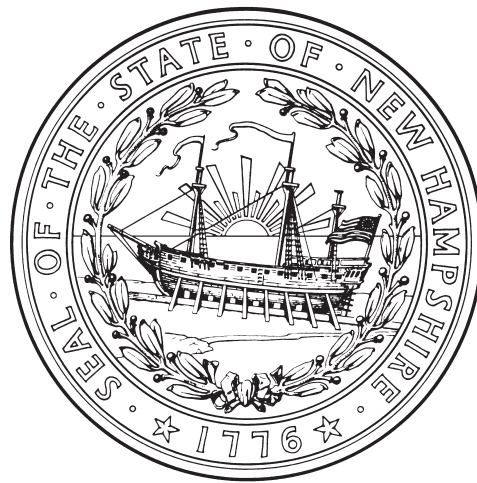


May 30, 2019
Nos. 17-18

STATE OF NEW HAMPSHIRE

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**First Year of the 166th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MAY 23, 2019 SESSION
COMMENCEMENT – MAY 30, 2019 SESSION**

SENATE JOURNAL 17 *(continued)*

May 23, 2019

HOUSE MESSAGE

The House of Representatives has voted to override the Governor's veto on the following entitled Bill(s):

HB 455-FN, relative to the penalty for capital murder.

HOUSE MESSAGE

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

SB 33, relative to the therapeutic use of cannabis.

SB 54-FN, relative to the road toll bond requirements for licensed fuel distributors.

SB 67, relative to the definitions of resident and residency.

SB 68, relative to the centralized voter registration database.

SB 87, relative to the syringe service programs.

SB 92, relative to transfer of vehicle ownership.

SB 97, (New Title) relative to special health care services licenses and establishing a committee to study providing certain health care services while ensuring increased access to affordable health care in rural areas of the state.

SB 104-LOCAL, relative to the postponement of city, town, village, and school district elections.

SB 106, (New Title) relative to the definition of political advocacy organization.

SB 119, directing hospitals to develop an operational plan for the care of patients with dementia.

SB 123, relative to lost and unaccounted for gas, and relative to electric distribution companies investment in natural gas operations.

SB 131, reestablishing a commission to study grandfamilies in New Hampshire.

SB 133-FN, relative to the definition of emergency vehicles.

SB 140, (New Title) relative to credit for alternative, extended learning, and work-based programs.

SB 178, relative to telemedicine for spectacle and contact lenses.

SB 186, permitting a qualified veteran to obtain an additional set of special number plates.

SB 188, relative to shore lights.

SB 203, making modifications to legal requirements for wetlands and environmental council administrative appeals.

SB 211, (New Title) relative to reporting requirements for state agencies owning real property.

SB 261, relative to grandparents' access to preventive and protective child care services.

HOUSE MESSAGE

The House of Representatives has voted to Lay On The Table the following entitled Bill(s) sent down from the Senate:

SB 36, creating a cause of action for certain constitutional deprivations of right.

SB 220, relative to department of transportation access to crash data.

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 137, establishing a commission to examine the effects of wake boats in the state of New Hampshire.

HB 146, relative to the counting of defective ballots.

HB 228, (New Title) extending the commission to study the current statutes related to management of non-tidal public waterways and the construction or placement of structures within them and relative to the New Hampshire rivers management and protection program.

HB 280, designating the red-tailed hawk as the state raptor.

HB 476-FN, replacing the milk producers emergency relief fund with the dairy premium fund.

May 22, 2019
2019-2215-EBA
11/06

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 18

May 30, 2019

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

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

Let us pray.

Dear God, you send the sun and rain on us all; the safe air and water nourish us all. Help us to pass laws that give everyone an equal chance to live free. Let us not be satisfied with the complicity in injustice; help us to believe that goodness and light will prevail. We pray for the safety and well-being of all our neighbors. May we understand that we are all neighbors deserving of justice, love, mercy and peace. May our laws reflect our values to care for one another. May we all enjoy the freedom of speech, religion, and press. May the New Hampshire State Senate defend the Constitution of the United States; may they have wisdom in their governing. We seek peace in our local community and in the world. Give us strength to stand up and speak out against hate and intolerance. May we build community in good times as well as difficult times. Give to the people of our country a zeal for justice and a strength of forbearance that we may use our liberty to advance our endeavors for a more just and free society so that all the people may flourish. Amen.

Senator Reagan led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

(The Chair recognized Senator Sherman.)

SENATOR SHERMAN: Thank you, Madam President. I would like to first introduce the Barnard School Destination Imagination Team; they are called “Winging It” and they are here with us. They were here earlier this morning and were presented with a Senate Resolution because we’re recognizing them for finishing in first place in their category at Division I State Competition and then going to Kansas City to compete in the Global Finals. I want to recognize them; they’re from my town of South Hampton. Please welcome them.

Yes, thank you, Madam President. I would also like to recognize Representative Renny Cushing and his family members, Elizabeth and Grace Cushing, who are with us in the gallery.

