDED ANALYSIS

This bill clarifies the reimbursement period for which a parent or guardian may be required to reimburse the state for services provided in a juvenile court proceeding. The bill also provides that in delinquency cases, the parental reimbursement obligation ends upon the death of the child receiving the benefit of services.

PUBLIC AND MUNICIPAL AFFAIRS

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

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

This bill clarifies the number of votes required for a zoning board of adjustment to act. The committee felt that this clarification will bring the petitioner an increased level of certainty about zoning board of adjustment actions.

SB 393, relative to county audits and performance audits.

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

This bill modifies a county's authority for conducting county audits and performance audits. It will combine the county audit statutes into one and allow the county commissioners to facilitate the audits. Language is clarified regarding standards and requires a copy of the audit be sent to the Department of Revenue Administration.

Public and Municipal Affairs

January 26, 2018

2018-0317s

06/10

Amendment to SB 393

Amend RSA 28:3-a as inserted by section 1 of the bill by replacing it with the following:

28:3-a County Audits. In the event that an audit is required or requested by resolution by either the board of commissioners or the county convention, the **county** commissioners~~[, with the approval of the executive committee of the county convention,]~~ shall engage the services of a certified public accountant qualified in municipal and county finances for the purpose of conducting an audit of the county books of ~~[account]~~ **records**. The performance and scope of the audit shall be in accordance with generally-accepted auditing ~~[practice]~~ **standards**. The audit shall include an examination for conformance with state and federal laws and regulations relating to county finances, including rules adopted by the commissioner of revenue administration pursuant to RSA 541-A, and shall also include an examination of any subject of county finances that may be requested either by the commissioners, by the county convention, or by the treasurer. The audit shall be completed within ~~[90]~~ **120** days following the close of the county fiscal year. The commissioners shall cause the report of the auditor, together with the customary management **representation** letter and ~~[auditee]~~ **management** responses, to be published with or supplementary to the annual reports of the county officers, **with a copy forwarded to the department of revenue administration**.

TRANSPORTATION

SB 347, relative to seasonal highway weight limits.

Inexpedient to Legislature, Vote 5-0. Senator Watters for the committee.

This bill would delete the requirement that the district engineer, department of transportation, approve vehicle exclusions from seasonal highway weight limit regulations. The Senate Transportation Committee believes that since the state has a role in maintaining roads throughout New Hampshire, a district engineer should still be consulted in approving these exclusions from seasonable highway weight limit regulations.

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

REGULAR CALENDAR

TRANSPORTATION

SB 402, naming a portion of route 110 in Berlin in honor of Anthony B. Urban.
Ought to Pass, Vote 5-0. Senator Watters for the committee.

INTRODUCTION OF GUESTS

Senator Woodburn introduced Pamela Urban-Morin, daughter of Anthony Urban, and great friend, State Police Colonel Fred Booth.

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

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

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

The following Senators voted No: (None)

The following Senators were excused: Kahn, D'Allesandro.

Roll Call, Yeas: 22 - Nays: 0. Adopted.

MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider SB 402, the bill having previously been found Ought to Pass. Adopted.

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

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

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

The following Senators voted No: (None)

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 23 - Nays: 0. Adopted, bill ordered to Third Reading.

COMMERCE

SB 428, relative to the payment of weekly and biweekly wages.
Ought to Pass, Vote 4-1. Senator Innis for the committee.

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

EDUCATION

SB 355-FN, relative to the names of colleges in the community college system.
Ought to Pass with Amendment, Vote 4-1. Senator Reagan for the committee.

Senate Education
January 23, 2018
2018-0255s
04/10

Amendment to SB 355-FN

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

AN ACT relative to the names of the colleges in the community college system and making an appropriation therefor.

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

1 Community College System of New Hampshire; Names of Institutions. Amend RSA 188-F:13 to read as follows:

188-F:13 Names of the Colleges. The ~~[names of the]~~ respective colleges of the community college system of New Hampshire shall ~~[be established, and may be changed, upon approval by the board of trustees and approval by the governor and council]~~ **each bear the designation "New Hampshire state college." This designation shall be followed by a specific, geographically or regionally appropriate designation to be determined by the board of trustees.**

2 Pre-Engineering and Technology Advisory Council; Membership. Amend RSA 188-E:16, I(d) to read as follows:

(d) The president of the ~~[New Hampshire technical institute]~~ **New Hampshire state college in the city of Concord**, or designee.

