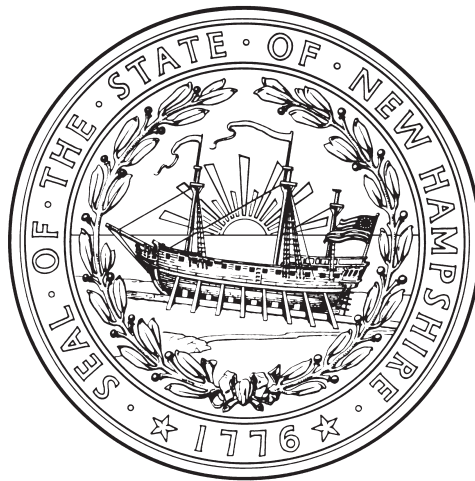


February 15, 2018  
Nos. 3-4

# **STATE OF NEW HAMPSHIRE**

Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)



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

**Legislative Proceedings**

## **SENATE JOURNAL**

**ADJOURNMENT – FEBRUARY 1, 2018 SESSION  
COMMENCEMENT – FEBRUARY 15, 2018 SESSION**

# SENATE JOURNAL 3 *(continued)*

*February 1, 2018*

## HOUSE MESSAGE

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

SB 205-FN-A, establishing the small business jobs fund and tax credit.

## HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

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

HB 1202-LOCAL, relative to town revolving funds for group net metering.

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

HB 1256, relative to decal fees for multi-use veterans decal plates.

HB 1260, relative to the payout value of bingo games at private campgrounds and hotels.

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

HB 1292, relative to the effective dates of changes to the rates for the business profits tax and the business enterprise tax.

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

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

HB 1334, establishing a commission to review the structure of motor vehicle laws.

HB 1346, establishing a commission to study the New Hampshire veterans cemetery.

HB 1349, relative to biological products and diagnostic reagents for animal use.

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

HB 1364, relative to use of amber lights on vehicles.

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

HB 1392, relative to tallies of votes on budget items or warrant articles.

HB 1402, relative to ordinances regarding forestry activities.

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

HB 1455, relative to vehicle operation at uncontrolled intersections.

HB 1509-FN, authorizing Granite Pathways to issue decals for multi-use decal number plates.

HB 1513-FN, authorizing the New Hampshire Law Enforcement Officers Memorial Association to issue decals for multi-use decal plates.

HB 1518, repealing the requirement that motor vehicle lighting and safety equipment be approved by the director of the division of motor vehicles.

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

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

HB 1546-FN, authorizing Seacoast Youth Services to issue decals for multi-use decal plates.

HB 1551, relative to the retention of records of individualized education programs.

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

HB 1614, relative to the international registration plan.

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

HB 1675, relative to state house Internet service and relative to calendars and journals of the house and senate.

HB 1731-FN, relative to regulating bicycles.

HB 1739-FN, prohibiting female genital mutilation.

HB 1785, changing "hearing impaired" to "deaf" or "hard of hearing" in the New Hampshire laws.

HJR 5, that the New Hampshire house of representatives and senate reject hate, bigotry, and violence in all their forms.

## 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

HB 101-FN, relative to certification for solid waste operators. (Energy and Natural Resources)

HB 134-FN, relative to causes for divorce. (Judiciary)

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

HB 169-FN, relative to limits on wagers in charitable games of chance. (Ways and Means)

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

HB 263, relative to facilities licenses for charitable gaming. (Ways and Means)

HB 267, establishing the New Hampshire transportation council. (Transportation)

HB 287, establishing a committee to study decriminalizing sex work. (Judiciary)

HB 298, relative to licensing requirements for apprentice plumbers. (Executive Departments and Administration)

HB 314, relative to autonomous vehicles. (Transportation)

HB 317, prohibiting the public utilities commission from increasing the system benefits charge without legislative approval. (Energy and Natural Resources)

HB 410, relative to the legislative youth advisory council. (Executive Departments and Administration)

HB 485-FN, relative to standards for emerging contaminants in drinking water. (Executive Departments and Administration)

HB 492, relative to electric personal assistive mobility devices. (Transportation)

HB 500, relative to organizations that are authorized to issue decals. (Transportation)

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

## REPORT OF COMMITTEE ON ENROLLED BILLS

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

SB 48, establishing a commission to study the efficiency and effectiveness of fish and game department operations.

SB 132, relative to historic burial grounds and cemeteries.

SB 247-FN-A, preventing childhood lead poisoning from paint and water.

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

Out of Recess. Call the Senate to Order.

## MOTION TO ADJOURN FROM LATE SESSION

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

Adopted. Adjournment from the Late Session.

# SENATE JOURNAL 4

*February 15, 2018*

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

The Reverend Jason Wells, chaplain to the Senate, offered the following meditative thoughts and prayer:

Donald Knuth wrote his life's work starting in 1962. That life's work was called The Art of Computer Programming. Since then he has written three volumes and is now still working on volume four. Of course, we know computers changed a lot since 1962. It's amazing that he has books that are a standard reference for computer programmers even when the books were first written fifty-five years ago. When that pace of change is so fast, how does Donald Knuth stay on top of it? He doesn't. He refuses to stay on top of everything. He acknowledges that his role in life is not to be on top of things, but his job is to be on the bottom of things.

That is when the change of pace is fast, when the deadlines are short and frequent, we make an effort to slow down. We find the things that don't change. We find the values that endure, the truths that are fundamental and timeless. We prefer not to be on top of everything, but down on the bottom of things.

Before I move into my closing prayer and move on, as you all move on to the State of the State Address I hope to bring forth just a moment of silence and reflection – that's usually the way to get to the bottom of things, is by stopping and listening to God. Of course, a moment of silence for Senator Sam Cataldo, who was buried last week. I enjoyed having him as one of the Senators who every time I came here I knew he would bring me a prayer request for something, and I will always remember him for his connection in that way. But, of course, we also hold out a moment of silence as we listen to God, once again, as we listen out of our grief for the events in the shooting in Florida yesterday. And we hope to hear from the God of those fundamental truths and values the directions God would have us take, and the choices we ought to take at this moment.

Let us pray.

Eternal God, for whom a thousand years in your sight are like a day when it is past, as we move into the State of the State Address, as we fly through hearings and deadlines toward crossover day, keep us deeply rooted in our values, that we stay honest with ourselves, that we speak to each other on the deep level of the heart, and to find for ourselves, for our state, for our nation, and the world, that we find for ourselves true peace. Amen.

Senator Watters led the Pledge of Allegiance.

#### INTRODUCTION OF PAGES

Senator Avard introduced Jacqueline Hale and Gabrielle Frugard from Hollis Brookline High School, serving as Senate Pages for the day.

The Clerk read the following House Message.

#### HOUSE MESSAGE

The House of Representatives is ready to meet with the honorable Senate in Joint Convention for the purpose of hearing the State of the State Address by his Excellency, Governor Sununu.

Senator Bradley RESOLVED that the Senate is ready to meet with the honorable House of Representatives in Joint Convention for the purpose of hearing the State of the State Address by his Excellency, Governor Chris Sununu.

Recess to meet in Joint Convention. Out of recess.

#### SPECIAL ORDER

Without objection, the following bills are special ordered to Thursday, February 22, 2018. Adopted.

#### EDUCATION

SB 431, relative to non-academic surveys required to be filed by school districts to maintain federal funding.

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 570-FN, relative to the work requirement for the child care scholarship program.

#### FN REPORT FOR FEBRUARY 15, 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:

#### COMMERCE

SB 414-FN, establishing a condominium dispute resolution board.

#### HEALTH AND HUMAN SERVICES

SB 550-FN, relative to drop in or walk in clinics.

#### REGULAR CALENDAR:

#### ELECTION LAW AND INTERNAL AFFAIRS

SB 440-FN, relative to prohibited political contributions.

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 536-FN, relative to eligibility for death benefits for court security officers.

SB 570-FN, relative to the work requirement for the child care scholarship program.

## HEALTH AND HUMAN SERVICES

SB 545-FN, increasing the age for sales and possession of tobacco products.

SB 552-FN, relative to transportation of trauma victims by first responders.

## PUBLIC AND MUNICIPAL AFFAIRS

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

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 353-FN, relative to direct shippers of alcohol—if Inexpedient to Legislate recommendation is overturned.

## EDUCATION

SB 432-FN-L, relative to an elective course in SAT preparation—if Inexpedient to Legislate recommendation is overturned.

## ENERGY AND NATURAL RESOURCES

SB 529-FN, authorizing river maintenance in the town of Warren.

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 538-FN, including police officers of the capital area police unit in group II of the retirement system.

## REGULAR CALENDAR:

## COMMERCE

SB 352-FN, relative to examinations of injured employees under workers' compensation law.

SB 554-FN, relative to the minimum hourly rate and employer-sponsored health benefits—if Inexpedient to Legislate recommendation is overturned.

## ENERGY AND NATURAL RESOURCES

SB 450-FN-A, establishing an advisory commission for the department of environmental services relative to the delegation of authority of the National Pollutant Discharge Elimination System Program.

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

SB 535-FN, relative to licensure for the practice of professional art therapy.

SB 578-FN, relative to unclassified positions within the department of health and human services.

## HEALTH AND HUMAN SERVICES

SB 573-FN-A, relative to the controlled drug prescription health and safety program and making an appropriation therefor.

Without objection, the FN Report is adopted.

## CONSENT CALENDAR REPORTS REMOVED

## COMMERCE

SB 353-FN, by Senator Morse

## EDUCATION

SB 357, by Senator Daniels

SB 432-FN-L, by Senator Gannon

## HEALTH AND HUMAN SERVICES

SB 474, by Senator Bradley

## CONSENT CALENDAR

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

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

#### COMMERCE

SB 311, clarifying rules of construction under the New Hampshire Trust Code.

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

The current wills chapter provides that children and their descendants who were inadvertently omitted from a will would receive the same share of the estate as if there had never been a will. This bill would amend the wills chapter to make it clear it was never intended to apply to trusts. Wills that are intended to disinherit children are carefully drafted with specific language to avoid any question of inadvertent omission. This clarifies the statute which has been practice for many years.

SB 414-FN, establishing a condominium dispute resolution board.

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

This legislation would give condo owners and sometimes condo boards a chance to have their grievances heard without the cost of going to court. Although this bill is needed in a few cases, the committee felt that this bill needs further consideration and refinement and in its current form it may cause unintended consequences with the condo boards that are running smoothly.

SB 415, relative to condominium unit owners' special meetings.

