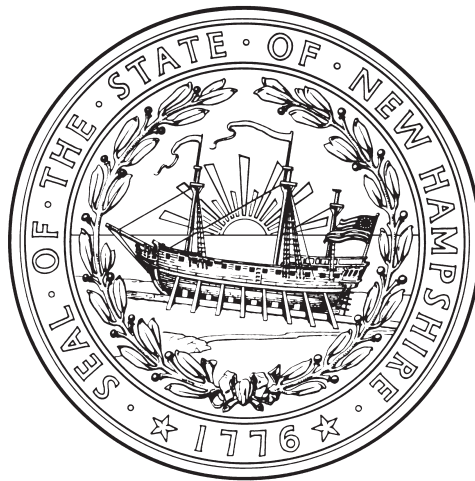


March 21, 2018
Nos. 8-9

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MARCH 15, 2018 SESSION
COMMENCEMENT – MARCH 21, 2018 SESSION**

SENATE JOURNAL 8 *(continued)*

March 15, 2018

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

HB 1262-LOCAL, relative to online driver education.

HB 1443, relative to a jury's determination as to the applicability of a law.

HB 1474, designating the New Hampshire Red as the official state poultry.

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

HB 1579-FN, requiring records to be kept for certain exempt convenings under the right-to-know law.

HB 1672-FN, prohibiting release of certain information relative to users of therapeutic cannabis to federal agencies.

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

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

HB 1725-FN, relative to wine samples and samples for consumption on the premises of a beverage manufacturer.

HB 1788-FN-LOCAL, relative to costs charged under the right-to-know law.

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

HOUSE MESSAGE

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

HB 143, relative to recommitment of a prisoner by the parole board.

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 9

March 21, 2018

The Senate reconvened at 2:00 p.m., a quorum being present.

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

This afternoon's prayer is actually adopted from a proclamation by President John Adams in 1798. Let us pray.

We pray today for the safety and prosperity of our nation and state. Help the New Hampshire Senate to promote the blessings of a free government so that it may be enjoyed by all; as this duty at all times incumbent, is so, especially in seasons of difficulty and danger. We offer this morning our devotion to our office that seeks the common good, that our state may be protected from all the dangers which threaten us; that our civil and religious privileges may be preserved untouchable, and perpetuated to the latest generation. We pray that our public servants may be especially enlightened and directed at this critical period of time. We pray that the people of our state may be united and those bonds of cooperation and mutual confidence, and inspired with that vigor and fortitude by which they have in times past been so highly distinguished, and by which they have obtained such invaluable advantages. We pray that the health of the habitants of our lands may be preserved, and their agriculture, commerce, fishery, arts, and manufacturers be blessed and prosper. That the principles of genuine piety and sound morality may influence the minds and govern the lives of every citizen, and that the blessings of peace, freedom, and pure religion may be especially extended to all the nations of earth. We offer our fervent thanksgiving to the Bestower of every good gift, not only for having protected and

preserved the people of these United States and the state of New Hampshire in the independent enjoyment of their religious and civil freedom, but also for having prospered them in a wonderful progress of population, and for conferring on them many and great favors conducive to the happiness and prosperity of all. Amen.

Senator Kahn led the Pledge of Allegiance.

Senator Cavanaugh is excused.

INTRODUCTION OF PAGES

Senator Feltes introduced Gwen Morris from Lich, Germany and Samuel Morris from Changzhou, China, homeschooling in Concord, serving as Senate Pages for the day.

SPECIAL ORDER

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

COMMERCE

SB 318, amending the prohibitions on youth employment.

CONSENT CALENDAR REPORTS REMOVED

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 410, by Senator Carson

HEALTH AND HUMAN SERVICES

SB 350, by Senator Bradley

SB 383, by Senator Sanborn

CONSENT CALENDAR

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

HEALTH AND HUMAN SERVICES

SB 491, relative to food protection services in New Hampshire.

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

This bill, as amended, makes multiple changes to the produce safety act in order to ensure that New Hampshire produce and dairy producer regulations are in line with the Food Safety Modernization Act. New Hampshire has some of the safest produce and dairy production in the country. This bill seeks to make sure that our state's farms are in compliance with federal law. This would give the department of agriculture the ability to use federal funding to inspect produce and dairy farmers to ensure they are in compliance.

Health and Human Services

March 14, 2018

2018-1104s

08/04

Amendment to SB 491

Amend the bill by replacing section 1 with the following:

1 New Chapter; Produce Safety. Amend RSA by inserting after chapter 426 the following new chapter:

CHAPTER 426-A PRODUCE SAFETY

426-A:1 Definitions.

I. "Commissioner" means the commissioner of the department of agriculture, markets, and food.

II. "Department" means the department of agriculture, markets, and food.

III. "Farm" means any farm engaged in the growing, harvesting, packing, or holding of produce pursuant to the Food Safety Modernization Act, 21 C.F.R. Part 112.3.

IV. "Produce" means any produce that is a raw agricultural commodity pursuant to the Food Safety Modernization Act, 21 C.F.R. Part 112.3.

V. "Qualified exemption" means a farm is eligible for a qualified exemption and associated modified requirements in a calendar year pursuant to the Food Safety Modernization Act, 21 C.F.R. Part 112.5.

426-A:2 Authority; Enforcement. Subject to sufficient federal funding, the department shall enforce the Food Safety Modernization Act, Public Law 111-353, codified at 21 U.S.C. section 301 et seq., for standards of growing, harvesting, packing, and holding of produce for human consumption, 21 C.F.R. Part 112, as incorporated by reference including any subsequent amendments thereto.

426-A:3 Funding of Program. The commissioner is authorized to receive and expend federal funds appropriated for administration of this chapter.

426-A:4 Farm Inspections.

I. The department may inspect a farm during reasonable hours for the purpose of determining compliance with:

(a) The federal standards for growing, harvesting, packing, and holding of produce for human consumption, in accordance 21 C.F.R. Part 112; and

(b) Rules adopted under this chapter.

II. This section shall not limit the commissioner's authority to respond when an imminent health hazard is suspected in order to protect public health.

III. Upon successful inspection, the commissioner may issue a certificate at the request of the farm to include the name of the farm, date and place of inspection, and other information in compliance with the rules adopted by the commissioner pursuant to RSA 541-A.

IV. Failure to comply with the requirements of 21 C.F.R. Part 112, issued under section 419 of the Food, Drug, and Cosmetic Act, is a prohibited act under section 301 (vv) of the Food, Drug, and Cosmetic Act.

V. A farm that is eligible for a qualified exemption in accordance with Part 112.5 shall establish and keep records as required pursuant to the Food Safety Modernization Act, 21 C.F.R. Part 112.7.

426-A:5 Records. The owner or operator of a produce farm shall maintain records required by the federal Food Safety Modernization Act, rules adopted thereunder, and rules adopted under this chapter pursuant to RSA 541-A and shall make those records available to the department upon request.

426-A:6 Rulemaking. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the administration of this chapter.

Amend RSA 184:90-a as inserted by section 18 of the bill by replacing it with the following:

184:90-a Suspension. The commissioner may suspend a producer's permit if it is found after investigation that circumstances exist which threaten the health or safety of the public. If a producer's permit is suspended, the commissioner shall provide the permittee with written notice of the basis for the decision and shall, ~~[include a notification of the time and place of]~~ **upon request, schedule** a hearing before the milk sanitation board. ~~[The hearing following suspension]~~ **If a hearing is requested, it** shall be held within 10 ~~[working]~~ **business** days of the date ~~[of the suspension]~~ **requested**. No milk producer shall operate during the pendency of any administrative proceeding following suspension of the producer's permit. If a producer demonstrates that the circumstances resulting in suspension have been corrected, and no longer constitute a threat to the health or safety of the public, the commissioner may reinstate the producer's permit without requiring a hearing before the milk sanitation board.

Amend the bill by deleting section 20 and renumbering the original sections 21-25 to read as 20-24, respectively.