3 Advanced Manufacturing Education Advisory Council; Membership. Amend RSA 188-E:22, I(e) to read as follows:

(e) The president of the ~~[New Hampshire technical institute]~~ **New Hampshire state college in the city of Concord**, or designee.

4 Appropriation. The sum of \$500,000 for the biennium ending June 30, 2019 is hereby appropriated to the community college system of New Hampshire for the payment of expenses related to the renaming and rebranding of the colleges in the community college system pursuant to section 1 of this act. This sum is in addition to any other sums appropriated to the community college system of New Hampshire for the biennium. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

5 Effective Date.

I. Section 4 of this act shall take effect July 1, 2018.

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

2018-0255s

AMENDED ANALYSIS

This bill changes the names of the colleges in the community college system of New Hampshire, authorizes the community college system board of trustees to determine part of that name, and makes an appropriation for the renaming.

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

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

Senator Bradley moved to Lay on the Table SB 355-FN. Adopted.

ENERGY AND NATURAL RESOURCES

SB 444, relative to cutting timber near certain waters and public highways.

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

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

SB 445, designating the Warner River as a protected river.

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.

SB 528-FN-L, relative to dam registration fees and relative to permit fees for constructing or reconstructing a dam.

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

Energy and Natural Resources

January 24, 2018

2018-0268s

08/03

Amendment to SB 528-FN-LOCAL

Amend RSA 482:9, II(a) through (d) as inserted by section 2 of the bill by replacing it with the following:

(a) Non-hazard potential dam ~~[\$2,000]~~ **\$2,500**

(b) Low hazard potential dam [~~\$3,000~~] **\$3,500**

(c) Significant hazard potential dam [~~\$4,000~~] **\$5,000**

(d) High hazard potential dam [~~\$4,000~~] **\$6,000**

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

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

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

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

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

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 17 - Nays: 6. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 371, establishing the Meldrim Thomson, Jr. Memorial Commission.

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

Senate Executive Departments and Administration

January 11, 2018

2018-0106s

08/04

Amendment to SB 371

Amend RSA 4:9-o, III as inserted by section 1 of the bill by replacing it with the following:

III. The commission shall select the design for the Meldrim Thomson, Jr. memorial and oversee the construction and maintenance of the memorial.

Senator Carson moved to Lay on the Table SB 371. Adopted.

SB 457-FN, waiving initial licensure fees for indigent applicants for certain professions.

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

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

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

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

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

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 13 - Nays: 10. Adopted.

SB 460, relative to the terms and qualifications for the adjutant general and deputy adjutant general.

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

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

SB 465-FN, relative to documentation requirements for the department of labor.

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

Senator Carson moved to Lay on the Table.

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

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

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

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 13 - Nays: 10. Adopted.

INTRODUCTION OF GUESTS

Senator Sanborn introduced an American Cancer Society tour group visiting in the gallery.

FINANCE

SB 63, relative to record management of abuse and neglect reports and establishing a pilot program and making an appropriation therefor.

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

Senate Finance

January 24, 2018

2018-0260s

05/04

Amendment to SB 63

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

AN ACT relative to record management of abuse and neglect reports and establishing a pilot program regarding electronic storage of abuse and neglect records.

Amend the bill by deleting section 6 and renumbering the original section 7 to read as 6.

2018-0260s

AMENDED ANALYSIS

This bill revises the record retention requirements for founded, unfounded, and screened-out reports of abuse or neglect; establishes a pilot program regarding electronic storage of abuse and neglect records; and establishes certain classified positions within the department of health and human services.

Recess. Out of recess.

The question is on the adoption of the Committee Amendment.

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

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, Fuller Clark.

The following Senators were excused: D'Allesandro.

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

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

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

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

The following Senators voted No: (None)

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 23 - Nays: 0. Adopted, bill ordered to Third Reading.

SB 240-FN-L, relative to the monitoring and treatment of contaminated wells.

Ought to Pass with Amendment, Vote 5-0. Senator D'Allesandro for the committee.