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

Currently 50% of ownership of a condo association is required to call for an informational meeting. This bill lowers that to 33% and allows the condo owners to request a special meeting. If a special meeting is held, the members can only change the membership of the board which would be stated on the notice of the special meeting.

Commerce

February 7, 2018

2018-0510s

10/05

#### Amendment to SB 415

Amend RSA 356-B:37, II as inserted by section 1 of the bill by replacing it with the following:

II. An association shall hold a special meeting of unit owners to address any matter affecting the unit owners or the association if its president, a majority of the board of directors, or unit owners having at least 33 percent, or any lower percentage specified in the bylaws, of the votes in the association request that the secretary call the meeting. If the association does not notify unit owners of a special meeting within 30 days after the requisite number or percentage of unit owners request the secretary to do so, the requesting members may directly notify all the unit owners of ~~[an informational]~~ **the special** meeting, the purpose of which shall be to present the issue to fellow residents and unit owners **and to vote on the removal or replacement of one or more members of the board of directors as set forth in the meeting notice**. Only matters described in the meeting notice required by RSA 356-B:37-a may be considered at a special meeting.

2018-0510s

#### AMENDED ANALYSIS

This bill provides that requesting members of a condominium unit owners' association may give notice of a special meeting to vote on a duly noticed proposal, including the removal or replacement of a member of the board of directors.

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

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

This bill exempts employees of a recreation camp from the laws prohibiting Sunday work. Currently, the only way to work on Sunday is to apply for a waiver and this bill would allow these employees to work Sundays if they wish to do so. This is a small technical change to help our camp industry all across the state of NH.



## EDUCATION

SB 359, relative to notice to school districts of out-of-home placements.

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

As amended, this bill requires the department of health and human services to notify a school district of a child's Out-of-Home Placement recommended by the department through an administrative process or initiated by the department through a juvenile court proceeding. Out-of-home placements includes instances of child protection, child delinquency or children in need of services cases. The department will notify the child's school district as soon as possible of development of a transition plan and will work with the school district on a change in placement that is consistent with the best interest of the child and assures the child's educational stability. Transition plans will reflect the objective of having the least disruption to the child's education. This amendment was developed by the department and reflects a consensus of stakeholders who provided testimony to the Committee.

Senate Education  
February 6, 2018  
2018-0487s  
05/10

## Amendment to SB 359

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

1 Child Protection Act; Notice to School District of Out-of-Home Placement; Development of Transition Plan. Amend RSA 169-C:20-a to read as follows:

169-C:20-a Notice to School District of Out-of-Home Placement; ***Development of*** Transition Plan [Required].

I. If the department of health and human services recommends or initiates an out-of-home placement or a change in placement [~~that will result in a change of school assignment~~], whether within or out of the district, the department shall notify the school district as soon as possible ***of the change in placement and shall work with the school district to determine how, consistent with the best interest of the child, to assure the child's educational stability*** [~~to allow the school district to participate in the facilitation of a successful transition of the child from one school to the next~~].

II. ***When necessary to transition the child to a different school or school district***, the department and school district shall develop a transition plan for the child. The objective of the plan shall be to minimize the number of placements for the child and to facilitate any change in placement or school assignment with the least [~~emotional and mental impact to the child~~] ***disruption to the child's education***. To the extent appropriate, the child may be involved in the formation of the plan.

2 New Section; Delinquent Children; Notice to School District of Out-of-Home Placement; Development of Transition Plan. Amend RSA 169-B by inserting after section 22 the following new section:

169-B:22-a Notice to School District of Out-of-Home Placement; Development of Transition Plan.

I. If the department of health and human services recommends or initiates an out-of-home placement or a change in placement, whether within or out of the district, the department shall notify the school district as soon as possible of the change in placement and shall work with the school district to determine how, consistent with the best interest of the child, to assure the child's educational stability.

II. When necessary to transition the child to a different school or school district, the department and school district shall develop a transition plan for the child. The objective of the plan shall be to minimize the number of placements for the child and to facilitate any change in placement or school assignment with the least disruption to the child's education. To the extent appropriate, the child may be involved in the formation of the plan.

3 New Section; Children in Need of Services; Notice to School District of Out-of-Home Placement; Development of Transition Plan. Amend RSA 169-D by inserting after section 18-a the following new section:

169-D:18-b Notice to School District of Out-of-Home Placement; Development of Transition Plan.

I. If the department of health and human services recommends or initiates an out-of-home placement or a change in placement, whether within or out of the district, the department shall notify the school district as soon as possible of the change in placement and shall work with the school district to determine how, consistent with the best interest of the child, to assure the child's educational stability.

II. When necessary to transition the child to a different school or school district, the department and school district shall develop a transition plan for the child. The objective of the plan shall be to minimize the number of placements for the child and to facilitate any change in placement or school assignment with the least disruption to the child's education. To the extent appropriate, the child may be involved in the formation of the plan.

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

2018-0487s

#### AMENDED ANALYSIS

This bill requires the department of health and human services to notify the child's school district of an out-of-home placement recommended or initiated by the department in a juvenile court proceeding.

SB 433, relative to the annual filing of statistical reports to the department of education.  
Ought to Pass, Vote 5-0. Senator Kahn for the committee.

This bill permits public education agencies to submit annual statistical reports to the Department of Education electronically. Currently, a written signature is required to submit such reports. Electronic submission would be an option available to public education agencies.

SB 434, relative to school nurse certification.  
Ought to Pass with Amendment, Vote 5-0. Senator Watters for the committee.

This bill makes certain requirements for school nurse certifications and sets out a process for the selection of school nurses. Largely, this bill corrects a drafting error from a policy adoption last session in order to give clarity to current law. The committee amended the legislation to make a further clarification, recommended by the department of education, in order to accommodate those who cannot meet the requirements for certification who have already been working in the field.

Senate Education  
February 6, 2018  
2018-0486s  
08/05

#### Amendment to SB 434

Amend RSA 200:29, IV as inserted by section 2 of the bill by replacing it with the following:

IV.(a) All school nurses hired on or before September 1, 2018 and having applied for certification by March 1, 2019 shall not be subject to the certification requirements listed in paragraph II but shall be required to hold certification pursuant to rules adopted by the state board of education.

(b) All school nurses hired after September 1, 2018 and before July 1, 2022 holding an associates' degree in nursing, and all nurses hired before September 1, 2018 who did not meet the application deadline in subparagraph (a), shall be enrolled in a registered nurse to bachelor of science, nursing program and shall complete such program within 6 years of the date of initial school nurse certification pursuant to rules adopted by the state board of education.

(c) All school nurses hired after the effective date of this paragraph holding a bachelor's degree or higher in nursing shall hold certification pursuant to rules adopted by the state board of education.

(d) All school nurses hired on or after July 1, 2022, shall meet the certification requirements listed in paragraph II pursuant to rules adopted by the state board of education.

Amend the bill by replacing section 3 with the following:

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

SB 435, relative to alternative programs for granting credit leading to graduation.  
Ought to Pass with Amendment, Vote 5-0. Senator Ward for the committee.

This bill requires the state board of education to adopt rules for approving alternative programs for granting credits leading to graduation. This legislation will help to ensure that students who are participating in a program, such as a sport or musical activity, outside of class, may be able to receive credits towards graduation for participating in such programs.



Senate Education  
February 6, 2018  
2018-0488s  
06/04

Amendment to SB 435

Amend RSA 193-E:2-a, V(a) as inserted by section 1 of the bill by replacing it with the following:

**V.(a)** The general court requires the state board of education and the department of education to institute procedures for maintaining, updating, improving, and refining the minimum standards for public school approval for each area of education identified in paragraph I. Each school district shall be responsible for maintaining, updating, improving, and refining curriculum. The curriculum shall present educational goals, broad pedagogical approaches and strategies for assisting students in the development of the skills, competencies, and knowledge called for by the minimum standards for public school approval for each area of education identified in paragraph I. It is the responsibility of local teachers, administrators, and school boards to identify and implement approaches best suited for the students in their communities to acquire the skills and knowledge included in the curriculum, to determine the scope, organization, and sequence of course offerings, and to choose the methods of instruction, the activities, and the materials to be used.

SB 437, relative to the robotics education development program.

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

This bill adds eligibility criteria for grants to schools from the robotics education fund and also provides for additional grants in the event that funds remain in the fund after all initial requests have been met. The committee amended the bill to ensure that the program that the school seeks to participate in has demonstrated gains in students' STEM outcomes, as decided by the department of education.

Senate Education  
February 6, 2018  
2018-0492s  
06/05

Amendment to SB 437

Amend RSA 188-E:24-a, II(c) as inserted by section 1 of the bill by replacing it with the following:

**(c) That the program the school seeks to participate in has demonstrated gains in students' STEM outcomes as determined by the department of education.**

Amend RSA 188-E:24-a, IV as inserted by section 1 of the bill by replacing it with the following:

**[V] IV. Subject to the provisions of subparagraph V,** no school shall receive more than one grant every 2 years, however, a school district may receive multiple grant awards.

Amend RSA 188-E:24-a, V(b) as inserted by section 1 of the bill by replacing it with the following:

**(b) In the event that additional funds exist in the fund after all initial grant application requests have been met, the commissioner shall award schools additional grants for additional requested teams in accordance with subparagraph (a). If a school receives a grant for any additional teams, such grant shall be made at the same time as the grant for the initial team. In the event that a school received a grant or grants in the prior year and qualifies for an additional team or teams, such grant shall be made in the usual manner.**

SB 441, relative to final grades in schools.

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

This bill provides that the state board of education shall require school districts to adopt a policy that a student's grade, as determined by his or her teacher, is final. This bill seeks to remedy situations in which a student's grade has been changed without informing the teacher on record.

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

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

This bill amends the surety bond required of private, postsecondary, career schools and establishes a procedure for license suspension. The current surety bond of 10 percent of gross tuition or a minimum of \$10,000 is not sufficient to the range in of courses or programs offered at postsecondary career schools.

Amending this law to an amount sufficient to reimburse the tuition of any student contract which cannot be fulfilled and a minimum of \$10,000 strikes a balance between student protection and not creating undue hurdles for businesses that choose to operate in New Hampshire.

#### ELECTION LAW AND INTERNAL AFFAIRS

SB 320, relative to checklists used at elections.

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

This is a housekeeping bill to correct changes in the language of RSA 659:98 and 669:25 that referred to paragraphs no longer in existence. The bill also clarifies language in RSA 654:25 which had been misinterpreted.

#### ENERGY AND NATURAL RESOURCES

SB 366, relative to members of the site evaluation committee.