Amend the bill by replacing all after section 22 with the following:

23 Repeal. The following are repealed:

I. RSA 184:30-b, relative to original containers.

II. RSA 184:30-c, relative to exceptions.

III. RSA 184:30-d, relative to the use of milk containers.

IV. RSA 184:30-e, relative to enforcement.

V. RSA 184:30-f, relative to penalties.

- VI. RSA 184:30-g, relative to the definition and dating of retail containers of cream.
- VII. RSA 184:30-h, I-II, relative to rulemaking.
- VIII. RSA 184:46, relative to renovated or process butter, oleomargarine, etc.
- IX. RSA 184:47, relative to marking.
- X. RSA 184:48, relative to the definition of oleomargarine.
- XI. RSA 184:48-a, relative to standard of identity and label statements.
- XII. RSA 184:49, relative to the labeling butter substitutes.
- XIII. RSA 184:53, relative to advertisements.
- XIV. RSA 184:54, relative to penalties.
- XV. RSA 184:55, relative to seizure and forfeiture.
- XVI. RSA 184:56, relative to definitions.
- XVII. RSA 184:57, relative to official duties.
- XVIII. RSA 184:58, relative to connivance.
- XIX. RSA 184:59, relative to definitions.
- XX. RSA 184:60, relative to weight certificates for milk.
- XXI. RSA 184:60-b, relative to rules, regulations, and fees.
- XXII. RSA 184:60-c, relative to penalties.
- XXIII. RSA 184:61, relative to inspection stations.
- XXIV. RSA 184:62, relative to inspection of dairies.
- XXV. RSA 184:63, relative to the testing of samples.
- XXVI. RSA 184:64, relative to owners' records.
- XXVII. RSA 184:65, relative to the notice of testing results.
- XXVIII. RSA 184:66, relative to further tests.
- XXIX. RSA 184:67, relative to who pays fees and expenses.
- XXX. RSA 184:68, relative to reports of tests.
- XXXI. RSA 184:69, relative to inspections of apparatus.
- XXXII. RSA 184:70, relative to rules.
- XXXIII. RSA 184:71, relative to station records.
- XXXIV. RSA 184:72, relative to penalties.
- XXXV. RSA 184:73, relative to statements for vendors.
- XXXVI. RSA 184:74, relative to the inspection of returns; changes.
- XXXVII. RSA 184:75, relative to annual reports.
- XXXVIII. RSA 184:76, relative to testers' licenses.
- XXXIX. RSA 184:78, relative to the division of dairy services.
- XL. RSA 184:87-a, relative to the requirement of reciprocity.
- XLI. RSA 184:92, relative to inspections and inspectors.
- XLII. RSA 184:99, relative to the application of statutes.
- XLIII. RSA 184:104, relative to penalties.

24 Repeal; Effective 2021. RSA 426-A, relative to produce safety, is repealed.

25 Effective Date.

I. Section 24 of this act shall take effect June 30, 2021.

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

2018-1104s

AMENDED ANALYSIS

This bill:

I. Requires the department of agriculture, markets, and food to enforce the federal Food Safety Modernization Act.

II. Requires milk served at bona fide boarding houses to be pasteurized.

III. Moves rulemaking from the milk sanitation board to the department of health and human services.

IV. Defines cream, butter, and cheese.

V. Reorganizes the milk sanitation board.

VI. Repeals RSA 426-A relative to produce safety in 2021.

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

REGULAR CALENDAR

SB 314, relative to licensure requirements for nondepository mortgage bankers, brokers, and servicers. Ought to Pass with Amendment, Vote 3-0. Senator French for the committee.

Commerce

March 13, 2018

2018-1089s

03/01

Amendment to SB 314

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

AN ACT relative to regulation of mortgage bankers, brokers, servicers, and originators.

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Mortgage Bankers, Brokers, Servicers, or Originators; Application of Chapter. Amend RSA 397-A:2, I by inserting after subparagraph (c) the following new subparagraph:

(d) An individual who acts as a mortgage banker, mortgage broker, mortgage servicer, or mortgage originator if the individual is not engaged habitually and repeatedly in such activities in a commercial context. It shall be a rebuttable presumption that an individual is not engaged the business of a mortgage banker, mortgage broker, mortgage servicer, or mortgage originator if the individual is not involved in more than 3 loans in any consecutive 12-month period.

2018-1089s

AMENDED ANALYSIS

This bill exempts from regulation as a mortgage banker, mortgage broker, mortgage servicer, or mortgage originator certain individuals who are not regularly engaged in such activities.

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 354, relative to pharmacy claim fees and copayments.

Ought to Pass, Vote 3-0. 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 413, relative to name availability for business organizations.

Ought to Pass with Amendment, Vote 3-0. Senator Sanborn for the committee.

Commerce

March 14, 2018

2018-1093s

06/05

Amendment to SB 413

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

AN ACT relative to name availability for business organizations and relative to reinstatement of a limited liability company.

Amend the bill by replacing all after section 11 with the following:

12 Limited Liability Companies; Late Reinstatements. RSA 304-C:145 is repealed and reenacted to read as follows:

304-C:145 Late Reinstatements - In General.

I. A limited liability company administratively dissolved under RSA 304-C:136 may apply to the secretary of state for late reinstatement if more than 3 years have expired since the effective date of dissolution. The application shall be in such form and contain such information as the secretary of state may require.

II. Notice of the late reinstatement shall be published one time in a newspaper of general circulation in the county where the dissolved limited liability company's principal office, or, if none in this state, its registered office, is or was last located or the secretary of state's Internet website. The notice shall:

(a) Indicate that all interested parties are encouraged to submit comments.

(b) Include the mailing address of the secretary of state.

III. If the secretary of state determines that the information submitted in the application for late reinstatement is correct, that the limited liability company has made the notice required under paragraph II, that the application is accompanied by the fee required under RSA 304-C:191, II(f), and that the limited liability company should be reinstated, the secretary of state shall cancel the notice of dissolution and prepare a notice of reinstatement that recites the determination and the effective date of reinstatement and mail the notice to the limited liability company.

IV. If the application for reinstatement included a change of name of the limited liability company, the notice shall set forth the change of name of the limited liability company and the fee required pursuant to RSA 304-C:191, II(d), and the notice shall constitute an amendment to the certificate of formation. If the application for reinstatement included a change of the registered agent, the notice shall set forth the name of the new registered agent and the fee required pursuant to RSA 304-C:191, II(b).

V. When the reinstatement is effective, it relates back to and takes effect as of the effective date of the administrative dissolution and the limited liability company resumes carrying on its business as if the administrative dissolution had never occurred.

13 Effective Date.

I. Section 12 of this act shall take effect 60 days after its passage.

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

2018-1093s

AMENDED ANALYSIS

This bill establishes criteria for determining whether a proposed business name is distinguishable from an existing business name for purposes of registration with the secretary of state. The bill also revises the procedure for reinstatement of a limited liability company by the secretary of state.

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

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

SB 418, relative to nano breweries and defining table wine.

Ought to Pass with Amendment, Vote 3-0. Senator French for the committee.

Commerce

March 13, 2018

2018-1091s

08/04

Amendment to SB 418

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

AN ACT relative to the definition of table wine.

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

1 Table Wine; Definition. Amend RSA 175:1, LXIX to read as follows:

LXIX. "Wine-table" means a product obtained by the fermentation of the natural content of fruit or other agricultural products containing sugar and containing ~~[more than 6 percent but not]~~ **no** more than 18 percent alcoholic content by volume at 60 degrees Fahrenheit. The commission may approve as a table wine a higher alcoholic content product, not to exceed 24 percent, that is obtained in the same manner.

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

2018-1091s

AMENDED ANALYSIS

This bill expands the definition of table wine.

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

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

Sen. Innis, Dist 24

Sen. French, Dist 7

Sen. Soucy, Dist 18

Sen. Lasky, Dist 13

March 19, 2018

2018-1134s

08/04

Floor Amendment to SB 418

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

AN ACT relative to beverage manufacturers and nano breweries and defining table wine.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Sales for Consumption; Beverage Manufacturers. Amend RSA 178:12, II-a to read as follows:

II-a. The holder of a beverage manufacturer license may sell beverage samples to visitors of legal drinking age for consumption on the premises where the beverages were manufactured. Sales of samples for consumption on the premises shall be limited to one 4-ounce glass per label ***per person and 2 pints*** per person. ***A maximum of 48 ounces total may be served to a person for consumption on the premises.***

3 Sales for Consumption; Nano Brewery. Amend RSA 178:12-a, II(e) to read as follows:

(e) Sales for consumption on the premises shall be limited to one 4-ounce glass per label ***per person and 2 pints*** per person. ***A maximum of 48 ounces total may be served to a person for consumption on the premises.***

2018-1134s

AMENDED ANALYSIS

This bill expands the definition of table wine and allows beverage manufacturers and nano breweries to sell one sample per label and 2 pints per person for consumption on premises with a maximum of 48 ounces per person.

The question is on the adoption of the Floor Amendment.

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Kahn, Avard, Lasky, Carson, Reagan, Soucy, Birdsell, Gannon, Innis.

The following Senators voted No: Woodburn, Watters, Hennessey, Sanborn, Daniels, Feltes, D'Allesandro, Fuller Clark, Morse.

The following Senators were excused: Cavanaugh.

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

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

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

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

The following Senators voted No: Woodburn, Watters, Hennessey, Sanborn, Feltes, D'Allesandro, Fuller Clark, Morse.

The following Senators were excused: Cavanaugh.

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

SB 420, relative to collective bargaining under the right-to-know law.
Ought to Pass, Vote 2-1. Senator French for the committee.

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

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

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

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

The following Senators were excused: Cavanaugh.

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

SB 421, relative to insurance coverage for prescription contraceptives.
Ought to Pass, Vote 3-0. Senator Soucy for the committee.

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

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

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

The following Senators voted No: Giuda.

The following Senators were excused: Cavanaugh.

Roll Call, Yeas: 22 - Nays: 1. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

SB 357, relative to safe school zones and relative to syringe service programs.
Ought to Pass, Vote 4-1. Senator Reagan for the committee.

Senator Hennessey offered a Floor Amendment.

Sen. Hennessey, Dist 5

March 21, 2018

2018-1173s

06/10

Floor Amendment to SB 357

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

3 New Subparagraph; Safe School Zones; State Board Rulemaking; Public School District Policies. Amend RSA 193-D:2, I(b) by inserting after subparagraph (2) the following new subparagraph:

(3) Allowing school boards to determine whether or not to prohibit the possession of firearms in a safe school zone.