Senate Finance
January 17, 2018
2018-0154s
08/03

Amendment to SB 240-FN-LOCAL

Amend RSA 485-C:6-c as inserted by section 1 of the bill by replacing it with the following:

485-C:6-c Contaminated Wells; Monitoring. Upon receiving information that a drinking water well that is not a source for a public water system exhibits the presence of a man-made contaminant, other than road salt, but the concentration does not exceed an existing ambient groundwater quality standard, the department shall determine if the contaminant is increasing in the well by primarily measuring the contaminants in the well and comparing such measurements to any previous measurements, and therefore, should be monitored and whether it is possible to identify the source of the contaminant. If a responsible party is identified as the source of the contaminant and the department determines monitoring is warranted, the department shall require the responsible party to monitor the contamination at a frequency sufficient to provide advance warning of any exceedance of the standard. If the department determines that monitoring trends or other available information reasonably suggest that the concentration of the contaminant in the well is likely to exceed the ambient groundwater quality standard prior to the next scheduled monitoring date, the responsible party shall provide treatment or an alternative supply of drinking water that meets all applicable standards and is approved by the department.

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

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

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

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

Senate Finance
January 24, 2018
2018-0262s
10/01

Amendment to SB 372-FN-A

Amend the bill by replacing section 1 with the following:

1 Office of Professional Licensure and Certification; New Classified Positions; Appropriation.

I. Three license clerk positions, labor grade 11, are hereby established as classified positions in the office of professional licensure and certification.

II. The amount necessary to pay for the positions established in paragraph I, which shall be in addition to any sums appropriated in AU 01-21-21-212010-2405 and AU 01-21-21-215010-2406 for the divisions of technical professions and health professions, is hereby appropriated to the executive director of the office of professional licensure and certification. The governor is authorized to draw a warrant for such sum out of any money in the treasury not otherwise appropriated.

2018-0262s

AMENDED ANALYSIS

This bill establishes 3 license clerk positions in the office of professional licensure and certification and makes an appropriation therefor.

This bill is a request of the office of professional licensure and certification.

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

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

SB 467-FN-A, relative to the state art fund.

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

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

SB 471, relative to the authority of municipalities to address potential natural threats. Ought to Pass with Amendment, Vote 5-0. Senator Giuda for the committee.

Senate Finance
January 24, 2018
2018-0261s
08/04

Amendment to SB 471

Amend RSA 21-P:37-c, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) When the President of the United States declares an area a federal disaster area and a municipality has applied for federal emergency assistance from the Federal Emergency Management Administration (FEMA), the governor, with the approval of the executive council, may approve a loan in the amount up to the anticipated assistance from FEMA from funds not otherwise appropriated.

Amend RSA 21-P:37-c as inserted by section 1 of the bill by replacing paragraphs VI and VII with the following:

VI. If the state treasury provides advance funding to a municipality that has applied for and is waiting for FEMA disaster relief funding, the interest rate to be assessed on such advance funding shall be no greater than the prevailing rate at which the state treasury is able to invest its commingled cash.

VII. If the amount of FEMA assistance a municipality receives is less than the exceptional disaster relief loan, the state treasurer, with the advice and consent of governor and council, shall negotiate terms of repayment of the difference. If the municipality and the state treasurer are unable to reach an agreement, the department of revenue administration shall include the amount in the amount apportioned for setting property tax rates.

VIII. The director of homeland security and emergency management shall administer the exceptional disaster relief loan program.

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

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

SB 472, establishing a committee to study the creation of an economic improvement fund. Inexpedient to Legislate, Vote 3-2. Senator Reagan for the committee.

Senator Bradley moved to Lay on the Table SB 472. Adopted.

SB 539-FN-A, making appropriations to the department of education for adequate education grants. Ought to Pass with Amendment, Vote 6-0. Senator D'Allesandro for the committee.

Senate Finance
January 24, 2018
2018-0273s
06/10

Amendment to SB 539-FN-A

Amend the bill by replacing section 1 with the following:

1 Appropriation; Department of Education; Additional Adequate Education Grants to Certain Municipalities. The sum of \$1,483,428 for the fiscal year ending June 30, 2018 is hereby appropriated to the department of education for the purpose of providing additional adequate education grants to certain municipalities as calculated in RSA 198:40-a and 198:41 in the amount of \$684,498 for the fiscal year ending June 30, 2016 and \$798,930 for the fiscal year ending June 30, 2017, specifically related to amounts calculated pursuant to RSA 198:40-a, II(e) which were not distributed to those municipalities in that fiscal year. Said sum shall be a charge against the education trust fund established in RSA 198:39. Notwithstanding RSA 198:42, the commissioner of the department of education shall disburse a lump sum to each municipality.