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

This bill changes certain requirements concerning membership on the Site Evaluation Committee and comes at the request of the Public Utilities Commission. SB 366 is meant to facilitate the workings of the SEC to adequately address its responsibilities, given the submission of complex applications and required hearings to get input from the general public. Currently, the SEC operates with a limited pool of public members to serve on the full committee and subcommittees. SB 366 will allow for a greater pool of public members to fill positions on committees.

Energy and Natural Resources

January 30, 2018

2018-0379s

10/08

#### Amendment to SB 366

Amend RSA 162-H:3, V as inserted by section 2 of the bill by replacing it with the following:

V. Seven members of the committee shall constitute a quorum for the purpose of conducting the committee's business.

Amend RSA 162-H:4-a, II as inserted by section 5 of the bill by replacing it with the following:

II. When considering the issuance of a certificate or a petition of jurisdiction, a subcommittee shall have no fewer than 7 members. ~~[The 2]~~ **Two** public members shall serve on each subcommittee with the remaining 5 or more members selected by the chairperson from among the state agency members of the committee. Each selected member may designate a senior administrative employee or staff attorney from his or her respective agency to sit in his or her place on the subcommittee. The chairperson shall designate one member or designee to be the presiding officer who shall be an attorney whenever possible. Five members of the subcommittee shall constitute a quorum for the purpose of conducting the subcommittee's business.

SB 529-FN, authorizing river maintenance in the town of Warren.

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

This bill, as amended, requires the Department of Environmental Services to conduct a study to determine options and costs for a solution to the perennial damage caused by the Baker River in the town of Warren and makes an appropriation for such study. The bill allocates \$1.00 to DES to conduct the study. This allocation is meant to be a placeholder until DES comes up with a cost estimate for the study and design.

Energy and Natural Resources

January 31, 2018

2018-0391s

08/04

#### Amendment to SB 529-FN

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

AN ACT requiring the department of environmental services to conduct a study regarding the Baker River in the town of Warren and making an appropriation for such study.

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

1 Department of Environmental Services; Baker River Study. The department of environmental services shall conduct a study to determine options and costs for a permanent solution to the perennial damage caused by the Baker River in the town of Warren. The department of environmental services shall consult with the department of transportation, the fish and game department, and the department of natural and cultural resources on the design of such permanent solution.

2 Appropriation. The sum of \$1 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of environmental services for the purpose of the study required in section 1 of this act. This appropriation is in addition to any other funds appropriated to the department of environmental services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2018-0391s

#### AMENDED ANALYSIS

This bill requires the department of environmental services to conduct a study to determine options and costs for a solution to the perennial damage caused by the Baker River in the town of Warren and makes an appropriation for such study.

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

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

The bill removes the requirement that a member of the medical review subcommittee be from the board of medicine and will reduce the time limitation for allegations of professional misconduct enforced by the board of medicine. The 5-year limitation period is in line with all boards under the Office of Professional Licensure and Certification.

SB 329, relative to inspections of county correctional facilities.

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

This bill removes the requirement that the county commissioners make a written report to the attorney general after inspection of a county correctional facility. At the request of the prime sponsor this bill was Inexpedient to Legislate.

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

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

This bill exempts the adoption of emergency medical and trauma services protocols from the rulemaking process under RSA 541-A. This will assist in streamlining the protocol adoption process, while maintaining public and stakeholder input in the process, both informal and formal.

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

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

This legislation as amended, requires the Commissioner of the Department of Safety to appoint, following consultation with the Emergency Medical Services Control Board, the state medical director for Emergency Medical Services. The legislation will allow the Bureau of Emergency Medical Services to explore alternatives to the volunteer state medical director position, which has been unchanged since the beginning of the Emergency Medical Services in New Hampshire, despite significant advancement and increasing demands pertaining to this role.

Senate Executive Departments and Administration

February 7, 2018

2018-0519s

05/04

#### Amendment to SB 456

Amend RSA 153-A:7, II(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Appoint, following consultation with the emergency medical services medical control board, the state medical director for emergency medical services, who shall be academically and technically qualified to hold the position.

SB 538-FN, including police officers of the capital area police unit in group II of the retirement system. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

The legislation clarifies the status of police officers of the Capital Area Police Unit and will include these officers in Group II of the New Hampshire Retirement System. These officers have the same responsibilities as other police officers. Their main focus is at the state office complex. The amendment was brought forward to clarify where their positions are located and was a request of the local police department.

Senate Executive Departments and Administration  
February 7, 2018  
2018-0521s  
10/05

#### Amendment to SB 538-FN

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

AN ACT including police officers of the state office complex police force in group II of the retirement system.

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

1 Department of Safety; Duties of Commissioner; State Office Complex Police Force. Amend RSA 21-P:4, XI to read as follows:

XI. Have the discretion to grant to ~~[security]~~ **police** officers of the ~~[New Hampshire hospital security force]~~ **state office complex police force** such titles, ranks, and police powers as the commissioner deems necessary ~~[up to and including that of ex officio constables]~~ including the power of arrest for violations of the criminal and motor vehicle laws and the power to serve criminal process, and may limit such powers as deemed necessary. They shall have general police powers on the state office campus and New Hampshire hospital grounds and when ~~[in hot pursuit of]~~ **attempting to apprehend** a person who has committed a crime on the campus or escaped from the hospital, and when acting to transport a patient to or from the hospital, the court, or another mental health facility, **or when acting to transport to or from a police station or correctional facility**.

2 State Office Complex Police Force. Amend RSA 21-P:7-b to read as follows:

21-P:7-b ~~[New Hampshire Hospital Security Force]~~ **State Office Complex Police Force**. The commissioner of safety is authorized to organize a ~~[hospital security force]~~ **state office complex police force** for the purpose of patrolling the New Hampshire hospital's buildings, roads, and grounds of the campus of the state office park south and providing for general security on the campus. The ~~[hospital security force]~~ **state office complex police force** shall be under the immediate control of and responsible to the commissioner of safety or his or her designee.

3 Department of Safety; Memorandum of Understanding; State Office Complex Police Force. Amend RSA 21-P:7-c to read as follows:

21-P:7-c Authority of ~~[Hospital Security Force]~~ **State Office Complex Police Force** Officers; Memorandum of Understanding; Funding.

I. All ~~[security]~~ **police** officers of the ~~[hospital security force]~~ **state office complex police force** shall possess such police powers as are granted to them by the commissioner of safety pursuant to RSA 21-P:4, XI. ~~All officers of the hospital security force hired after the effective date of this paragraph shall be required to meet the training standards required generally of~~ **and shall be fully certified as** police ~~[offers]~~ **officers** by the police standards and training council pursuant to RSA 106-L ~~[and]~~. In addition **they** shall receive additional training in dealing with persons with mental illness as specified by the commissioner of safety after consultation with the chief executive officer of the New Hampshire hospital.

II. The commissioner of the department of health and human services shall enter into a memorandum of understanding with the commissioner of safety for the purposes of delineating the functions, duties, and responsibilities of the department of safety in regard to the provision of security and dispatch services to the New Hampshire hospital. The memorandum of understanding shall include, but not be limited to: responding to emergencies within New Hampshire hospital, maintaining the security of the hospital buildings, insuring the safety of patients, staff, and visitors, apprehending involuntarily committed persons who leave the hospital without authorization, accepting custody of involuntary admissions, transporting patients for medical,

legal, and other purposes, investigating cases of abuse, neglect, sexual assault, and other criminal conduct, providing training, and conducting searches and seizures of contraband. In addition, the department of safety shall provide dispatch services including, but not limited to: monitoring hospital access between 8 p.m. and 8 a.m., operating and monitoring video security systems, receiving incoming communications, assessing the priority of the call and dispatching appropriate assistance, coordinating emergency preparedness procedures, receiving incoming fire calls and alarms, and operating the switchboard between 8 p.m. and 8 a.m. and at other times as needed.

III. Within the limits of funds budgeted for ~~[hospital security force]~~ **state office complex police force** positions, the department of health and human services shall maintain the funding for the ~~[hospital security force]~~ **state office complex police force** and pay the department of safety for providing these services.

4 New Subparagraph; Retirement System; Group II Permanent Policeman; State Office Complex Police Force Added. Amend RSA 100-A:1, VII by inserting after subparagraph (f) the following new subparagraph:

(g) A police officer of the state office complex police force who:

(1) Has the responsibilities granted by the commissioner of safety under RSA 21-P:4, XI;

(2) Has full general arrest powers;

(3) As a job requirement is fully certified as a full-time police officer by the New Hampshire police standards and training council; and

(4) As a job requirement meets all physical, mental, educational, and other qualifications for continuing certification as a full-time police officer as established by the police standards and training council.

5 Retirement System; Group II; Exclusion of Security Officers Deleted. Amend RSA 100-A:1, VII-a (b) to read as follows:

(b) Any bingo or lucky 7 inspector, ~~[security officer appointed pursuant to RSA 21-P:7-b,]~~ any juvenile probation and parole officer, or any person employed in the bureau of trails of the department of natural and cultural resources; or

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

2018-0521s

#### AMENDED ANALYSIS

This bill clarifies the status of police officers of the state office complex police force and includes such officers in group II of the New Hampshire retirement system.

#### HEALTH AND HUMAN SERVICES

SB 332, relative to medication synchronization.

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

This bill would require insurance companies to offer prescription synchronization for the management of chronic conditions. Health care outcomes improve when patients are able to take their medication as prescribed and not miss doses. Allowing patients to synchronize their prescription refills will remove a large burden for patients, especially for patients with complex medical or mobility issues. The committee amendment clears up any concerns the insurance carriers had about how payment would be processed for the synchronization.

Health and Human Services

January 31, 2018

2018-0418s

01/04

#### Amendment to SB 332

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

1 New Section; Medication Synchronization. Amend RSA 415 by inserting after section 26 the following new section:

415:27 Medication Synchronization.



I. An individual or group health insurance plan or policy providing prescription drug coverage in New Hampshire, shall permit and apply a prorated, daily cost-sharing rate to covered prescriptions for a chronic condition that are dispensed by an in-network pharmacy for less than a 30-day supply if the prescriber and pharmacist determine the fill or refill to be in the best interest of the patient for the management or treatment of a chronic, long-term care condition and the patient requests or agrees to less than a 30-day supply for the purpose of synchronizing the patient's medications. For the purposes of this paragraph, the insured's or enrollee's maintenance prescription drugs to be synchronized shall meet all of the following requirements:

- (a) They are covered by the policy, certificate, or contract described in this chapter.
- (b) They are used for the management and treatment of a chronic, long-term care condition and have authorized refills that remain available to the insured or enrollee.
- (c) Except as otherwise provided in this paragraph, they are not a controlled substance included in schedules II-V.
- (d) They meet all utilization management requirements specific to the maintenance-prescription drugs at the time of the request to synchronize the insured's or enrollee's multiple, maintenance-prescription drugs.
- (e) They are of a formulation that can be effectively split over required short-fill periods to achieve synchronization.
- (f) They do not have quantity limits or dose-optimization criteria or requirements that will be violated when synchronizing the insured's or enrollee's multiple, maintenance-prescription drugs.