2018-1173s

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.

III. Requires the state board of education to adopt rules allowing school boards to determine whether or not to prohibit the possession of firearms in a safe school zone.

Senator Bradley presiding.

President Morse presiding.

The question is on the adoption of the Floor Amendment.

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

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

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

The following Senators were excused: Cavanaugh.

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

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

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

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

The following Senators voted No: Daniels.

The following Senators were excused: Cavanaugh.

Roll Call, Yeas: 22 - Nays: 1. Adopted, bill ordered to Third Reading.

SB 322, relative to access to a water utility.

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

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

SB 365, relative to default service energy diversity and rate relief.

Ought to Pass with Amendment, Vote 3-0. Senator Bradley for the committee.

Energy and Natural Resources
March 13, 2018
2018-1084s
10/06

Amendment to SB 365

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

AN ACT relative to the use of renewable generation in default service.

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

1 Findings. New Hampshire and New England electricity supply is heavily dependent upon natural gas-fired generation, which is subject to pricing volatility. The effect of natural gas pricing volatility on energy prices can result in the closure of New Hampshire renewable generators and the loss of jobs and other statewide economic benefits derived from using indigenous renewable fuels. The general court finds that: the continued operation of the state's 6 independent biomass-fired electric generating plants and other indigenous-fueled renewable generating plants, such as small hydroelectric generation, are at-risk due to energy pricing volatility. These plants (i) are important to the state's economy and jobs, and, in particular, the 6 biomass-fired generators are vital to the state's sawmill and other forest products industries and employment in those industries, and (ii) these indigenous-fueled renewable generating plants are also important to state policies because they provide generating fuel diversity and environmental benefits. The general court finds that the use of these indigenous renewable resources as part of electric default service will promote the continued operation of, and the preservation of employment associated with, the 6 biomass-fired power plants and the other sources of indigenous-fueled renewables and, therefore, is in the public interest.

2 New Chapter; The Use of Renewable Generation in Default Service. Amend RSA by inserting after chapter 362-G the following new chapter:

CHAPTER 362-H

THE USE OF RENEWABLE GENERATION IN DEFAULT SERVICE

362-H:1 Definitions. In this chapter:

I. "Adjusted energy rate" means 80 percent of the rate, expressed in dollars per megawatt-hour, resulting from the default energy rate minus, if applicable, the rate component for compliance with the renewable energy portfolio standards law, RSA 362-F, if that rate component is included in the approved default energy rate.

II. "Biomass" means plant-derived fuel including clean and untreated wood such as brush stumps, lumber ends and trimmings, wood pallets, bark, wood chips or pellets, shavings, sawdust and slash, agricultural crops, biogas, or liquid biofuels, but shall exclude any materials derived in whole or in part from construction and demolition debris.

III. "Commission" means the public utilities commission.

IV. "Default energy rate" means the default service energy rate applicable to residential class customers, expressed in dollars per megawatt-hour, as approved by the commission from time to time, and which is available to retail electric customers who are otherwise without an electricity supplier.

V. "Default service provider" means the entity or entities approved by the commission, from time to time, to provide default service to the residential class of electric customers for each electric distribution company which is subject to commission approval of default service procurement.

VI.(a) "Eligible facility" means any facility which produces electricity for sale by the use, as a primary energy source, of biomass, municipal solid waste, solar, or hydroelectric resources or any combination thereof; provided that: (1) the facility's power production capacity is not greater than 5 megawatts, excluding station service needs if the facility is a hydroelectric facility, and the facility's power production capacity is not greater than 25 megawatts, excluding station service needs for all other facilities; (2) the facility is interconnected with an electric distribution or transmission system located in New Hampshire; and (3) the facility began operation prior to January 1, 2006, or if the facility ceased operation and then later returned to service after that date, then prior to January 1, 2006 the facility operated for at least 5 years.

(b) "Eligible facility" shall not include: (1) any facility's kilowatt hours actually sold or used in a net energy metering project under RSA 362-A or any similar law; (2) any facility, while selling its electrical output at long-term rates established before January 1, 2007 by orders of the commission under RSA 362-A:4; (3) any municipal solid waste facility less than 10 megawatts in size and which was not in operation on January 1, 2018; and (4) any hydroelectric facility that is the subject of divestiture in commission docket DE 17-124.

VII. "Primary energy source" means a fuel or fuels, or energy resource either singly or in combination, that comprises at least 90 percent of the total energy input into a generating unit. A fuel or energy source other than the primary fuel or energy source may be used only for start-up, maintenance, or other required internal needs of the facility.

362-H:2 Default Service Short-Term Purchased Power Agreements. Each electric distribution company that is subject to the commission's approval regarding procurement of default service shall include as a condition in each default service procurement for the residential electric customer class, the requirement that the selected default service provider agrees to offer to purchase, for use as part of its default energy supply, the net energy output of any eligible facility located in the electric distribution company's service territory in accordance with the following:

I.(a) Prior to each solicitation of its default service supply, each such electric distribution company shall solicit proposals, in one solicitation or multiple solicitations, from eligible facilities. The electric distribution company's solicitation to eligible facilities shall inform eligible facilities of the opportunity to submit a proposal to enter into a power purchase agreement with the electric distribution company's selected default service provider, as approved by the commission, to sell an amount of energy to the default service provider for use in the provision of default service for a period that is coterminous with the time period used in the default service supply solicitation. The solicitation shall provide that sales of energy from the eligible facility shall be priced at the adjusted energy rate derived from the default service rates approved by the commission in each applicable default service supply solicitation and resulting rates proceeding.

(b) The solicitation shall also inform the eligible facility that: (1) the output of the eligible facility shall be delivered to the default service provider at the eligible facility's interconnection point with the electric distribution company; (2) the eligible facility's contract generation must be from the eligible facility's net electrical output and the eligible facility shall not replace its output with that of another unit; and (3) the eligible facility must agree to deliver all of its net electrical output to the selected default service provider, to the extent electrical output is not committed for use in a net metering program.

II. Each eligible facility's proposal in response to such solicitation shall provide a proposed schedule of hourly net output amounts during the term stated over a mutually agreeable period, whether daily or over the 6-month term and such other information as needed for the eligible facility to submit and the electric distribution company to evaluate the proposal.

III. As part of its periodic residential electric customer default service supply solicitation the electric distribution company shall inform potential default service providers of the requirements of this chapter and provide each with the results of the applicable eligible facility solicitation. As a result of such solicitations, and as a condition of commission approval of the default service provider's contract with the electric distribution company for default service, the default service provider shall select all proposals from eligible facilities that conform to the requirements of this section and enter into power purchase agreements for an internal bilateral transaction for market energy pursuant to the independent system operator of New England (ISO-NE) market rules with the selected eligible facilities for unit contingent energy for periods coterminous with the period of time used in the default service supply solicitation. The form of power purchase agreement to be used shall be the EEI Master Power Purchase and Sale Agreement, version 2.1. The default service provider shall act as the lead market participant for any selected eligible facility that is not a member of ISO-NE and requests such service. The eligible facility agrees to pay a reasonable fee for such service.

IV. Any such power purchase agreement shall be subject to review and approval by the commission in the same proceeding in which it undertakes the review and approval of the electric distribution company's periodic default service solicitation and resulting rates. The commission shall issue a decision on such agreements at the same time it issues a decision on the default service solicitation and resulting rates.

V. The costs incurred pursuant to purchases under this section shall be recovered by the electric distribution company in the same manner as recovery of default service charges. Such costs may include reasonable costs incurred by electric distribution companies pursuant to this section.

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

2018-1084s

AMENDED ANALYSIS

This bill requires the solicitation of default electricity service by the state's electric distribution companies to include certain renewable electricity generation supply.

The question is on the adoption of the Committee Amendment.

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

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

The following Senators voted No: Daniels, Birdsell, Gannon, Morse.

The following Senators filed a Declaration of Intent: Feltes.

The following Senators were excused: Sanborn, Cavanaugh.

Roll Call, Yeas: 17 - Nays: 4. 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 SB 365.

SB 447, relative to issuance of renewable energy certificates.

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

Energy and Natural Resources

March 13, 2018

2018-1085s

10/06

Amendment to SB 447

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

1 Repeal. RSA 362-F:6, II-a, relative to credit for electricity production for customer-sited sources that are net metered and for which renewable energy certificates are not issued, is repealed.

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

2018-1085s

AMENDED ANALYSIS

This bill repeals the requirement that the public utilities commission estimate and give credit for the total yearly production for customer-sited sources that are net metered and for which class I or II renewable energy certificates are not issued.

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 449, relative to the site evaluation committee.

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

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

SB 452, relative to renewable energy fund incentive payments.

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

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

SB 454, relative to ambient water quality standards and maximum contaminant levels for certain perfluorinated chemicals.

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

Senator Avard moved to Lay on the Table SB 454. Adopted.

SB 537, establishing the granite state finance authority and relative to the powers of the New Hampshire health and education facilities authority and the New Hampshire housing finance authority.

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

Senate Executive Departments and Administration
March 14, 2018
2018-1107s
05/03

Amendment to SB 537

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

AN ACT conferring extraterritorial financing powers on the New Hampshire business finance authority.