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 549-FN, relative to beverage vendor fees.

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

Senate Finance

January 17, 2018

2018-0153s

03/08

Amendment to HB 549-FN

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

1 Repeal. RSA 178:29, III(b), relative to beverage vendor license fee, is repealed.

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

2018-0153s

AMENDED ANALYSIS

This bill eliminates beverage vendor license fees.

President Pro Tempore Carson presiding.

President Morse presiding.

The question is on the adoption of the Committee Amendment.

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

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, Fuller Clark.

The following Senators were excused: D'Allesandro.

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

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

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

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

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

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 15 - Nays: 8. Adopted, bill ordered to Third Reading.

HEALTH AND HUMAN SERVICES

SB 310-FN, establishing a pilot program for community-based diversion services.

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

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

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

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

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

SB 477, establishing a therapeutic cannabis medical oversight board.

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

Health and Human Services
January 25, 2018
2018-0306s
01/03

Amendment to SB 477

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

1 New Paragraph; Use of Cannabis for Therapeutic Purposes; Rules. Amend RSA 126-X:6 by inserting after paragraph III the following new paragraph:

IV. The department shall adopt rules relative to the therapeutic cannabis medical oversight board's public hearing process pursuant to RSA 126-X:12, IV.

2 New Section; Use of Cannabis for Therapeutic Purposes; Therapeutic Cannabis Medical Oversight Board. Amend RSA 126-X by inserting after section 11 the following new section:

126-X:12 Therapeutic Cannabis Medical Oversight Board Established; Membership; Duties.

I. There is hereby established the therapeutic cannabis medical oversight board which shall monitor and contribute to the oversight of the clinical, quality, and public health related matters of the use of cannabis for therapeutic purposes under this chapter.

II. The board shall consist of the medical director, department of health and human services, or designee, a qualifying patient, appointed by the commissioner of the department, a clinical representative from an alternative treatment center, appointed by the commissioner, and 10 medical providers also appointed by the commissioner. The medical provider members shall represent the following fields:

- (a) Neurology.
- (b) Pain management.
- (c) Oncology.
- (d) Psychiatry.
- (e) Pediatrics.
- (f) Family or Internal Medicine.
- (g) Obstetrics and Gynecology.
- (h) Addiction.
- (i) Palliative care.
- (j) Physiatry/orthopedics.

III. At its first meeting the board shall elect by majority vote a chairperson and an alternate. A quorum shall consist of a majority of members.

IV. The board shall convene at least 2 times per year to monitor and contribute to the oversight of the clinical, quality, and public health related matters of therapeutic cannabis under this chapter by:

(a) Reviewing medical and scientific evidence pertaining to currently approved and additional qualifying conditions.

(b) Reviewing laboratory results of required testing of cannabis cultivated and/or processed by an alternative treatment center and the use of pesticides on products under RSA 126-X:6, III(a)(16).

(c) Monitoring clinical outcomes.

(d) Reviewing training protocols for dispensary staff based on models from other states.

(e) Receiving updates from alternative treatment centers on effectiveness of various strains, types of cannabinoids, and different routes of administration for specific conditions.

(f) Reviewing best practices for medical providers regarding provider education, certification of patients, and patient access to the program.

(g) Reviewing any other clinical, quality, and public health related matter relative to use of cannabis under this chapter.

V. The board may make recommendations to the commissioner to add or remove qualifying medical conditions under RSA 126-X:1, IX based on the findings pursuant to subparagraph IV(a) and after receiving input from the public through a public hearing process. The commissioner may recommend legislation based on the board's findings.

VI. On or before January 1 of each year, the board shall make a report to the president of the senate, the speaker of the house of representatives, the oversight committee on health and human services established under RSA 126-A:13, the board of medicine, the board of nursing, and the therapeutic use of cannabis advisory council established in RSA 126-X:9.

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

2018-0306s

AMENDED ANALYSIS

This bill establishes the therapeutic cannabis medical oversight board which shall monitor and contribute to the oversight of the clinical, quality, and public health related matters of the use of cannabis for therapeutic purposes law under RSA 126-X.

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

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

SB 482-FN, relative to confidential emergency medical and trauma services data.
Ought to Pass, Vote 3-0. Senator Hennessey for the committee.