II. The plan or policy described in paragraph I shall apply a prorated, daily cost-sharing rate for maintenance-prescription drugs that are dispensed by an in-network pharmacy for the purpose of synchronizing the insured's or enrollee's multiple, maintenance-prescription drugs.

III. The plan or policy described in paragraph I shall not reimburse or pay any dispensing fee that is prorated. The insurer shall only pay or reimburse a dispensing fee that is based on each maintenance-prescription drug dispensed.

IV. A synchronization shall only occur once per year per maintenance-prescription drug.

2 New Section; Medication Synchronization; Managed Care Plan. Amend RSA 420-J by inserting after section 18 the following new section:

420-J:19 Medication Synchronization.

I. An individual or group health insurance plan or policy providing prescription drug coverage in New Hampshire, shall permit and apply a prorated, daily cost-sharing rate to covered prescriptions for a chronic condition that are dispensed by an in-network pharmacy for less than a 30-day supply if the prescriber and pharmacist determine the fill or refill to be in the best interest of the patient for the management or treatment of a chronic, long-term care condition and the patient requests or agrees to less than a 30-day supply for the purpose of synchronizing the patient's medications. For the purposes of this paragraph, the insured's or enrollee's maintenance prescription drugs to be synchronized shall meet all of the following requirements:

- (a) They are covered by the policy, certificate, or contract described in this chapter.
- (b) They are used for the management and treatment of a chronic, long-term care condition and have authorized refills that remain available to the insured or enrollee.
- (c) Except as otherwise provided in this paragraph, they are not a controlled substance included in schedules II-V.
- (d) They meet all utilization management requirements specific to the maintenance-prescription drugs at the time of the request to synchronize the insured's or enrollee's multiple, maintenance-prescription drugs.
- (e) They are of a formulation that can be effectively split over required short-fill periods to achieve synchronization.
- (f) They do not have quantity limits or dose-optimization criteria or requirements that will be violated when synchronizing the insured's or enrollee's multiple, maintenance-prescription drugs.

II. The plan or policy described in paragraph I shall apply a prorated, daily cost-sharing rate for maintenance-prescription drugs that are dispensed by an in-network pharmacy for the purpose of synchronizing the insured's or enrollee's multiple, maintenance-prescription drugs.



III. The plan or policy described in paragraph I shall not reimburse or pay any dispensing fee that is prorated. The insurer shall only pay or reimburse a dispensing fee that is based on each maintenance-prescription drug dispensed.

IV. A synchronization shall only occur once per year per maintenance-prescription drug.

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

2018-0418s

#### AMENDED ANALYSIS

This bill requires insurers offering health insurance policies with prescription drug coverage to allow covered persons to synchronize the dispensing dates of their prescription drugs.

SB 379, relative to retroactive denials of previously paid claims.

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

This bill would reduce the amount of time an insurance company can retroactively deny claims already paid to providers from 18 months to 12 months. Small provider offices struggle when insurance companies retroactively deny claims already paid and then ask for repayment or reduce payment on another claim. The committee recognized the need for insurance companies to have this ability but because of the increased need for providers, especially mental health and substance use treatment, a compromise was needed on the ability to retroactively deny claims and the ability for providers to be able to practice.

Health and Human Services

January 31, 2018

2018-0416s

01/05

#### Amendment to SB 379

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

1 Accident and Health Insurance; Retroactive Denials. Amend the introductory paragraph of RSA 415:6-i, II(b) to read as follows:

(b) The time which has elapsed since the date of payment of the challenged claim does not exceed ~~[18]~~ **12** months. The retroactive denial of a previously paid claim may be permitted beyond ~~[18]~~ **12** months from the date of payment only for the following reasons:

2 Managed Care Law; Retroactive Denials. Amend the introductory paragraph of RSA 420-J:8-b, II(b) to read as follows:

(b) The time which has elapsed since the date of payment of the challenged claim does not exceed ~~[18]~~ **12** months. The retroactive denial of a previously paid claim may be permitted beyond ~~[18]~~ **12** months from the date of payment only for the following reasons:

SB 476, establishing a committee to study reinstituting the unemployed parent program.

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

This bill establishes a committee to study reinstating the unemployed parent program that provides access to the HHS division of family assistance work program, which is the only TANIF program available to two parent families that have suffered loss of income as a result of unemployment. This program was very successful before it was ended in 2011. Putting families back to work is essential in reducing the number of children in New Hampshire going to bed every night hungry. This bill was a recommendation from the commission to study childhood hunger.

Health and Human Services

February 7, 2018

2018-0516s

05/10

#### Amendment to SB 476

Amend subparagraph I(b) of section 2 of the bill by replacing it with the following:

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

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the 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.

SB 481, establishing a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs.

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

This bill establishes a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs. The role of the pharmacy benefit manager has evolved considerably since first appearing. It is important to make sure that the intended goals of PBMs are being met and that the industry is continuing to act in the best interest of the consumer.

Health and Human Services

February 7, 2018

2018-0511s

01/04

#### Amendment to SB 481

Amend subparagraph I(a) as inserted by section 3 of the bill by replacing it with the following:

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

Amend the bill by replacing paragraph I of section 4 with the following:

4 Duties. The committee shall:

I. Study the role pharmacy benefit managers (PBM) play in the cost, administration, and distribution of prescription drugs. The committee's study shall include, but not be limited to:

- (a) The effects of PBMs on the overall costs of health insurers.
- (b) PBMs use of "clawbacks" and "gag clauses" and the impact on consumer costs and rebates.
- (c) The impact of PBMs with respect to retail pharmacy pricing decisions.

(d) A review of appropriate PBM oversight and the potential for such oversight to aid in lowering drug costs to consumers.

(e) A review of the potential differences in costs for insurers that use PBMs to manage pharmacy benefits and insurers that independently manage this benefit.

- (f) Access to pharmacies.

SB 486, establishing a commission to study enhancing the prescription drug donation program.

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

This bill establishes a commission to study enhancing the program of donating, accepting, and dispensing unused drugs established in RSA 318:58. The commission will convene all relevant stakeholders to determine how best to strengthen and expand this program. The board of pharmacy testified that they are ready to support the commission in providing whatever information they may need.

Health and Human Services

February 7, 2018

2018-0513s

01/06

#### Amendment to SB 486

Amend RSA 318:58-a, I(a) as inserted by section 1 of the bill by replacing it with the following:

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

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

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

- (3) The commissioner of the department of health and human services, or designee.
- (4) The executive director of the New Hampshire Pharmacists Association, or designee.
- (5) The executive director of the New Hampshire Providers Association, or designee.
- (6) The executive director of AARP New Hampshire, or designee.

(7) A member of the New Hampshire High Tech Council's BioTech/MedTech Cluster, appointed by the council.

(8) A public member with experience providing access to affordable prescription drugs in underserved communities, appointed by the governor.

SB 550-FN, relative to drop in or walk in clinics.

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

This bill would have removed the requirement for walk in clinics to receive a facility license from the department of health and human services. The committee agreed that the requirements to obtain a facility license are not onerous and that the facility license plays a part in ensuring safe healthcare delivery for all patients. Interim Study will allow stakeholders an opportunity to try and find a compromise on the issue.

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

#### REGULAR CALENDAR

##### COMMERCE

SB 316, relative to the regulation of online auctions.

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

Commerce

February 7, 2018

2018-0507s

05/03

##### Amendment to SB 316

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Auctioneers; Exceptions; Internet Auctions. Amend RSA 311-B:13 by inserting after paragraph V the following new paragraph:

VI. Any auction conducted over the Internet shall be exempt from the requirements of this chapter.

2018-0507s

#### AMENDED ANALYSIS

This bill exempts auctions conducted over the Internet from the requirements of RSA 311-B.

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 352-FN, relative to examinations of injured employees under workers' compensation law.

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

Recess. Out of recess.

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

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

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

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

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

Senator Sanborn moved Inexpedient to Legislate.

Senator Sanborn withdrew Inexpedient to Legislate.

Senator Sanborn moved Refer to Interim Study.

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

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

The following Senators voted No: Giuda, Sanborn.

Roll Call, Yeas: 22 - Nays: 2. Adopted.

SB 416, relative to transportation network company drivers.

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

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

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

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

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

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

#### ANNOUNCEMENTS

PRESIDENT MORSE: For the Senators, we recently lost one of our former colleagues, Senator Sam Cataldo, and Cheryl has come here, now, to join us. I have a few words, but when I finish if any of the Senators want to say something I'm sure it will be appreciated.

Sam passed suddenly on the morning of February 3, 2018 in Farmington. He was a young 80 year old active man touching the lives of many with numerous involvements in the public eye for countless years. He was born in 1937 in Lawrence, Massachusetts; graduated from Central Catholic in Lawrence in 1956. He enlisted in the United States Air Force on June 29, 1956. He had a varied and extensive career. His work history included research and development for Avco; technical writer for Raytheon; private contractor for Seabrook Nuclear Power Plant; owner of Cristy's Beachway Pizza; cemetery superintendent at Saint Mary's in Lawrence, Massachusetts; computer instructor; Cessna Pilot; multi-engine land of 8,000 hours; decontamination project manager; nuclear trainee consultant; nuclear sight superintendent. He served on countless committees, and was a supporter of many programs; a member of the Knights of Columbus; a member of the Sons of Italy; supporter of a veteran's kid; lifetime member of the NRA; advisor to the New Hampshire Health and Human Service Radiological Assessment Team; member of the Strafford County Delegation; a member of the Nursing Home subcommittee; New Hampshire GOP delegate; treasurer of Strafford County Republican Committee; Budget Committee in Farmington; 2009 Norris Cotton award recognition of service in the Republican Party; Chairman to the Radio Frequency Identification Commission; Uses of Biodiesel for Home Heating and Renewable Energy; commission member of New Hampshire Estuaries Project in the Great Bay; study committee member for Low Income Assistance Program; hazardous material Program for New Hampshire; statutory committee for New Hampshire Automated Information Systems Board; Nuclear Waste Policy Advisory Board; Gas Utility Reconstruction Oversight; Telecommunications Oversight Committee; and original author and sponsor of establishing a geothermal project for the state of New Hampshire.