Amend the bill by replacing section 1 with the following:

1 New Chapter; Extraterritorial Financing Powers of the New Hampshire Business Finance Authority.
Amend RSA by inserting after chapter 162-R the following new chapter:

CHAPTER 162-S
EXTRATERRITORIAL FINANCING POWERS
OF THE NEW HAMPSHIRE BUSINESS FINANCE AUTHORITY

162-S:1 Declaration of Policy. It is declared that the policy of the state of New Hampshire to promote itself as an effective location for private enterprise, and therefore the policy of the state of New Hampshire is to provide for the establishment, support, preservation, and redevelopment of business and industry, whether or not operated for profit, located outside the state of New Hampshire. It is further declared that the performance of the powers conferred on the business finance authority as set forth in this chapter shall be regarded as performing an essential governmental function in carrying out the policy set forth in this section and by the carrying out of the powers set forth in the following provisions of this chapter. The purpose of this chapter is to expand and not to limit the existing powers of the business finance authority in order to carry out this policy.

162-S:2 Definitions. Unless the context otherwise clearly requires, in this chapter:

I. "Authority" or "national finance authority" means the business finance authority acting pursuant to this chapter and operating under the name "national finance authority".

II. "Business finance authority" means the New Hampshire business finance authority created pursuant to RSA 162-A.

III. "Bond" means any bond, note, or other obligation evidencing indebtedness issued or entered into or acquired or incurred by the authority under this chapter, including any certificate of participation or lease or lease-purchase, installment sale, or other financing agreement, and any refunding bond or other indebtedness with respect to a bond or any other evidence of indebtedness issued by the authority or another party.

IV. "Designated member" means the executive director of the business finance authority and the 4 members of the board of directors of the authority appointed pursuant to RSA 162-S:3, II.

V. "Executive board" means the executive board of the national finance authority, whose designated members collectively shall have and carry out the powers conferred on the business finance authority in this chapter.

VI. "Participating institution" means any project owner, co-owner, operator, sponsor, or other party which, pursuant to the provisions of this chapter, undertakes the financing and construction or acquisition of a project or undertakes the refunding or refinancing of bonds relating to a project as provided in and permitted by this chapter.

VII. "Project" means any capital improvement, purchase of receivables, property, assets, commodities, bonds, or other revenue streams or related assets, working capital program, or liability or other insurance program, located outside of the state. The term "project" shall include any housing facility, located outside the state, for students, faculty, or staff affiliated with an educational institution and any housing facility, including without limitation any senior living, assisted living, or nursing home facility, used or operated by or for the benefit of any hospital, health care, senior care, or senior living institution in connection with the carrying out of hospital, health care, senior care, or senior living services, but shall not include any housing, housing project, or any other facility that may be financed by the New Hampshire housing finance authority under RSA 204-C without the written consent of the New Hampshire housing finance authority's executive director or designee. Notwithstanding anything in this definition or chapter to the contrary, the participating institution shall be afforded the ability to use whichever authority it chooses in writing.

VIII. "Revenue" means all moneys and fees received from participating institutions or any other source with respect to a project or otherwise for services provided by or on behalf of the authority.

IX. "State" means the state of New Hampshire.

162-S:3 Establishment of the Authority; Membership; Meetings; Reporting.

I. The national finance authority is hereby established within and as a component unit of the business finance authority for the purpose of exercising the powers, duties and responsibilities conferred by this chapter. While acting pursuant to this chapter, the business finance authority shall operate under the name "national finance authority". Subject to the provisions of this chapter, the authority shall be governed by the designated members as provided in paragraph II. The authority shall not be separate from the business finance authority but through its executive board shall exercise all powers and take all actions pursuant to this chapter on behalf of the business finance authority.

II. All of the powers of the authority are vested in the executive board of the authority, comprising 5 members, one of whom shall be the executive director of the business finance authority serving ex officio and 4 of whom shall be current members of the board of directors of the business finance authority who have been appointed by the chairman of the business finance authority. Of the 4 initial appointed members of the executive board of the authority, one shall be appointed for a term ending on November 3, 2019, one shall be appointed for a term ending on November 3, 2020, one shall be appointed for a term ending on November 3, 2021, and one shall be appointed for a term ending on November 3, 2022. Successors to those initial executive board members whose terms expire each year shall be appointed by the chairman of the business finance authority, each of whom shall be a current member of the board of directors of the business finance authority and each whom be appointed for a term of 3 years. An appointed member may continue to serve until a successor is appointed and so long as such appointed member is a member of the board of directors of the business finance authority. The term of an appointed member of the executive board shall terminate at the time such appointed member ceases to be a member of the board of directors of the business finance authority. If a vacancy occurs in the membership of the appointed members of the executive board, the chairman of the business finance authority shall appoint a successor to complete the remainder of the unexpired term of the appointed member leaving such vacancy. Any appointed member of the executive board shall be eligible for re-appointment. Members of the executive board shall not receive compensation for serving in such capacity, but shall be entitled to reimbursement for any expenses actually incurred in connection with such service, if the executive board shall determine that such expenses shall be reimbursed and there are unencumbered funds of the authority available for such purpose.

III. The members of the executive board shall elect one of its members as chairperson of the executive board and another as vice chairperson of the executive board, and shall also elect a secretary of the executive board, who need not be a member of the executive board. Notwithstanding any provision of RSA 162-A or RSA 162-I to the contrary, 3 members of the executive board shall constitute a quorum for any meeting of the authority under this chapter, and the vote of a majority of the members of the executive board constituting a quorum present and voting shall be a prerequisite to any action taken by the authority. A vacancy in the membership of the executive board shall not impair the right of a quorum to exercise all the powers and perform the duties of the authority under this chapter. Notwithstanding RSA 91-A or any other law to the contrary, members of the executive board shall be permitted to participate in meetings of the authority by telephone or video conference, provided that any member so participating shall be able to be heard by and to hear every other member of the executive board participating in the meeting and, unless the authority meeting is a nonpublic session being conducted pursuant to RSA 91-A:3, shall be able to hear and be heard by all members of the public attending the meeting, and provided further that the meeting is held at a physical location available to the public and identified in the notice of the meeting. Voting members participating by telephone or video conference shall be treated as present at the meeting for all purposes, including the establishment of quorum.

IV. Any action taken by the authority under this chapter may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately and need not be published or posted.

V. The business finance authority, acting pursuant to its general powers set forth in RSA 162-A and RSA 162-I, shall have the power to establish rules, requirements, and procedures with respect to the operations and activities of the authority pursuant to this chapter. Such rules shall be subject to the requirements of RSA 162-A:28.

VI. Upon dissolution of the authority, subject to the adequate provision for the payment of its bonds, including interest on the bonds, and the performance of its contractual obligations, the property and other net assets of the authority shall remain with or be transferred to the business finance authority.

162-S:4 Powers of the Authority. Subject to the powers of the business finance authority established under RSA 162-S:3, V to establish rules, requirements, and procedures, the authority shall have all of the powers necessary or convenient to carry out the purposes and provisions of this chapter. In addition to all other powers conferred on the business finance authority under the laws of the state, the business finance authority, acting under this chapter by, through, and as the national finance authority, and further subject to the powers of the business finance authority established under RSA 162-S:3, V, shall have power to do any of the following in connection with bonds issued under this chapter:

I. Adopt policies for the regulation of its affairs and the conduct of the business of the authority.

II. Sue, with the approval of the business finance authority, and be sued in the name of the authority, and in such capacity to plead and be impleaded in judicial proceedings.

III. Acquire, buy, own, operate, sell, lease as lessor or lessee, encumber, mortgage, hypothecate, pledge, assign, gift, or otherwise transfer any real, personal, tangible, intangible, or other property or interest in real, personal, or other property that is located outside of the state, either in the name of the authority or in the name of a partnership, trust, corporation, limited liability corporation, or other special purpose entity created by and under the control of the authority.

IV. Enter into contracts relating to the issuance of bonds.

V. Issue bonds or refunding bonds, subject to RSA 162-S:5 and RSA 162-S:10, to finance or refinance a project, including to fund a reserve fund or capitalized interest, payment of costs of issuance and other costs related to the financing or refinancing or credit enhancement, and enter into agreements related to the issuance of bonds, including liquidity and credit facilities, remarketing agreements, insurance policies, debt service guarantee agreements, letters of credit or reimbursement agreements, indexing agreements, interest rate swap agreements, currency exchange agreements, commodity swap agreements, other hedge agreements, and any other like agreements, in each case with such payment, interest rate, currency security, remedy, and other terms and conditions as the authority shall approve.

VI. Retain or appoint such agents, finance professionals, and special advisors as the authority finds necessary or convenient and fix their compensation.

VII. Accept gifts, loans, or other aid.

VIII. Establish and collect fees, including charges to recover the administrative expenses of the authority, from participating institutions and other parties who benefit from the provision of services by the authority, or services provided by an outside entity on behalf of the authority.

IX. Make loans to, lease real, personal, and other property from or to, or enter into any other kind of an agreement with a participating institution or other entity, in connection with the financing or refinancing of a project.