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

SB 488, relative to licensure of health care professionals employed at the Manchester Veterans Affairs Medical Center.
Ought to Pass, Vote 4-0. Senator Bradley for the committee.

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

SB 549-FN-A, making an appropriation to the department of health and human services for the Sununu health services center and relative to infants born with substance abuse or withdrawal symptoms resulting from prenatal drug exposure or fetal alcohol spectrum disorder.
Ought to Pass with Amendment, Vote 4-0. Senator Gray for the committee.

Health and Human Services
January 25, 2018
2018-0310s
05/01

Amendment to SB 549-FN-A

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

AN ACT relative to plans of safe care for infants affected by substance abuse or withdrawal symptoms from prenatal drug exposure or fetal alcohol spectrum disorder.

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

1 New Section; Protection for Maternity and Infancy; Plan of Safe Care. Amend RSA 132 by inserting after section 10-d the following new section:

132:10-e Notification and Development of a Plan of Safe Care. Health care providers involved in the delivery or care of infants born with and identified as being affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder shall notify the department of health and human services of the occurrence of such condition. The health care provider shall develop a plan of safe care, in cooperation with the department of health and human services, division of public health services and division for children, youth and families, as appropriate, and with the infant's parents or guardians to

ensure the infant's safety and well-being following release from the care of the health care provider. The plan shall take into account whether the infant's prenatal substance exposure is a result of the use of medication prescribed for the mother by a health care provider. Such exposure shall not form the basis for a referral to the department for potential abuse or neglect, but shall be included in the plan of safe care provided to the department to ensure the safety and well-being of the infant, to address health and substance use treatment needs of the infant and affected family member or caregiver, and to ensure that appropriate referrals are made and services are delivered to the infant and affected family member or caregiver.

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

2018-0310s

AMENDED ANALYSIS

This bill directs health care providers to develop, in conjunction with the department of health and human services and the child's parent or guardian, a plan of safe care for a child born with substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder.

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

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

SB 551-FN, relative to deductibles under health insurance policies.
Interim Study, Vote 4-0. Senator Bradley for the committee.

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

Recess. Out of recess.

JUDICIARY

SB 387-FN, relative to liability of governmental units.
Ought to Pass, Vote 4-1. Senator Carson for the committee.

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

SB 390-FN, establishing the office of solicitor general in the department of justice and establishing an unclassified attorney position in the department of justice.
Ought to Pass, Vote 4-1. Senator Carson for the committee.

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

SB 492-FN, prohibiting bump stocks in New Hampshire.
Interim Study, Vote 3-2. Senator Carson for the committee.

Recess. Out of recess.

INTRODUCTION OF GUESTS

Senator Bradley introduced his fiancée, Karen McNiff, visiting on the Senate floor.

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

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

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, Fuller Clark.

The following Senators were excused: D'Allesandro.

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

PUBLIC AND MUNICIPAL AFFAIRS

SB 507, proclaiming June as post-traumatic stress injury (PTSI) awareness month.
Ought to Pass, Vote 5-0. Senator Birdsell for the committee.

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

TRANSPORTATION

SB 521-FN, authorizing Sophia's Fund to issue decals for multi-use decal plates.

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

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

Senator Birdsell moved to Lay on the Table SB 521-FN. Adopted.

CONSENT CALENDAR REPORTS REMOVED

PRESIDENT MORSE: We are at the conclusion of the regular calendar and will take up the bill that was removed from the consent calendar.

SB 496-FN, relative to mediation for child support arrearages over \$5,000.

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

Senate Judiciary

January 25, 2018

2018-0301s

04/05

Amendment to SB 496-FN

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

AN ACT relative to mediation for certain child support arrearages.

Amend the bill by replacing section 1 with the following:

1 Parental Rights and Responsibilities; Support. Amend RSA 461-A:14, XVIII to read as follows:

XVIII. Any motion for contempt of a court order regarding nonpayment of child support, if filed by a parent, shall be reviewed by the court within 30 days. *Any claim involving an arrearage for a period of 8 weeks or more may be scheduled for mediation through the court within 30 days of the filing of the motion for contempt of court unless a hearing on the motion is scheduled earlier.*

2018-0301s

AMENDED ANALYSIS

This bill permits mediation for child support arrearages for a period of 8 weeks or more to be scheduled through the court.