Many of you knew Sam and remembered him fondly. I'd like to share just a few things that have been said about him. Senator D'Allesandro, you said Sam was one of a kind, and a dedicated public servant. Senator Reagan, who shared an office with Senator Cataldo at the State House for years, recalled godfather like jabs in an interview with the *Concord Monitor*. He always said he was Sicilian, and joked that you shouldn't mess with him.

Senator Cataldo retired from the Senate in 2016 to be able to spend time with his family. He wrote this: I have had the utmost pleasure of serving my constituents in District 6 as a state Senator. I am thankful for all the support I have received throughout my time in the legislature. In all my professional careers and roles I have served in, being a state Senator has been the most rewarding work I have been able to do in my life.

I think we all share his deep admiration. He was a truly genuine, caring man, as well as a thoughtful and committed public servant. His love and concern for the state and his community was evident to his ongoing participation in public life, and his service and personality will surely be missed by many throughout the state. I wrote this, and Susan and I continue to share our thoughts and prayers as I know all of you do. Cheryl, I'm so sorry.

CHERYL CATALDO: Thank you.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President, and very kind words, and well-spoken and well written, so thank you. Sammy was a good fellow, tutti Italiano, which was very important to me, and very important to him. There isn't anybody that would go to the hospital and have two knees replaced at the same time, but Sammy did it, and he was back here in that seat quickly. He was a one of a kind guy; a one of a kind guy. Now in my coaching days I coached against Lawrence Central Catholic when I was at Bishop Bradley High School in Manchester. And Sammy was there during the great days when Lawrence Central was a powerhouse. They did well in football, they did well in basketball, and he talked to me many times about his football playing days. So, we had something in common. But, you know, when we leave this earth we all say we wanted to make a difference. And, Sammy had a unique way, but he did make a difference and we enjoyed him. I think his constituents were well served. The tragedy of the loss is we all go too soon. You know, but you can't pick the time, and it is what it is. The tragedy is you leave a wonderful family behind, and they've got to carry on. So the legacy of Sam Cataldo is you and the family; la famiglia, as we used to say. Mille grazie. Thank you, Mister President.

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you very much. It was really interesting, Cheryl, to hear such a long list of accomplishments. We just knew Sam as Sam – one of the most decent, kind, caring, compassionate people ever to serve in this body. And, he loved you in ways that are inexpressible, always talked about you, and his legacy will live on through you.

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you, Mister President. Cheryl, it was a true honor to be able to serve with your husband. I worked with him on a number of committees here in the Senate, and Sam was, probably, one of the strongest, most principled, and honorable men that I have served with. I think everyone here knows that when Sam made up his mind, that was it. Don't, don't, don't try to get him to change his mind it's just not going to happen. But, he was someone that we could all work with, we could depend on him, his word was good. And when he said something he meant it. And in today's political climate sometimes it just doesn't happen. So it really and truly was an honor to work with him. I think he set a tone, and he set an example for all of us to follow. He will surely be missed, not only by me, but I know members of this body as well as members of the public, because he stood for them, and that's what we're supposed to do is to stand for the people we represent. So, please accept my deepest condolences. He will be missed.

CHERYL CATALDO: Thank you to all of you. He respected every single one of you, no matter what side of the aisle you were on, and he talked about all of you with high regard. Right now I know he'd be extremely humble, honored, and saying what the heck are they doing. So, I thank all of you. I wish you all the best. Thank you so much for what you did for Sam; this was his life. I mean he slept, ate, and did everything for New Hampshire. This was him totally. And thank you.

PRESIDENT MORSE: I know there are several Senators that want to speak. We'll do it at the end of the session. Thank you, thank you, Cheryl.

CHERYL CATALDO: Thank you. Thank you to all of you, and I wish you all the best, and do well with New Hampshire.

SB 419, relative to votes by condominium unit owners.

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

Senator Bradley moved to Lay on the Table SB 419. Adopted.

SB 554-FN, relative to the minimum hourly rate and employer-sponsored health benefits.

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

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



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

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

#### EDUCATION

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

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

Senate Education

February 6, 2018

2018-0484s

04/08

#### Amendment to SB 436

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Community College System of New Hampshire; Tuition Waived. Amend RSA 188-F:15 by inserting after paragraph II the following new paragraph:

III. The board of trustees shall have the authority to allow a tuition discount for less than full-time employees. The board of trustees may establish criteria with respect to length of service, hours worked, percent of discount, and eligible courses.

2018-0484s

#### AMENDED ANALYSIS

This bill authorizes the community college system board of trustees to establish a tuition discount for less than full-time employees.

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.

#### ELECTION LAW AND INTERNAL AFFAIRS

SB 362, requiring disclosure of federal income tax returns by presidential and vice-presidential candidates. Inexpedient to Legislate, Vote 3-2. Senator Birdsell for the committee.

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

A roll call was requested by Senator Sanborn, 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.

SB 363, prohibiting political expenditures by foreign nationals.

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

Election Law and Internal Affairs

February 6, 2018

2018-0480s

03/06

#### Amendment to SB 363

Amend the bill by replacing section 2 with the following:

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



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

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

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

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.

SB 364, establishing a commission to study the establishment of a searchable database to verify that each vote was properly recorded.

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

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

SB 439, repealing the authority to share voter information or data with other states.

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

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

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

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

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

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

SB 440-FN, relative to prohibited political contributions.

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

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

#### ENERGY AND NATURAL RESOURCES

SB 450-FN-A, establishing an advisory commission for the department of environmental services relative to the delegation of authority of the National Pollutant Discharge Elimination System Program.

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

Energy and Natural Resources

January 31, 2018

2018-0393s

08/10

#### Amendment to SB 450-FN-A

Amend RSA 149-Q:2 as inserted by section 1 of the bill by replacing it with the following:

149-Q:2 Membership and Compensation. The members of the commission shall be as follows:

I. One member of an affected nuclear facility, appointed by the governor.

II. Two members of the Business and Industry Association, appointed by the association.

III. One member representing both the New Hampshire Rivers Council and New Hampshire Lakes Association, appointed by those organizations.

IV. Three geographically dispersed members representing affected water and sewer facilities appointed by the New Hampshire Municipal Association.

V. One member of the Granite State Hydropower Association, appointed by that association.

VI. One member of the New Hampshire Association of Realtors, appointed by that association.

VII. One member of the Associated General Contractors of New Hampshire, appointed by that association.

VIII. One member of the New Hampshire Water Pollution Control Association, appointed by that association.

IX. One member representing affected public utilities, appointed by the governor.

X. One member representing an affected regional planning commission, appointed by the Association of New Hampshire Regional Planning Commissions.

XI. The commissioner of the department of transportation, or designee.

XII. One member of an environmental group, appointed by the governor.

Amend RSA 149-Q:4 as inserted by section 1 of the bill by replacing it with the following:

149-Q:4 Chairperson; Quorum. 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. Seven members of the commission shall constitute a quorum.

Amend the bill by replacing section 2 with the following:

2 Appropriation. The sum of \$350,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the commissioner of the department of environmental services for the purposes of hiring a consultant to assist the department and the NPDES advisory commission in proposing the report required by RSA 149-Q:5. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

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

Recess. Out of recess.

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

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

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

SB 535-FN, relative to licensure for the practice of professional art therapy.

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

Senate Executive Departments and Administration

February 7, 2018

2018-0522s

10/01

#### Amendment to SB 535-FN

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

AN ACT relative to licensure for the practice of professional art therapy and establishing an advisory council on alternative mental health therapies, and relative to certain revenues from the sale of commemorative liquor bottles of historic significance.

Amend the introductory paragraph of RSA 326-L:6 as inserted by section 1 of the bill by replacing it with the following:

326-L:6 Rulemaking. The executive director, with the advice of the advisory council on alternative mental health therapies under RSA 330-D, shall adopt rules for the following:

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 5:

3 New Chapter; Advisory Council on Alternative Mental Health Therapies. Amend RSA by inserting after chapter 330-C the following new chapter:

## CHAPTER 330-D

## ADVISORY COUNCIL ON ALTERNATIVE MENTAL HEALTH THERAPIES

330-D:1 Advisory Council on Alternative Mental Health Therapies. The executive director shall establish the advisory council on alternative mental health therapies. The council shall consist of 3 persons who are licensees or certificate holders in the state of New Hampshire in an alternative mental health therapy. Each member shall be appointed to a term of 3 years, provided that initial terms may be staggered. No member shall serve more than 2 consecutive full terms. Each member of the advisory council shall receive as compensation the sum of \$45 for each day actually devoted to the work of the advisory council and shall be reimbursed for necessary traveling expenses incurred in the discharge of such duty. The advisory council shall:

I. Review the educational and experience requirements of applicants for licensure or certification of an alternative mental health therapy.

II. Review the continuing education requirements for renewing licensure or certification of an alternative mental health therapy.

III. Advise the executive director regarding the implementation of requirements for licensure or certification of an alternative mental health therapy and the adoption of necessary rules.

4 New Paragraph; Historical Fund; Sale of Commemorative Bottles; Transfer of Revenues. Amend RSA 177:8 by inserting after paragraph II the following new paragraph:

III. Notwithstanding provisions of paragraph II, revenue from commemorative bottles sold under this section between July 1, 2018 and December 31, 2019 shall be credited to the New Hampshire state house bicentennial education and commemoration fund in RSA 17-R:3.

2018-0522s

## AMENDED ANALYSIS

This bill regulates persons engaged in the practice of professional art therapy and establishes an advisory council on alternative mental health therapies. The bill also credits revenue from the sales of commemorative liquor bottles until December 31, 2019 to the New Hampshire state house bicentennial education and commemoration fund.

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 the Committee on Finance (Rule 4-5).

SB 536-FN, relative to eligibility for death benefits for court security officers.

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

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

SB 578-FN, relative to unclassified positions within the department of health and human services.

Ought to Pass, Vote 4-0. Senator Reagan 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).

Recess. Out of recess.

## SPECIAL ORDER

Without objection, the following bills are special ordered to the Call of the Chair. Adopted.

## FINANCE

CACR 21, relative to alcohol and drug abuse prevention. Providing that a portion of liquor commission revenue shall be used for alcohol and drug abuse prevention.

SB 542-FN, relative to the use of funds in the revenue stabilization reserve account for public health emergencies.