X. Mortgage, pledge, or otherwise encumber the authority's property assigned to or transferred to it in connection with bonds or its interest, or any portion of its interest, in a project.

XI. Assign or pledge any portion of its interest in projects, mortgages, deeds of trust, indentures of mortgage or trust, leases, purchase or sale agreements, other financing agreements, or similar instruments, bonds, notes, and security interests in property, of a participating institution, or contracts entered into or acquired in connection with bonds.

XII. Issue, obtain, or aid in obtaining, from any person, any insurance or guarantee to, or for, the payment or repayment of interest or principal, or both, on any bond, loan, lease or other obligation evidencing or securing such a bond, loan, lease or obligation that is issued, incurred, or entered into under this chapter.

XIII. Apply on its own behalf or on behalf of a participating institution to any unit of government for an allocation of volume cap, tax credit, subsidy, grant, loan, credit enhancement or with respect to any other federal program or any program of any other unit of government in connection with the financing or refinancing of a project.

XIV. Invest any bond proceeds or any money held for payment or security of the bonds, or any contract entered into under this chapter, in any securities or obligations permitted by the resolution, trust agreement, indenture, or other agreement providing for issuance of the bonds or the contract.

XV. At the request of one or more participating institutions, combine and pledge revenues of 2 or more projects to the repayment of one or more series of bonds issued under this chapter.

XVI. Purchase bonds issued by or on behalf of, or held by, any participating institution, any unit of government or a political subdivision, department, or authority thereof, such purchased bonds to be held by the authority or sold, in whole or in part, separately or together with other bonds issued by the authority. Notwithstanding anything in this chapter or in the laws of the state to the contrary, none of the earnings of the authority shall inure or be permitted by the authority to inure to the benefit of any private person.

162-S:5 Issuance of Bonds; Exemption from Taxation.

I. The authority shall not issue bonds unless the issuance thereof shall have first been authorized by a bond resolution approved by the authority. Bonds issued pursuant to this chapter shall be designated and captioned as bonds of the national finance authority. Bonds may be issued under this chapter without obtaining the consent of the governor and council or of any department, division, commission, board, body, bureau, or agency of the state; and without any other proceedings or the happening of any conditions or things except those proceedings or the occurrence of those conditions or things that are specifically required by this chapter and by the provisions of the resolution authorizing the issuance of such bonds or the trust agreement securing the same. A bond issued under this section shall meet all of the following requirements:

- (a) The face of the bond shall include the date of issuance and the date of maturity.
- (b) The bond shall include the statements required under RSA 162-S:9, III and RSA 162-S:10, V.
- (c) The bond shall bear a rate of interest, either fixed or variable, except that any variable rate of interest shall be made subject to a maximum rate.
- (d) The bond shall specify when interest and principal shall be paid.
- (e) Bonds shall be executed in the manner provided in the resolution therefor and may be executed by one designated member, provided that such execution may be by facsimile so long as the bond is signed by an authentication agent appointed by the authority.
- (f) Bonds in a single issue may comprise a single denomination or 2 or more denominations.

II. Notwithstanding paragraph I, as an alternative to specifying the matters required to be specified in the bond resolution pursuant to paragraph I, the resolution may specify designated members or officers or employees of the authority by name or position, to whom the authority delegates authority to determine which of the matters specified under paragraph I, and any other matters that the authority deems appropriate, for inclusion in the trust agreement, indenture, or other agreement providing for issuance of the bonds as finally executed, provided that a resolution approved by the authority under this section shall in all cases specify each of the following:

- (a) The maximum principal amount of bonds to be issued.
- (b) The maximum term of the bonds.

III. A bond issued under this section may include, or be subject to, any of the following:

(a) Mandatory, special, or optional redemption, or purchase in lieu of redemption, or tender, as provided in the resolution, and any notice of redemption with respect to any bond may be conditioned on the occurrence of such events as are specified by the authority in such notice.

(b) A provision providing a right to tender.

(c) A trust agreement or indenture containing any terms, conditions, and covenants that the authority determines to be necessary or appropriate, but such terms, conditions, and covenants may not be in conflict with the resolution.

IV. The authority may purchase any bond issued under this section. Subject to the terms of any agreement with the bondholders, the authority may hold, pledge, resell, or cancel any bond purchased under this paragraph, except that a purchase under this paragraph will not cause the extinguishment of such bond unless the authority cancels the bond or otherwise certifies its intention that the bond be extinguished.

V. The proceeds of a bond issued under this chapter may be used to finance or refinance one or more projects located outside of the state.

VI. The exercise of the powers granted by this chapter shall be in all respects for the benefit of the people of the state, for the increase of their commerce, welfare, and prosperity, and for the improvement of their health and living conditions, and shall constitute the performance of an essential governmental function, and the authority shall not be required to pay any taxes or assessment upon or in respect of a project or any property acquired or used by the authority or under the jurisdiction, control, possession, or supervision of the same or upon the activities of the authority in the operation or maintenance of any project under the provisions of this chapter, or upon income or other revenues received therefrom, and any bonds of the authority issued under the provisions of this chapter, their transfer and the income therefrom, including any profit made on the sale thereof, as well as the income and property of the corporation, are at all times exempt from taxation of every kind by the state and by the municipalities and all other political subdivisions of the state.

162-S:6 Sale of Bonds.

I. The sale of bonds under this section shall be conducted as provided in the resolution therefor or as directed by the person or persons to whom a delegation of authority has been made pursuant to RSA 162-S:5, II.

II. A sale of bonds may be public or private, and bonds may be sold at the price or prices, and upon the conditions, determined by the authority, and the authority shall give due consideration to the recommendations of the participating institution with respect to the project when determining the conditions of sale of bonds with respect thereto.

III. If at the time of sale definitive bonds are not available, the authority may issue interim certificates exchangeable for definitive bonds.

162-S:7 Bond Security.

I. The authority may secure bonds by a trust agreement or indenture or other agreement by and between the authority and one or more corporate trustees. Such trust agreement, indenture or other agreement may contain provisions for pledging properties, revenues and other collateral; holding and disbursing funds; protecting and enforcing the rights and remedies of bondholders; restricting individual rights of action by bondholders; and amendments, and any other provisions the authority determines to be reasonable and proper for the security of holders of bonds issued under this chapter or contracts entered into under this paragraph in connection with the bonds.

II. A pledge of property, revenues, or other collateral by the authority to secure the payment of the principal or redemption price of, or interest on, any bonds, or any reimbursement or similar agreement with any provider of credit enhancement for bonds, or any swap or other agreement entered into in connection with bonds, is binding on the parties and on any successors. The collateral shall immediately be subject to the pledge, and the pledge shall constitute a lien and security interest which shall attach immediately to the collateral and be effective, binding, and enforceable against the pledgor, its successors, purchasers of the collateral, creditors, and all others, to the extent set forth, and in accordance with, the pledge document, irrespective of whether those parties have notice of the pledge and without the need for any physical delivery, recordation, filing, or further act.

162-S:8 No Personal Liability. No designated member, director, officer, employee, or agent of the authority, the business finance authority, or a business entity created under RSA 162-S:4, III shall be liable personally on the bonds or any contract entered into by the authority or such business entity or subject to any personal liability or accountability by reason of the issuance of the bonds, unless the personal liability or accountability is the result of willful misconduct.

162-S:9 Bonds not Public Debt.

I. Unless otherwise expressly provided in the resolution therefor, bonds of the authority shall be limited obligations of the authority payable solely from amounts received by or on behalf of the authority from revenues derived from the project to be financed or refinanced thereby, or from any contract entered into or investment made in connection with the bonds and pledged to the payment of the bonds.

II. The state and the political subdivisions of the state are not and shall not be liable on bonds issued or any other contract entered into under this chapter, or for any other debt, obligation, or liability of the authority, whether in tort, contract, or otherwise.

III. Bonds issued under this chapter are not a debt of the state or the political subdivisions of the state. No bond issued under this chapter shall obligate the state, or any political subdivision approving a financing under RSA 162-S:10 to levy any tax or make any appropriation for payment thereof or with respect thereto. All bonds issued by the authority under this chapter are payable solely from the funds pledged for their payment in accordance with the trust agreement, indenture, or other agreement providing for their issuance. All bonds shall contain, on their face, a statement regarding the obligations of the state, the political subdivisions of the state, and the authority as set forth in this section.

162-S:10 Limitations.

I. To the extent required by section 147(f) of the Internal Revenue Code of 1986, as amended, or by any applicable successor provision of federal tax law, the authority may not issue bonds to finance a project in any state or territory of the United States unless the governor, or his or her designee in compliance with applicable federal law, of the state of New Hampshire has approved the financing of the project following a hearing held by the authority and unless the state or a political subdivision within whose boundaries the project is to be located has approved the financing of the project; provided that an approval by a political subdivision under this paragraph may be made by the governing body of the political subdivision or by the highest ranking executive or administrator of the political subdivision.

II. This chapter provides a complete alternative method, to all other methods provided by law, to exercise the powers authorized in this chapter, including the issuance of bonds, the entering into of contracts related to those bonds, and the financing or refinancing of projects.

III. A project may be located outside of the United States and outside a territory of the United States, and the authority may issue bonds to finance or refinance such project, if at the time of issuance of such bonds the participating institution with respect thereto is incorporated and has its principal place of business within the United States or a territory of the United States.