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

Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14

February 1, 2018

2018-0419s

04/01

Floor Amendment to SB 496-FN

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

AN ACT relative to mediation for certain child support arrearages.

Amend the bill by replacing section 1 with the following:

1 Parental Rights and Responsibilities; Support. Amend RSA 461-A:14, XVIII to read as follows:

XVIII. Any motion for contempt of a court order regarding nonpayment of child support, if filed by a parent, shall be reviewed by the court within 30 days. *When the arrearage equals or exceeds the equivalent of 8 weeks of child support under the existing order, the matter may be scheduled for mediation through the court within 30 days of the filing of the motion for contempt of court unless a hearing on the motion is scheduled earlier.*

2018-0419s

AMENDED ANALYSIS

This bill permits mediation for child support arrearages for a period equaling or exceeding 8 weeks to be scheduled through the 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 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 Sanborn: HB 549-FN, SB 63, SB 240-FN-L, SB 303, SB 310-FN, SB 312, SB 315, SB 319, SB 338, SB 339, SB 347, SB 348, SB 349, SB 355-FN, SB 356, SB 361, SB 371, SB 372-FN-A, SB 378-FN, SB 382, SB 386, SB 387-FN, SB 390-FN, SB 393, SB 428, SB 429-FN, SB 444, SB 445, SB 448, SB 457-FN, SB 460, SB 465-FN, SB 467-FN-A, SB 471, SB 472, SB 477, SB 482-FN, SB 488, SB 492-FN, SB 496-FN, SB 507, SB 521-FN, SB 528-FN-L, SB 531-FN, SB 534-FN, SB 539-FN-A, SB 549-FN-A, SB 551-FN, SB 558-FN, SB 574-FN,

ANNOUNCEMENTS

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. In the spirit of last week's 300th anniversary of the New Hampshire State Library, I wanted to just recognize a few books that were written and published. There's one by our former colleague, Senator Wayne King, who has authored *Sacred Trust*, which is described in its introduction as a monkey-wrench gang meets third industrial revolutions. It's a fictional account of unlikely compatriots who tackle a power line project; and a great read, great interesting story, and thanks, Senator King, for bringing that to us.

And another one in my home area of the North Country town of Groveton, Jamie Sayen has written a book. It's *You Had a Job for Life: Story of a Company Town*, which is an oral history of the town, the village of Groveton within the town of Northumberland and the mill that dominated, and has since come down, and it captures the story of the history of that place, and I would recommend it to all of you. Thank you, Mister President.

PRESIDENT MORSE: I just want to make sure that I congratulate Jeb and Karen, and look forward to using that Jeb and Karen term for a long time. Congratulations!

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

LATE SESSION

Third Reading and Final Passage

HB 549-FN, relative to beverage vendor fees.

SB 63, relative to record management of abuse and neglect reports and establishing a pilot program regarding electronic storage of abuse and neglect records.

SB 240-FN-LOCAL, relative to the monitoring and treatment of contaminated wells.

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

SB 312, clarifying the New Hampshire Foundation Act.

SB 315, relative to the definitions of beverage and of mead.

SB 319, relative to exempt securities.

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

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

SB 349, relative to course requirements in a career and technical education program.

SB 356, adding a representative from the community college system to the apprenticeship advisory council.
SB 372-FN-A, establishing positions in the office of professional licensure and certification and making an appropriation therefor.

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

SB 382, relative to withdrawal from cooperative school districts.

SB 386, relative to access to criminal records.

SB 387-FN, relative to liability of governmental units.

SB 393, relative to county audits and performance audits.

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

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

SB 444, relative to cutting timber near certain waters and public highways.

SB 445, designating the Warner River as a protected river.

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

SB 471, relative to the authority of municipalities to address potential natural threats.

SB 477, establishing a therapeutic cannabis medical oversight board.

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

SB 488, relative to licensure of health care professionals employed at the Manchester Veterans Affairs Medical Center.

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

SB 507, proclaiming June as post-traumatic stress injury (PTSI) awareness month.

SB 539-FN-A, making appropriations to the department of education for adequate education grants.

SB 549-FN-A, relative to plans of safe care for infants affected by substance abuse or withdrawal symptoms from prenatal drug exposure or fetal alcohol spectrum disorder.

SB 574-FN, clarifying the repayment period for parental reimbursement.

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.