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

## HEALTH AND HUMAN SERVICES

SB 381, deleting immunization/vaccination requirements for Hepatitis B.

SB 545-FN, increasing the age for sales and possession of tobacco products.

## FINANCE

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

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

Senate Finance

February 7, 2018

2018-0504s

05/03

## Amendment to SB 310-FN

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

AN ACT establishing a committee to study the feasibility of establishing community-based services pilot programs.

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

1 Committee Established. There is established a committee to study the feasibility of establishing community-based services pilot programs.

2 Membership and Compensation.

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

(a) Two members 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.

3 Duties. The committee shall determine if community-based services pilot programs would be effective in preventing children from entering the foster care system by addressing potential issues before they rise to a crisis level that result in children being removed from the home. The committee may solicit information and testimony from any individual or entity the committee deems relevant to its study.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named 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.

5 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 senate clerk, the house clerk, the governor, and the state library on or before November 1, 2018.

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

2018-0504s

## AMENDED ANALYSIS

This bill establishes a committee to study the feasibility of establishing community-based services pilot programs.

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 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 with Amendment, Vote 5-1. Senator Reagan for the committee.

Senate Finance  
February 7, 2018  
2018-0505s  
04/05

Amendment to SB 390-FN

Amend the bill by replacing section 6 with the following:

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

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

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3  
February 12, 2018  
2018-0564s  
04/03

Floor Amendment to SB 390-FN

Amend the bill by replacing section 6 with the following:

6 Effective Date.

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

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

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.

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

SB 470-FN, relative to positions within the insurance department.  
Ought to Pass, Vote 4-2. 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.

Senator Morse is in opposition to the motion of Ought to Pass on SB 470-FN.

SB 531-FN, relative to the office of professional licensure and certification.  
Ought to Pass, Vote 6-0. Senator Reagan for the committee.

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

SB 534-FN, relative to the classification of certain state employee positions.  
Ought to Pass, Vote 6-0. Senator Reagan for the committee.

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

SB 579-FN, relative to penalties for welfare fraud.  
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.

SB 580, creating class lines within the department of transportation.  
Ought to Pass with Amendment, Vote 6-0. Senator D'Allesandro for the committee.

Senate Finance  
February 7, 2018  
2018-0506s  
06/08

Amendment to SB 580

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

AN ACT relative to the creation of new class lines within the department of transportation and the department of health and human services, and amending a capital budget appropriation to allow for door replacements at the New Hampshire hospital.

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

1 Transfers Authorized. Amend RSA 9:16-a, I and II to read as follows:

I. Notwithstanding any other provision of law, every department as defined in RSA 9:1 is hereby authorized to transfer funds within and among all accounting units within said department, provided that any transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council, and provided that no funds may be transferred in violation of the provisions of RSA 9:17-a, 9:17-b, or 9:17-c or in violation of any restrictions otherwise provided by law or to or from any account[, ~~except accounts in the department of health and human services and the department of transportation;~~] which is not composed of the same funding source mix.

II. Notwithstanding any other provision of law except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and the governor and council, the commissioner of the department of administrative services, ***the commissioner of the department of health and human services, and the commissioner of the department of transportation*** [is] ***are*** hereby authorized to transfer funds within and among all accounting units and/or class codes within the department, and is further authorized to create new class codes within the department into which funds may be transferred or placed, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided that if a transfer does not include new class codes, only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court and the governor and council.

2 New Paragraph; Appropriations; Department of Transportation; Transfers Authorized. Amend RSA 9:16-a by inserting after paragraph II the following new paragraph:

II-a. Notwithstanding any other provision of law, the commissioner of the department of transportation is hereby authorized to transfer funds from any funding source mix within and among all accounting units and establish new accounting units and/or expenditures classes within the department, provided that if a transfer does not include new accounting units or expenditure classes, only transfers of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council, and provided that no funds may be transferred in violation of the provisions of RSA 9:17-a, RSA 9:17-b, or RSA 9:17-c or in violation of any restrictions otherwise provided by law.

II-b. Notwithstanding any other provision of law, the commissioner of the department of health and human services is hereby authorized to transfer funds from any funding source mix within and among all accounting units and establish new accounting units and/or expenditures classes within the department, provided that if a transfer does not include new accounting units or expenditure classes, only transfers of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council.

3 Appropriations; Department of Transportation; Transfers Authorized. Amend RSA 9:16-a, III to read as follows:

III. The \$75,000 threshold under paragraphs [I-H] ***I-II-b*** shall be applied at the accounting unit level on a cumulative basis within the fiscal year. Once the threshold has been reached, the approval of the fiscal committee of the general court and the governor and council shall be required for subsequent transfers within the fiscal year.

4 Department of Health and Human Services; Capital Budget; Appropriation; Purpose Amended. Amend 2011, 253:1, VII, D, extended by 2013, 195:47, 60, amended by 2014, 121:3, extended by 2015, 220:23, 61, extended by 2017, 228:22, 82, to read as follows:

D. APS Repairs/Renovations-Roof, Windows and Curtain Wall ***and*** 3,675,000

***Door Replacements or Other Related Upgrades***

5 Effective Date.

I. Sections 1-3 of this act shall take effect July 1, 2018.

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



2018-0506s

#### AMENDED ANALYSIS

This bill:

- I. Creates class lines within the department of transportation.
- II. Creates class lines within the department of health and human services.
- III. Amends the capital budget to allow for door replacements at the New Hampshire hospital.

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

SB 473, relative to employment contract restrictions upon health care providers.  
Ought to Pass, Vote 4-1. Senator Avard for the committee.

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

SB 483, relative to procedures for dispensing controlled drugs.  
Ought to Pass with Amendment, Vote 4-0. Senator Fuller Clark for the committee.

Health and Human Services  
February 1, 2018  
2018-0425s  
10/06

#### Amendment to SB 483

Amend RSA 318:47-1 as inserted by section 1 of the bill by replacing it with the following:

318:47-1 Procedures for Dispensing Controlled Drugs. Only a patient for whom a prescription was written, the owner of an animal for which a prescription was written, or an authorized representative of the patient or animal owner, as defined in rules adopted by the pharmacy board, after consultation with the commissioner of health and human services, may pick up a prescription for a schedule II, III, or IV controlled substance. Prior to dispensing a prescription for a schedule II, III, or IV controlled substance to a patient not personally known to the pharmacist, the pharmacy technician, or the pharmacy intern, the pharmacist, pharmacy technician, or pharmacy intern shall require the individual receiving the drug to provide a signature and show valid and current government-issued photographic identification as evidence that the individual is the patient for whom the prescription was written, the owner of the animal for which the prescription was written, or the authorized representative of the patient or animal owner.

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 489, establishing a committee to study parental alienation in New Hampshire.  
Ought to Pass with Amendment, Vote 4-1. Senator Avard for the committee.

Health and Human Services  
February 7, 2018  
2018-0514s  
05/10

#### Amendment to SB 489

Amend subparagraph I(a) of section 2 of the bill by replacing it with the following:

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

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the 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.

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 552-FN, relative to transportation of trauma victims by first responders.  
Interim Study, Vote 5-0. Senator Bradley for the committee.

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

SB 573-FN-A, relative to the controlled drug prescription health and safety program and making an appropriation therefor.

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

Health and Human Services

February 1, 2018

2018-0426s

01/10

#### Amendment to SB 573-FN-A

Amend RSA 318-B:33, II-b as inserted by section 1 of the bill by replacing it with the following:

II-b. The chief medical examiner and delegates may register and access the program.

Amend the introductory paragraph of RSA 318-B:35, I(a) as inserted by section 2 of the bill by replacing it with the following:

(a) By electronic or written request to prescribers [~~and~~], dispensers, ***and the chief medical examiner and delegates*** within the state who are registered with the program:

2018-0426s

#### AMENDED ANALYSIS

This bill allows the chief medical examiner and delegates to register and access the controlled drug prescription health and safety program.

This bill also makes an appropriation to the controlled drug prescription health and safety program.

This bill is a request of the controlled drug prescription health and safety program, established in RSA 318-B:32.

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

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

#### PUBLIC AND MUNICIPAL AFFAIRS

SB 394, enabling municipalities to establish term limits for elected officials.  
Inexpedient to Legislate, Vote 4-0. Senator Kahn for the committee.

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

Recess. Out of recess.

#### SPECIAL ORDER

Without objection, the following bill is special ordered to Thursday, February 22, 2018. Adopted.

#### PUBLIC AND MUNICIPAL AFFAIRS

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

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

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

Public and Municipal Affairs  
 February 8, 2018  
 2018-0525s  
 06/10

Amendment to SB 504-FN

Amend RSA 80:80, I-III as inserted by section 1 of the bill by replacing them with the following:

I. No transfer of any tax lien upon real estate acquired by a town or city as a result of the execution of the real estate tax lien by the tax collector for nonpayment of taxes thereon shall be made to any person by the municipality during the 2-year period allowed for redemption, nor shall title to any real estate taken by a town or city in default of redemption be conveyed to any person, unless the town, by majority vote at the annual meeting, or city council by vote, shall authorize the ~~[selectmen or the mayor]~~ **governing body** to transfer such lien or to convey such property by deed.

II. If the ~~[selectmen or mayor are]~~ **governing body is** so authorized to convey such property by deed, either a public auction shall be held, or the property may be sold by advertised sealed bids. The ~~[selectmen or mayor]~~ **governing body** shall have the power to establish a minimum amount for which the property is to be sold and the terms and conditions of the sale.

II-a. If the ~~[selectmen or mayor are]~~ **governing body is** authorized to transfer such liens during the 2-year redemption period, either a public auction shall be held, or the liens may be sold by advertised sealed bids. The ~~[selectmen or mayor]~~ **governing body** may establish minimum bids, and may set the terms and conditions of the sale. Such liens may be sold singly or in combination, but no fractional interest in any lien shall be sold. Such transfer shall not affect the right of the owner or others with a legal interest in the land to redeem the tax lien pursuant to RSA 80:69, or make partial payments in redemption pursuant to RSA 80:71, but the transferee shall become the lienholder for purposes of RSA 80:72 and 80:76.