IV. Any action brought to challenge the validity of the issuance of a bond under this chapter, or the enforceability of a contract entered into under this chapter, must be commenced in a court of competent jurisdiction in the state within 30 days of adoption by the authority of the resolution authorizing the issuance of the bond or the execution of the contract.

V. Bonds issued under this chapter shall not be invalid for any irregularity or defect in the proceedings for their sale or issuance. All bonds shall contain, on their face, a statement that they have been authorized and issued pursuant to the laws of the state, and such statement shall be conclusive evidence of the validity of the bonds.

162-S:11 State Pledge. The state does hereby pledge to and agree with the holders of bonds issued under this chapter that the state shall not limit or alter the rights hereby vested in the authority to fulfill the terms of any agreements made with the holders of such bonds or in any way impair the rights and remedies of such holders until such bonds, together with the interest on them, with the interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. The authority is authorized to include this pledge and agreement of the state in any agreement with the holders of such bonds.

162-S:12 Selection of Authority Bond Program Administrator. Within 3 months after the initial designated members shall have been appointed pursuant to RSA 162-S:3, II, the business finance authority shall select a qualified firm to assist in the carrying out of the powers of the authority and the administration of the business of the authority conferred by this chapter. Such firm shall serve for a minimum term of 3 years. The selection of such firm shall be pursuant to a process approved by the board of directors of the business finance authority and such firm shall serve on such financial terms as shall be approved

by board of directors of the business finance authority. At the conclusion of the initial term of service of such firm, the business finance authority shall determine whether, and on what terms, to engage any firm to provide any such services.

162-S:13 Rulemaking.

I. The authority shall be exempt from the rules of any department, commission, board, bureau, or agency of the state except as otherwise provided in this chapter.

II. The authority shall be exempt from the provisions of RSA 541-A and may adopt rules in accordance with its own procedures to facilitate, implement, and carry out the powers, duties, and purposes of the authority enumerated in this chapter and such other and additional powers and purposes as shall be conferred upon it by the legislature. The authority shall file in the office of legislative services a copy of all existing rules adopted by the authority. Any rule adopted after the effective date of this section or any amendment or repeal of any existing rule shall be filed in the office of legislative services within 7 days of such adoption, amendment, or repeal.

Amend the bill by replacing all after section 13 with the following:

14 New Hampshire Housing Finance Authority; Authority to Issue Bonds. Amend RSA 204-C:8, XXVI-a and XXVI-b to read as follows:

XXVI-a. Finance, on such terms and conditions as the authority may determine, by the issuance of bonds or otherwise, homes for persons with disabilities without regard to any other requirement of this chapter relating to the making or purchasing of loans or mortgage loans or to the requirements of RSA 204-C:11 if the authority finds that such financing would result in a public benefit; [~~and~~]

XXVI-b. Make loans, on such terms and conditions as the authority may determine, by issuance of bonds or otherwise, secured by homes owned by the elderly without regard to any other requirements of this chapter relating to the making or purchasing of loans or mortgage loans if the authority finds that such financing would result in a public benefit; [~~and~~]

XXVI-c. Issue bonds, without regard to any other requirements of this chapter, for housing, housing projects, or any other facility located outside of the state that could be financed by the authority if it were located within the state, if the authority finds that such financing would result in a public benefit to the state or its citizens, provided that no such bonds shall be considered an obligation or pledge of the faith and credit of the state; and

15 New Subparagraph; Administrative Procedure Act; Exceptions; Business Finance Authority. Amend RSA 541-A:21, I by inserting after subparagraph (ii) the following new subparagraph:

(jj) RSA 162-S, relative to the extraterritorial financing powers of the business finance authority.

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

2018-1107s

AMENDED ANALYSIS

This bill confers extraterritorial financing powers on the business finance authority. The bill establishes the national business authority as a component of the business finance authority and authorizes it to issue bonds and undertake development projects outside the state of New Hampshire.

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

Senator Feltes is in opposition to the Committee Amendment on SB 537.

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

Senator Feltes is in opposition to the motion of Ought to Pass with Amendment on SB 537.

SPECIAL ORDER

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1386, establishing a joint committee on employee relations.

FINANCE

SB 526-FN, relative to school food and nutrition programs.

SB 548-FN, relative to therapeutic intervention needs of infants diagnosed with neonatal abstinence syndrome.

SB 487, relative to license requirements for certain alcohol and other drug use professionals and establishing a state substance use disorder treatment services program.

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

Health and Human Services

March 14, 2018

2018-1098s

05/10

Amendment to SB 487

Amend the bill by replacing sections 3 and 4 with the following:

3 State Services System Established. Amend RSA 172:2-a to read as follows:

172:2-a ~~[Program Established]~~ ***State Substance Use Disorder Services System Established.*** The commissioner shall provide for the scientific care, treatment, and rehabilitation of ~~[alcohol and drug abusers]~~ ***individuals with substance use disorders and their families,*** and work towards the prevention of, and assist in the control of, alcohol and drug ~~[abuse]~~ ***use*** within the state through education, treatment, community organization, and research. ***The department shall establish, maintain, implement, and coordinate a system of substance use disorder treatment services under this chapter. This system shall be supervised by the commissioner. At the discretion of the commissioner, the department may directly operate and administer any program or facility which provides, or which may be established to provide, services to persons with substance use disorder or may enter into a contract with any individual, partnership, association, public or private, for profit or nonprofit, agency or corporation for the operation and administration of any such program or facility.***

4 New Section; Community Substance Use Disorder Treatment Programs. Amend RSA 172 by inserting after section 2-a the following new section:

172:2-b Community Substance Use Disorder Treatment Programs. Any city, county, town, or nonprofit corporation may establish and administer a community substance use disorder treatment program for the purpose of providing substance use disorder treatment services to individuals, families, and organizations in the area. Every program shall, at a minimum, provide substance use disorder screening and evaluation, case management, and outpatient counseling services. The department may contract with a community substance use disorder treatment program, pursuant to RSA 172:2-a, for the operation and administration of any services that are part of the state substance use disorder treatment system. In the event that the commissioner decides to enter into a contract for the operation and administration of any services which are part of the state substance use disorder treatment system, the contract shall contain standards designed to measure the performance of the contractor in achieving positive consumer outcomes, maintaining fiscal integrity, and providing quality services. The commissioner shall adopt rules, pursuant to RSA 172:8-b, to establish criteria for designating substance use disorder treatment programs under this chapter.

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

6 Clinical Social Worker; Licensure. Amend RSA 330-A:18, III to read as follows:

III. Has completed a minimum of 2 years of post-masters experience including completion of a minimum of 3,000 hours of post-masters, supervised clinical experience ***by a board approved LICSW or LCMHC supervisor, or any other supervisor based on reasonable and specific criteria established in rules adopted under RSA 330-A:10.***

7 Clinical Mental Health Counselor; Licensure. Amend RSA 330-A:19, III to read as follows:

III. Has completed a minimum of 2 years of post-masters experience including completion of a minimum of 3,000 hours of post-masters, supervised clinical experience ***by a board approved LICSW or LCMHC supervisor, or any other supervisor based on reasonable and specific criteria established in rules adopted under RSA 330-A:10.***

8 New Paragraph; Mental Health Practice; Applicants from Other States. Amend RSA 330-A:26 by inserting after paragraph II the following new paragraph:

III. The board shall waive provisions of this chapter requiring supervised work experience and practical training and grant a license as a clinical social worker, clinical mental health counselor, marriage and family therapist, or pastoral psychotherapist to any applicant who presents proof of active licensed practice, in good standing, in another jurisdiction of the United States for a period of 5 years or more.

9 Alcohol and Other Drug Use Professionals; Applicants from Other States. Amend RSA 330-C:21, IV to read as follows:

IV. The board ~~[may]~~ **shall** waive provisions of this chapter requiring supervised work experience and practical training and grant a license as a licensed alcohol and drug counselor or master licensed alcohol and drug counselor to any applicant who presents proof of active licensed practice, ***in good standing***, in another jurisdiction of the United States for a period of ~~[10]~~ **5** years or more.

10 Rulemaking Required. The commissioner of the department of health and human services shall undertake rulemaking ensuring hours completed pursuant to RSA 330-A:18, III and RSA 330-A:19, III shall be eligible for Medicaid reimbursement, to the extent not already eligible in effective rules.

11 Effective Date.

I. Section 6-10 of this act shall take effect 90 days after its passage.

II. The remainder of 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 Feltes, seconded by Senator Hennessey.

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

The following Senators voted No: (None)

The following Senators were excused: Sanborn, Cavanaugh.

Roll Call, Yeas: 22 - Nays: 0. Adopted, bill ordered to Third Reading.

SB 511, establishing an optional tax credit for deployed military personnel.
Ought to Pass with Amendment, Vote 4-0. Senator Woodburn for the committee.

Public and Municipal Affairs

March 14, 2018

2018-1105s

05/10

Amendment to SB 511

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

AN ACT establishing an optional tax credit for combat service.

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

1 New Section; Optional Tax Credit for Combat Service. Amend RSA 72 by inserting after section 28-b the following new section:

72:28-c Optional Tax Credit for Combat Service.

I. A town or city may adopt or rescind an optional tax credit for combat service pursuant to the procedure provided in RSA 72:27-a.

II. The optional tax credit for combat service, upon adoption by a city or town pursuant to RSA 72:27-a, shall be an amount from \$50 up to \$500. The tax credit for combat service shall be subtracted each year from the property tax on the qualifying service member's residential real estate, as defined in RSA 72:29, II.

III. To qualify for the tax credit for combat service, a person shall be a resident of this state engaged at any point during the taxable period in combat service as a member of the New Hampshire national guard or a reserve component of the United States armed forces, called to active duty. For purposes of this section, and in accordance with Internal Revenue Service Publication 3, Armed Forces Tax Guide, "combat service" shall mean military service in one of the following areas:

(a) An active combat area as designated by the President in an Executive Order, for which the service member receives special pay for duty subject to hostile fire or imminent danger as certified by the Department of Defense.

(b) A support area as designated by the Department of Defense in direct sustainment of military operations in the combat zone, for which the service member receives special pay for duty subject to hostile fire or imminent danger as certified by the Department of Defense.

(c) Service in a contingency operation as designated by the Department of Defense, for which the service member receives special pay for duty subject to hostile fire or imminent danger as certified by the Department of Defense.

IV. The application for the tax credit under this section shall be accompanied by the service member's military orders, and shall include such information as may be required for the assessor's office to verify the dates of combat service.

V. A tax credit for combat service shall be in lieu of, and not in addition to, the optional veteran's tax credit under RSA 72:28 or the all veterans' tax credit under RSA 72:28-b. The service member shall be eligible for the credit in each tax year in which the combat service occurs, but the credit may be prorated in the second tax year based on the duration of combat service.

2 Definition of Resident. Amend RSA 72:29, I to read as follows:

I. The word "resident" as used in RSA 72:28, [and] RSA 72:28-b, **and RSA 72:28-c** shall mean a person who has resided in this state for at least one year preceding April 1, in the year in which the tax credit is claimed.

3 Definition of Owner. Amend RSA 72:29, VI to read as follows:

VI. For purposes of RSA 72:28, 28-b, **28-c**, 29-a, 30, 31, 32, 33, 35, 36-a, 37, 37-a, 37-b, 38-a, 39-a, 62, 66, and 70, the ownership of real estate, as expressed by such words as "owner," "owned" or "own," shall include those who have placed their property in a grantor/revocable trust or who have equitable title or the beneficial interest for life in the subject property.

4 Property Taxation; Application Procedure; Reference Added. Amend the introductory paragraph of RSA 72:33, I to read as follows:

I. No person shall be entitled to the exemptions or tax credits provided by RSA 72:28, 28-b, **28-c**, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-b, 39-b, 62, 66, and 70 unless the person has filed with the selectmen or assessors, by April 15 preceding the setting of the tax rate, a permanent application therefor, signed under penalty of perjury, on a form approved and provided by the commissioner of revenue administration, showing that the applicant is the true and lawful owner of the property on which the exemption or tax credit is claimed and that the applicant was duly qualified upon April 1 of the year in which the exemption or tax credit is first claimed, or, in the case of financial qualifications, that the applicant is duly qualified at the time of application. The form shall include the following and such other information deemed necessary by the commissioner:

5 New Paragraph; Application for Tax Credit for Combat Service. Amend RSA 72:33 by inserting after paragraph I-a the following new paragraph:

I-b. Notwithstanding the April 15 application deadline in paragraph I, a person may apply for the tax credit for combat service under RSA 72:28-c at any point during the tax year in which the person is engaged in combat service. If the application is received and granted after the tax rate for the city or town is set, the credit shall be applied to the balance of tax payments due for that year. If a person is deemed eligible for the tax credit after taxes have been billed and paid for the tax year in which the person served, the credit shall be applied in the following year.

6 Appeals; Reference Added. Amend RSA 72:34-a to read as follows:

72:34-a Appeal From Refusal to Grant Exemption, Deferral, or Tax Credit. Whenever the selectmen or assessors refuse to grant an applicant an exemption, deferral, or tax credit to which the applicant may be entitled under the provisions of RSA 72:23, 23-d, 23-e, 23-f, 23-g, 23-h, 23-i, 23-j, 23-k, 28, 28-b, **28-c**, 29-a, 30, 31, 32, 35, 36-a, 37, 37-a, 37-b, 38-a, 38-b, 39-a, 39-b, 41, 42, 62, 66, or 70 the applicant may appeal in writing, on or before September 1 following the date of notice of tax under RSA 72:1-d, to the board of tax and land appeals or the superior court, which may order an exemption, deferral, or tax credit, or an abatement if a tax has been assessed.

7 Property Taxes; Interpretation of Rules by the Department of Revenue Administration. Amend RSA 72:36, I to read as follows:

I. The commissioner's interpretation of RSA 72:28, 72:28-b, **72:28-c**, 72:29, 72:29-a, 72:30, 72:31, 72:32, 72:33, 72:34, 72:34-a, 72:35, 72:36-a, 72:37, 72:37-a, 72:37-b, 72:38-a, 72:38-b, 72:39-a, 72:39-b, 72:41, 72:62, 72:66, and 72:70; and

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

2018-1105s

AMENDED ANALYSIS

This bill enables municipalities to adopt a property tax credit for members of the New Hampshire national guard and armed forces reserves engaged in combat service.

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

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

HB 1346, establishing a commission to study the New Hampshire veterans cemetery.
Ought to Pass with Amendment, Vote 4-0. Senator Birdsell for the committee.

Public and Municipal Affairs

March 14, 2018

2018-1108s

01/03

Amendment to HB 1346

Amend RSA 110-B:79-a, I(a)(2) as inserted by section 1 of the bill by replacing it with the following:

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

Amend RSA 110-B:79-a, III as inserted by section 1 of the bill by replacing it with the following:

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

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

2 Repeal. RSA 110-B:79-a, relative to a commission to study the New Hampshire veterans cemetery, 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.

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.

SPECIAL ORDER

Without objection, the remaining bills are special ordered to Thursday, March 22, 2018. Adopted.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 410, relative to the legislative youth advisory council.

HEALTH AND HUMAN SERVICES

SB 350, relative to biological products dispensed by pharmacists.

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

RULES AND ENROLLED BILLS

SB 343, relative to legislative ethics guidelines.

WAYS AND MEANS

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

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 Feltes: SB 365

Senator Sanborn: SB 314, SB 318, SB 322, SB 343, SB 350, SB 354, SB 357, SB 365, SB 383, SB 413, SB 418, SB 420, SB 421, SB 447, SB 449, SB 452, SB 454, SB 487, SB 491, SB 511, SB 526-FN, SB 537, SB 548-FN, HB 410, HB 1292, HB 1346, HB 1386

ANNOUNCEMENTS

PRESIDENT MORSE: After all the hard work up here for the last hour with attorneys and the Clerk, at this point in time we think it's appropriate for you to enter the petitions from the students into the permanent *Journal*.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you very much, Mister President. At this time I would like to respectfully enter the petitions from the Concord High School students in favor of the amendment o Senate Bill 357 into the permanent *Journal*, without objection, or whatever?

PRESIDENT MORSE: We'll do that in a minute. Thank you, Senator Feltes.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Today is Senator Feltes' birthday, and as we don't sing anymore, I thought we might get together and just say "Happy Birthday, Danny!" Thank you, Mister President.

CONCORD HIGH SCHOOL RESPONSE TO RATIFY SB 357

Staff, Pat Mitchell; staff, Colin McGahan; age 16, grade 11, Jonathan Whitney; age 15, grade 10, Fartun Shegow; age 15, grade 10, Sauda; age 17, grade 12, Jacob Knowles; age 16, grade 10, Aiden DesJardins; age 16, grade 10, Jamie Huffman; age 18, grade 12, Thomas Helm; age 15, grade 9, Matt Kraus; age 14, grade 9, Brady Rice; age 15, grade 9, Samuel Hughes; age 17, grade 12, Grant Prouty; age 15, grade 10, Maya Fabozzi; age 16, grade 10, Ava Hussey; age 16, grade 10, Madison Smith; age 15, grade 10, Sam Lantz; age 15, grade 10, Liam Grennon; age 15, grade 9, Cameron Detwiller; age 18, grade 12, Dominic Manning; age 18, grade 12, Sarah Aznive; age 18, grade 12, Maria Wimpey; age 15, grade 9, Alexandra Weeks; age 14, grade 9, Richael Steed; staff, Kristina Peare; age 18, grade 12, Lukis LaClair; Jeremy Brooks; staff, Melissa Greenwood; age 15, grade 10, Cadence Solsky; age 17, grade 12, Skyelar Asselin; staff, Helen Dugan; staff Kristen Houghton; age 17, grade 11, Evan Makris; staff, Ann Marie Gilmartin; age 15, grade 10, Kashia Roselle Droney; Chali Davis; Mialano Abahenya; Ange Nyasuku; Grace Mutoni; age 18, grade 12, Brighid Weeden; age 14, grade 9, Emma Wright; age 15, grade 9, Shaylee Artus; age 15, grade 9, Jessica Willey; age 18, grade 12, Zoe