III. The ~~[selectmen]~~ **governing body** may, by a specific article in the town warrant, or ~~[the mayor may]~~ by ordinance, ~~[may]~~ be authorized to dispose of ~~[a lien]~~ **liens** or tax deeded ~~[property]~~ **properties** in a manner **other** than ~~[otherwise]~~ **as** provided in this section, as justice may require. ***Before proceeding under this provision, the governing body shall make an affirmative finding that disposal by a method other than sealed bid or public auction is in the public interest.***

Amend RSA 80:80, VI as inserted by section 1 of the bill by replacing it with the following:

VI. For purposes of this section, the authority to dispose of the property “as justice may require” shall include the power of the ~~[selectmen or mayor]~~ **governing body** to:

***(a) Engage a real estate agent or broker to list and sell the property, including a sale conditional on the buyer’s obtaining development approvals;***

***(b) Sell undeveloped parcels to abutters for consolidation into adjoining lots for the purpose of affordable housing development, preserving open space, or reducing development density; or***

***(c) Convey the property to a former owner, or to a third party for benefit of a former owner, upon such reasonable terms as may be agreed to in writing, including the authority of the municipality to retain a mortgage interest in the property, or to reimpose its tax lien, contingent upon an agreed payment schedule, which need not necessarily reflect any prior redemption amount. Any such agreement shall be recorded in the registry of deeds. This paragraph shall not be construed to obligate any municipality to make any such conveyance or agreement.***

2018-0525s

AMENDED ANALYSIS

This bill permits the governing body to dispose of liens or tax deeded property other than by sealed bid or public auction if it is in the public interest.

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 505, requiring abutter notice of the construction of a crematory.  
Ought to Pass, Vote 4-0. Senator Ward for the committee.

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

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

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

Public and Municipal Affairs

February 8, 2018

2018-0535s

08/04

#### Amendment to SB 508

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

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

Amend the bill by replacing section 1-3 with the following:

1 Committee Established. There is established a committee to study the prevalence of post-traumatic stress disorder (PTSD) and other related disorders among first responders.

2 Membership and Compensation.

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

(a) Two members 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.

3 Duties. The committee shall study the prevalence of post-traumatic stress disorder and other related disorders among first responders, including police officers, fire persons, and emergency medical service providers, and consider how to mitigate cases of PTSD and other related disorders in those fields.

2018-0535s

#### AMENDED ANALYSIS

This bill establishes a committee to study the prevalence of post-traumatic stress disorder and other related disorders among first responders.

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 509, allowing municipalities to require income and expense information of business properties for tax appraisals.

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

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

SB 510, relative to municipal notice of leases on tax-exempt property.

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

Public and Municipal Affairs

February 8, 2018

2018-0523s

05/04

#### Amendment to SB 510

Amend RSA 72:23, I(b)(1)(B) as inserted by section 1 of the bill by replacing it with the following:

***(B) The lessors of all leases and other agreements, the terms of which provide for the use or occupation by others of real or personal property owned by the state or a county, city, town, school district, or village district, including those properties identified under subparagraph (d), shall notify the municipality of the lease and other agreement by April 15 of each year.***

Amend the bill by replacing section 2 with the following:

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

2018-0523s

#### AMENDED ANALYSIS

This bill requires lessors of tax-exempt public property to annually notify the municipality of the lease or any similar use or occupancy agreement.

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 513, establishing September as New Hampshire recovery month.

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

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

#### MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider SB 513, 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 Avard, seconded by Senator Giuda.

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.

#### FINANCE

CACR 21, relative to alcohol and drug abuse prevention. Providing that a portion of liquor commission revenue shall be used for alcohol and drug abuse prevention.

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

Recess. Out of recess.

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

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

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.

SB 542-FN, relative to the use of funds in the revenue stabilization reserve account for public health emergencies. 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 Woodburn, seconded by Senator Sanborn.

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 561-FN, relative to part-time employment of a retirement system retiree by a participating employer. Inexpedient to Legislate, Vote 4-2. 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 Avard, seconded by Senator Reagan.

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

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

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

Senator Bradley moved Ought to Pass.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

Sen. Carson, Dist 14

February 13, 2018

2018-0611s

10/05

#### Floor Amendment to HB 561-FN

Amend the bill by replacing section 7 with the following:

7 Effective Date. This act shall take effect January 1, 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.

Senator Morse is in opposition to the motion of Ought to Pass with Amendment on HB 561-FN.

#### HEALTH AND HUMAN SERVICES

SB 381, deleting immunization/vaccination requirements for Hepatitis B.

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

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

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

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

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

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

SB 545-FN, increasing the age for sales and possession of tobacco products.

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

Senator Gray moved to Lay on the Table SB 545-FN. Adopted.

#### CONSENT CALENDAR REPORTS REMOVED

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

#### COMMERCE

SB 353-FN, relative to direct shippers of alcohol.

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

Senator Bradley moved to Lay on the Table SB 353-FN. Adopted.



## EDUCATION

SB 357, relative to safe school zones.

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

Senate Education

January 30, 2018

2018-0369s

06/01

## Amendment to SB 357

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

AN ACT relative to safe school zones and relative to syringe service programs.

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

2 Syringe Service Programs in Drug-Free School Zones Prohibited; Exceptions. Amend RSA 318-B:45 to read as follows:

318-B:45 Syringe Service Programs in Drug-Free School Zones Prohibited. No syringe service program shall be located within a drug-free school zone as defined in RSA 193-B:1, II. ***Exceptions to this prohibition may be granted by the applicable school district superintendent when a request is initiated by a syringe service program administrator.***

2018-0369s

## AMENDED ANALYSIS

This bill:

I. Requires school employees to report crimes that would prevent a person from being hired as a teacher.

II. Permits school district superintendents to grant certain exceptions to the prohibition on locating syringe service programs in a drug-free zone.

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

Recess. Out of recess.

## SPECIAL ORDER

Without objection, Senator Bradley moved to special order SB 357-FN to Thursday, February 22, 2018. Adopted.

SB 432-FN-L, relative to an elective course in SAT preparation.

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

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

Senator Gannon moved Ought to Pass.

Senator Gannon offered a Floor Amendment.

Sen. Gannon, Dist 23

February 14, 2018

2018-0649s

06/05

## Floor Amendment to SB 432-FN-LOCAL

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

AN ACT 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.

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

1 New Section; Commission Established. Amend RSA 186 by inserting after section 11-e the following new section:

186:11-f Commission Established; SAT Preparation Course.

I. There is established 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.

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

- (a) One member of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) One member of the New Hampshire School Boards Association, appointed by the association.
- (d) One member of the New Hampshire School Administrators Association, appointed by the association.

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

IV. The commission shall study:

- (a) SAT results for students taking various SAT preparation courses offered in the state compared to the results of students taking online SAT preparation courses, or no course.
- (b) The costs of offering SAT preparation courses.
- (c) Whether offering a course for credit benefits students.

V. 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 senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Two members of the commission shall constitute a quorum.

VI. 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 Repeal. RSA 186:11-f, relative to commission to study whether it is in the best interest of students to require schools to offer an SAT preparation course as an elective, is repealed.

3 Effective Date.

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

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

2018-0649s

#### AMENDED ANALYSIS

This bill establishes 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.

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

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

#### HEALTH AND HUMAN SERVICES

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

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

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

February 13, 2018

2018-0600s

01/03

#### Floor Amendment to SB 474

Amend paragraph I(a) as inserted by section 2 of the bill by replacing it with the following:

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

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named 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.

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.

#### HOUSE MESSAGE

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

SB 215-FN, permitting the university system of New Hampshire and the community college system of New Hampshire to participate in the state health insurance plan.

Senator Reagan moved Nonconcurrence. Failed.

Senator Feltes moved Concurrence. Adopted.

#### MOTION TO ADJOURN FROM EARLY SESSION

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

Adopted. Adjournment from the Early Session.

#### LATE SESSION

##### LIST OF RULE 6-25'S FOR THE DAY

Senator Carson: SB 215-FN, SB 436

Senator French: SB 504-FN

Senator Kahn: SB 215-FN

Senator Sanborn: CACR 21, HB 561-FN, SB 310-FN, SB 311, SB 215-FN, SB 316, SB 320, SB 327, SB 329, SB 332, SB 352-FN, SB 353-FN, SB 357, SB 359, SB 362, SB 363, SB 364, SB 366, SB 374, SB 379, SB 381, SB 390-FN, SB 394, SB 414-FN, SB 415, SB 416, SB 417, SB 419, SB 429-FN, SB 431, SB 432-FN-L, SB 433, SB 434, SB 435, SB 436, SB 437, SB 439, SB 440-FN, SB 441, SB 442, SB 450-FN-A, SB 456, SB 470-FN, SB 473, SB 474, SB 476, SB 481, SB 483, SB 486, SB 489, SB 503, SB 504-FN, SB 505, SB 508, SB 509, SB 510, SB 513, SB 529-FN, SB 531-FN, SB 533-FN, SB 534-FN, SB 535-FN, SB 536-FN, SB 538-FN, SB 542-FN, SB 545-FN, SB 550-FN, SB 552-FN, SB 554-FN, SB 570-FN, SB 573-FN-A, SB 578-FN, SB 579-FN, SB 580

#### ANNOUNCEMENTS

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you; personal privilege. Last week in the debate about Senate Bill 492 I mistakenly indicated that a gun manufacturer, SIG Sauer, had a position on Senate Bill 492. I'd like to read a letter from Dave Cuzzie, who is their government affairs representative.

Senator Bradley: SIG Sauer has no position on Senate Bill 492, relative to the banning of bump stocks. On behalf of the company I respectfully request you correct the record from the Senate Session on February 1, 2018 during which it was stated that a company employee provided testimony in his professional capacity in opposition to the bill. SIG Sauer has never taken a position on Senate Bill 492 and has had, and will not have, any involvement of any kind in any aspect of any activity pertinent to the bill. The company was unaware an employee was testifying in his personal capacity on this bill. Neither the employee nor any other party mentioned the company in written or oral testimony, and the employee made clear, in all forms of his testimony, that he was testifying in his personal capacity. Thank you for ensuring the Senate record accurately reflects that SIG Sauer has no position of any kind on Senate Bill 492. I appreciate your attention to this request.

That's signed by Dave Cuzzie. I apologize. I think you can see where my confusion came from when I testified. Thank you.

(The Chair recognized Senator Gray.)

SENATOR GRAY: Thank you. I rise for personal privilege. I would like to add to the remarks about my predecessor, Senator Cataldo, and, also another Senator who has passed away since.

Senator Cataldo was my friend. Senator Cataldo and I really got to know each other at the Strafford County Republican meetings, and when Cheryl decided that it was time that Senator Cataldo do something else, he helped me tremendously to get to where I am today, to the election. One of the things that we did is at the Rochester Fair. We had a booth there and Sam and I spent many hours together. And every time that he would introduce himself, and that he was running for executive council, he would always say vote for Sam. Well, there was another booth just down from where we were that was doing embroidery, and the red hat that you saw on Sam's casket, if you went to the wake, was one of the ones he ordered that day. And when he got the hat, he looked at me and said don't tell Cheryl. So, I didn't know how he was going to do that when he got home. But one thing about Sam is we've all got wonderful stories, whether you were first or last in line there were still plenty of stories to tell about Sam.