Albenci; age 14, grade 9, Alyssa Long; grade 9, Charlotte Goble; age 16, grade 10, Anders Norton; age 15, grade 9, Mike Stoddard; age 17, grade 11, Rebecca Camp; age 15, grade 10, Sriyam Rimal; age 15, grade 10, Myana Keusch; age 15, grade 9, Alasdair Ferrier; age 14, grade 9, Derek Taylor; Bill Crowley; age 18, grade 12, Isaiah WinnettKnoy; age 17, grade 12, Logan Stevens; age 16, grade 10, Nicole LeBrun; age 15, grade 10, Parker Taylor; age 15, grade 9, Alex Reynolds; age 18, grade 12, Jonathan Weinberg; age 17, grade 12, Sophia Johnson; age 18, grade 12, Antonino Tomas; age 17, grade 12, Emma Chaput; age 18, grade 12, Ella Fabozzi; age 18, grade 12, Hailey Cerrato; age 17, grade 12, Brooke Jackson; age 17, grade 12, Phoebe Baker; age 17, grade 11, Liam Devanny; age 17, grade 12, Sam Orzechowski; age 18, grade 12, Ben Widmann; age 18, grade 12, Grace Venator; age 18, grade 12, Cameron Beaupre; age 17, grade 12, Amanda Enderson; age 15, grade 9, Mattison Howard; age 17, grade 12, Oliver Spencer; age 17, grade 11, Speline Irakoze; age 17, grade 11, Faodice Bishaze; age 17, grade 11, Sydney Fishwick; age 18, grade 12, Katie Henry; age 18, grade 12, Addison Bourgelais; staff, Heidi Crumrine; age 16, grade 11, Eli Duggan; age 18, grade 12, Laila Ruffin; staff, Hayden Daly; age 18, grade 12, Bri Bailey; age 20, grade 10, Fisto Ndayishimiye; age 17, grade 12, Leeza Richter; age 18, grade 12, Taylor Silverstein; Jesse Camacho; age 17, grade 11, Grace Devanny; age 15, grade 10, Cailie Currier; age 15, grade 10, Graham Lewis; age 15, grade 10, Daniel Rosales; age 15, grade 9, Julie Sullivan; age 14, grade 9, Noah Drew; age 15, grade 9, Morgane Orcutt; age 14, grade 9, Nika Mitchell; age 15, grade 9, Shelbi Biddle; Jim Corkum; Joslynn Haris; Katherine McDonough; Lise Bofinger; age 17, grade 12, Alice Chui; Gabriel Cohen; age 17, grade 10, Haley Patnode; age 17, grade 12, Miranda Kaplan; age 17, grade 12 Alexander Hagin; Tom Sica; age 18, grade 12, Noemi Bordino; age 18, grade 12, John Kalisz; age 18, grade 12, Diana Martin; staff, Lauren Orlen; staff, Karen; staff, Andy Baldwin; staff, Eric Brown, staff, Laura Schmidt; age 18, grade 12, Nate Levine; age 18, grade 12, Jordan Blanchard; age 18, grade 12, Justin O'Donnell; Karen Slick; Kaileen Chilauskas; age 17, grade 11, Tiffany Wang; Dawn Hodges; age 17, grade 11, Abby Rochette; age 17, grade 11, Abigail Currier; Marjorie Mead; age 17, grade 12, Kurtis Stadnicki; age 15, grade 9, Ryan Young; age 18, grade 12, Anna LeBrun; staff, Lynne Garvey; age 18, grade 12, Ceylan Ayan; age 16, grade 11, Hanna Hamre; age 17, grade 11, Noah Buckner; age 16, grade 10, Eddie Kalukiewicz; age 17, grade 11, Margaret Connolly; age 16, grade 10, Erin Doherty; age 16, grade 10, Clara Cooper; age 16, grade 11, Aditya Pant; age 16, grade 11, Jakob Ingersoll; age 16, grade 11, Eli Boesch Dining; age 17, grade 11, Rebecca Bamidele; age 17, grade 11, Cait McAllister; Chea Chebo; age 16, grade 10, Leighton Sackos; age 15, grade 10, Travis Bettens; age 15, grade 9, Sam Merrill; age 17, grade 11, Paulette Nikwewase; age 17, grade 12, Adam Dwight; age 14, grade 9, Carlee Blake; age 14, grade 9, Mia Apichell; age 15, grade 9, Samuel Harting; age 17, grade 11, Hannah Barton; age 17, grade 12, Jacob Wescott; age 18, grade 12, Maggie Mulleavey; David Speidel; Amy McClellan; Rup Timanin; Dan Gontarz; age 14, grade 9, David Bean; Jessica Jordan; age 17, grade 11, Quinn Daniels; age 16, grade 11, Devin Philbrick; age 18, grade 12, Colin Conery; age 17, grade 12, Nathaniel Nichols; Graeme Crowther; age 17, grade 12, Andrew Sullivan; age 15, grade 9, Johanne Nichols; age 17, grade 11, Margaret Connolly; age 15, grade 10, Hannah Lax; age 17, grade 11, Alyssa Stanley; age 15, grade 10, Ella Doherty; Tom Crumrine; age 16, grade 11, Bella Bourgerly; age 18, grade 12, Brenna McNamara; age 18, grade 12, Kate Richards; age 16, grade 11, Rachel Lewis; age 17, grade 11, James Douglass; age 15, grade 9, Wade Spears; age 15, grade 9, Carson LeBlanc; age 15, grade 9, Thomas Cremane; age 15, grade 9, Colby Robbins; age 17, grade 10, Enockl Byiringiro; grade 12, Vanessa Uwera; age 18, grade 12, Rebecca Kado; age 15, grade 9, Eben Bragg; age 14, grade 9, Shannon Brown; age 14, grade 9, Madison Landers; age 16, grade 10, Eric Bedard; age 16, grade 10, Rose Speidel; age 18, grade 12, Alex Duncan; age 18, grade 12, Zach McMenemy; age 18, grade 10, Elannah Langlois; age 15, grade 10, Ashley Plante; age 15, grade 10, Roni Aquino; age 16, grade 10, Fabi McLeod; age 16, grade 10, Bri Sozzani; age 16, grade 10, Emilee Mills; age 17, grade 12, Kathryn Jepson; Chris Makris; age 15, grade 9, Colin O'Brien; Jeff Phillips; age 18, grade 11, Patrick Habinama; age 16, grade 10, Julia Peabody.

A LETTER TO THE NH SENATE REGARDING SB 357

Senate Bill 357 includes an amendment that would allow local school boards to decide for their own districts whether or not to enforce that their schools are Gun Free School Zones.

I shouldn't have to be afraid of attending school and be constantly worried about my friends and the people I go to school with. Thank you, Speline Irakoze

I shouldn't feel afraid to be gunned down every time there's a fire drill. Thank you, Bri Bailey

Students, staff and the community should be able to decide what makes them feel and be safe. Thank you, Lynne Garvey

Please support Senate Bill 357 and allow school districts in NH to have a voice on this important issue. Thank you, Karen Slick

Students should not have to think of the possibility of guns in schools. Students should focus on personal and academic growth without fear or knowledge of guns in the area intended for learning. Thank you, Graeme Crowther

As the Senate of the State of New Hampshire, it is your job to protect the citizens of the State of New Hampshire, both adults and minors, to the best of your ability. Allowing guns to be brought into a school zone (where nobody save the police and related forces have any legitimate reason to carry a gun), even if merely by lack of full enforcement, presents a threat to the lives of New Hampshire citizens that could have been prevented in advance. By not giving school boards the option to enforce that their schools are Gun Free School Zones, you are failing in your duty to protect the citizens of the State of New Hampshire to the best of your ability, and demonstrating complete failure as the leaders of the State of New Hampshire. Thank you, Jakob Ingersoll

I want to feel safe in my learning environment, not feel lucky to be alive. Thank you, Grace Devanny

In everything I do please, I want to feel safe and more confident for everything. And please make some change about that, show us what you did that shows that you did some change about what we asked. Thank you, Tristo Ndayishimiye

Please enforce and make our schools safer. You can do this and stop the violence in our schools. Stop making this a partisan issue. Thank you, Jeff Phillips

I want to feel safe at school. Thank you, Graham Lewis

It is important and necessary for school districts to have the ability to enforce gun free school zones. Thank you, Kristen Houghton

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

SB 314, relative to regulation of mortgage bankers, brokers, servicers, and originators.

SB 354, relative to pharmacy claim fees and copayments.

SB 357, relative to safe school zones and relative to syringe service programs.

SB 365, relative to the use of renewable generation in default service.

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

SB 418, relative to beverage manufacturers and nano breweries and defining table wine.

SB 420, relative to collective bargaining under the right-to-know law.

SB 421, relative to insurance coverage for prescription contraceptives.

SB 447, relative to issuance of renewable energy certificates.

SB 452, relative to renewable energy fund incentive payments.

SB 487, relative to license requirements for certain alcohol and other drug use professionals and establishing a state substance use disorder treatment services program.

SB 491, relative to food protection services in New Hampshire.

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

SB 537, conferring extraterritorial financing powers on the New Hampshire business finance authority.

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.