In addition to that, we also lost another Senator from District 6, and that's Lou Bergeron. The Bergeron family, if you've lived in Rochester, you know, back a 'ways, certainly he was one of ten children, and that even one of his sisters, Ann, was married to another Senator, Senator Torr. So, it's a long-standing tradition between the Bergeron's and a few of the other families that if you lived in Rochester you knew the Bergeron's. Great Senator, great insurance commissioner, be sadly missed. He was living down in Florida at the time; was suffering from dementia, and there will be a service later in the spring, from what I'm told, but arrangements for that have not been made. So, it is a heavy heart, we've actually lost two Senators from District 6, and thank you for your attention.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President; a point of personal privilege. To date, in the United States of America, we have had 18 school shootings. Eighteen school shootings. Yesterday I was driving to the hockey rink to see my grandson play and I heard on NPR about the shooting in Florida. Seventeen people were shot down, 14 other people were injured, an assault weapon was used. An individual who had mental illness used that weapon, he acquired that weapon, and he killed 17 people. Seventeen mothers and fathers won't have a kid to come home to. They won't have a child. As I said to you, I embrace my children, I embrace my grandchildren, and I want to cry to think that 18 times this year someone has killed children in a school setting. When are we going to wake up? And when are we going to have background checks for everybody? This is so disheartening to me. I heard a child speak this morning who was there and hid in the closet. That child was in fear for her life and there is somebody with an automatic weapon just killing people at random and then he leaves the school gets in with the group and carries out this terrible carnage.

Eighteen times, 18 times this has happened! We are the only place in the world where this happens, the only place in the world and it happens too often. You know I talked to my wife this morning about this and I said, geez, I want to bring this up to my colleagues because I am heartbroken for the families; never mind the kids are dead. You can't bring a kid back. You spend your whole life thinking about your child and then you come home and that child is not there, killed by a random act of violence. We can't let that happen. We just can't let that happen. You know we thought the Connecticut incident was going to solve our problems. They killed little kids in Connecticut, little children. I am just heartbroken and I had to say this, it was on my mind all day. And I think guns are a problem. They are a problem. We've got to do something about it.

I'll end by saying in the Marine Corps I was taught to kill. I was taught to kill, and if the enemy came I was going to kill them. I was gung ho! I was gung ho when I was in the corps, with a clip with two rounds I was going to kill anybody that came my way. Different thought today. When I see what is going on around the country. So, my heart goes out to the families, to the mothers, and the fathers who came home last night without children. How about the families of the children that were not identified? They were not identified for a period of time. You didn't know if your kid was dead or not. God, you would think can that happen in America? Can that happen in our society? I don't know. So, I am very depressed about that. Thank you, Mr. President.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I rise to make comments of personal privilege. The 46<sup>th</sup> Annual Snowmobile Association's Easter Seals Ride-In occurred recently in Gorham. The snowmobile clubs competed with each other to raise funds for the Easter Seals Camp Sno-Mo, a camp for children with disabilities and special health care needs in Gilmanton Iron Works. This year 106 snowmobile clubs raised over \$105,000 which is used to send more than 100 special needs kids to summer camp. They raised 3.2 million since its inception in the 1970s. Nelly Roache is the chairperson. Her dedicated committee includes Cheryl Spillane, Terry Callum, Jennifer Parker, Melissa Binette, Andrea Rojas-Graham. Easter Seals' child representative was six-year-old Elliot Perry, the son of B.J. and Carrie Perry. Mister President, the event is always inspiring and emotional; made so as I have visited at Camp Sno-Mo and witnessed the difference these camps make.

The event was a vivid reminder of the remarkable work of 106 volunteer snowmobile clubs do to build and maintain 7,000 miles of trails from Salem to Pittsburg, Conway to Lebanon. In fact, there are more snowmobile trails in the state of New Hampshire than highways. They are a sophisticated organization that rely almost entirely on the generosity of property owners who allow the trails to cross their property.

Not only do the trails encourage wholesome outdoor recreation activity, but they are also a major economic driver generating over \$580 million of economic activity annually. All of this is done with no general fund dollars since the entire system is self-funded through registration fees, membership dues, and some federal RTP grants funded through the federal gas tax on off-highway vehicles.

I want to recognize the state's Trails Bureau Chief, Chris Gamache, and his capable staff: Beth Palmer, President of the New Hampshire Snowmobile Association; and Dan Gould, the Executive Director.

The combination of the willing landowners, local clubs, dedicated volunteers, self-funding, along with some state coordination – it's a model we should always strive to emulate since it shows how great things get accomplished with little or no impact on taxpayers. Thank you, Mister President.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President, members of the Senate. I had the privilege of flying aircraft for fifty years, and in my final ten I flew with my favorite route which was from Tokyo to Guam. We left at 11 o'clock at night with a full airplane, 300 people, and the quiet over the Pacific was only enhanced by the Southern Cross that shone through the front window of my cockpit. On that journey we passed over small Pacific islands, and that is the reason I rise to speak.

On February 19, 1945, United States Marines assaulted the beaches of a tiny Pacific island, four miles in width, and two miles wide, I'm sorry, length, 650 miles south of Tokyo. They faced an entrenched enemy 22,000 strong, committed to fight to the death because they knew that losing this island was the death knell for the Japanese Empire. The name of this island in Japanese is Iwo To. We know it today, and around the world, as Iwo Jima. In this amphibious assault, on what is considered the most heavily fortified objective in the history of warfare, the Japanese defenders suffered 21,844 killed and 216 captured. Marine's suffered 6,812 Marines killed or missing, and 19,217 wounded. Iwo Jima accounted for one-third of the total Marine Corp casualties in World War II. It was the only major battle in the Pacific in which U.S. casualties exceeded the total number of enemy killed. Progress in the fighting on that island averaged 400 yards a day using flame throwers, grenades, demolition charges, naval artillery. They were opposed, literally, at every step by an enemy who was committed to die rather than surrender. The capture of Iwo Jima enabled the United States to provide fighter escorts for B-29 Superfortresses attacking the Japanese homeland from the Marianas Islands: Guam, Tinian, and Saipan. Over 2,400 emergency landings took place on Iwo before the end of the war six months later. B-29s launched from Tinian, an island in the Marianas, were escorted by fighters from Iwo Jima, bombed Hiroshima and Nagasaki saving over a million lives by precipitating the surrender of Imperial Japan.

During the two month long battle for Iwo Jima, 27 U.S. military personnel were awarded the Medal of Honor for their actions. Of those 27, 22 were presented to Marines, and the others to United States Navy sailors, four of whom were Navy Hospital corpsmen. Iwo Jima accounted for over one-quarter of the 82 Medals of Honor awarded to Marines in the entirety of World War II. Inscribed on the Iwo Jima monument at Arlington National Cemetery are the following words: "Uncommon valor was a common virtue." And in the words of General James Jones, 32<sup>nd</sup> Commandant of the Marine Corps, "The valor and sacrifice of Marines and sailors who fought on Iwo Jima is today and forever the standard by which we judge what we are and what we might become."



Mister President, on this day, the last day we as a body assembled before the February 19<sup>th</sup> Anniversary of the assault on Iwo Jima, I ask the honorable members of the Senate to rise with me and offer one minute of silence as a very small tribute to the incredible heroism and bloody sacrifices of the Marines who fought.

Thank you, Mister President, and members of the Senate.

PRESIDENT MORSE: I wanted to take a minute to recognize our recent 40 Under 40 recipient, our Chief of Staff, Kristy Merrill. She has served with me in the Senate for much of her tenure, and while I'd like to think I've taught her everything, she gave credit to her parents for everything. So I guess I'm learning even more. Kristy has remained committed and thoughtful in everything she does, and it is clear she truly loves the state of New Hampshire and wants the very best for our state. She's an insightful leader who works very hard each and every day to make sure that wheels keep spinning in the Senate, which is no small task. It's been an honor to work alongside her, and I think of no one more deserving than Kristy to receive this honor. I hope you all join me in, now, congratulating her.

And last, but not least, several of you just – it is least – several of you just received a letter that you're now serving on Finance for one purpose, and that is health care. So, the Committee of Health that Senator Bradley chairs will now sit on Finance for the purpose of taking up a health care bill when the amendment's ready. It will be a bill being released as soon as Senator Bradley gets off the floor tonight, that he used as a place holder that is not the bill that we've been working on for about two or three months now. So, that will come out tonight, and you can comment on it if you want, but that's not the bill we're going to be debating. As soon as we get the amendment ready and ready to be put out in public, we'll put them out. We'd like to do that as soon as possible. So, for everyone that's going to make a major commitment to hear this health care bill, thank you.

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 561-FN, relative to part-time employment of a retirement system retiree by a participating employer.  
SB 310-FN, establishing a committee to study the feasibility of establishing community-based services pilot programs.

SB 311, clarifying rules of construction under the New Hampshire Trust Code.

SB 316, relative to the regulation of online auctions.

SB 320, relative to checklists used at elections.

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

SB 332, relative to medication synchronization.

SB 359, relative to notice to school districts of out-of-home placements.

SB 363, prohibiting political expenditures by foreign nationals.

SB 366, relative to members of the site evaluation committee.

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

SB 379, relative to retroactive denials of previously paid claims.

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 415, relative to condominium unit owners' special meetings.

SB 416, relative to transportation network company drivers.

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

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

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

SB 434, relative to school nurse certification.

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

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

SB 437, relative to the robotics education development program.

SB 441, relative to final grades in schools.

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

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

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

SB 473, relative to employment contract restrictions upon health care providers.

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

SB 476, establishing a committee to study reinstituting the unemployed parent program.

SB 481, establishing a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs.

SB 483, relative to procedures for dispensing controlled drugs.

SB 486, establishing a commission to study enhancing the prescription drug donation program.

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

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

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

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

SB 510, relative to municipal notice of leases on tax-exempt property.

SB 513, establishing September as New Hampshire recovery month.

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

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

SB 536-FN, relative to eligibility for death benefits for court security officers.

SB 579-FN, relative to penalties for welfare fraud.

SB 580, relative to the creation of new class lines within the department of transportation and the department of health and human services, and amending a capital budget appropriation to allow for door replacements at the New Hampshire hospital.

#### 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.