PRESIDENT SOUCY: Well, I would like to introduce my former state Representative, Richard O’Leary, who is with us in the audience. Thank you for being here.

(The Chair recognized Senator Hennessey.)

SENATOR HENNESSEY: I will first introduce my, they’re actually related, so I will first introduce my guest and my former Senator. Well, I didn’t live in New Hampshire at the moment, but I still think of you as my former Senator, Senator David Bradley, who was in this seat in the ‘70s. And his son is Chris Bradley, who is with him right there. And they are here today to celebrate the first Page I will introduce.

INTRODUCTION OF PAGES

Senator Hennessey introduced Dillon Bradley and Glen Passow from Hanover High School, serving as Senate Pages for the day.

INTRODUCTION OF GUESTS

(The Chair recognized Senator Rosenwald.)

SENATOR ROSENWALD: Thank you, Madam President. First, I’d like us to be aware that hiding behind the post is former Senator Bette Lasky. Welcome!

And, also, somewhere in the gallery is my wonderful daughter-in-law, Kelsey Klmentowicz, who is there somewhere. This is her first visit to the State House and I’m thrilled she’s here, and I’m thrilled that she’s a member of my family. Thank you.

(The Chair recognized Senator D’Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Madam President. This is a momentous occasion. Senator Bradley was a quarterback on the Dartmouth football team when Paul Brown's son was his backup. Now Senator Bradley was the star, but when they took it to the one-yard line, Brown used to come in and quarterback sneak-it and as a result he scored the touchdowns, but Dave Bradley was the player; player of renowned. And his wife is a magnificent nurse. Wonderful, wonderful person; very, very, very, very helpful to me in my political life. And the quality of the New Hampshire Senate is manifested by the service of people like Senator Bradley. I was here in '73 with you, Senator, I was on the other side of the wall when you were over here in that momentous fight for the presidency. And I must say, the example set by Senator Bradley as a lawyer, as a politician, as a father, and I'm sure as a grandfather, gives us all great pride in the New Hampshire way and New Hampshire people. So, Senator, thanks for coming. You look better today than you did in '73!

PRESIDENT SOUCY: We haven't even started the Bicentennial yet and we have other former Senators here; Senator Amanda Merrill, and Senator Bob Clegg are also with us in the gallery. Welcome.

Without objection, the Clerk shall read the title of the Veto Message only. Adopted.

May 3, 2019

Governor's Veto Message Regarding House Bill 455

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 3, 2019, I have vetoed House Bill 455, relative to the penalty for capital murder.

New Hampshire has always shown prudence and responsibility in its application of the death penalty. This bill is an injustice to not only Officer Briggs and his family, but to law enforcement and victims of violent crime around the state.

God bless Officer Briggs and his family,
Christopher T. Sununu
Governor

The question is not withstanding the Governor's Veto, shall HB 455-FN become law?

A roll call is required.

The following Senators voted Yes: Giuda, Watters, Hennessey, French, Ward, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Reagan, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Bradley, Gray, Carson, Cavanaugh, Birdsell, D'Allesandro, Morse.

Roll Call, Yeas: 16 - Nays: 8. Veto overridden by necessary 2/3 vote.

Recess. Out of recess.

SPECIAL ORDER

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

COMMERCE

HB 664-FN, relative to vehicle repair standards.

SPECIAL ORDER

Without objection, the following bills are special ordered to the next session. Adopted.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 556, allowing municipalities to process absentee ballots prior to election day.

ENERGY AND NATURAL RESOURCES

HB 737, establishing a commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals in the air, soil, and groundwater in Merrimack, Bedford and Litchfield.

HEALTH AND HUMAN SERVICES

HB 393, establishing a committee to study child care in New Hampshire.

CONSENT CALENDARS REPORTS REMOVED

COMMERCE

HB 656, by Senator Morgan

CONSENT CALENDARS

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

COMMERCE

HB 577, relative to call blocking in an automated telephone dialing system.

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

This bill clarifies the prohibition on automated telephone dialing systems using call blocking. The committee feels that this bill takes the necessary first steps to curtail the problem of fraudulent and deceitful phone calls. Through the passage of this legislation, New Hampshire's vulnerable populations' and consumers will be better protected.

HB 604, establishing a commission to assess benefits and costs of a "health care for all" program for New Hampshire.

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

This bill establishes a commission to study the benefits and cost of a "health care for all" program for New Hampshire. The committee agrees that the rising cost of health care is an important issue that needs to be addressed, but believes that there are other pieces of legislation the state should currently pursue in order to remedy this problem.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 531, relative to the delivery of absentee ballots cast by elderly or disabled citizens.

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

This bill as amended permits unrelated caregivers to deliver absentee ballots on behalf of voters who reside in nursing homes or assisted living facilities as well as those who are being cared for at home. Allowing this will alleviate a burden from those who are disabled but want to cast their ballot on election day.

Election Law and Municipal Affairs

May 22, 2019

2019-2216s

11/08

Amendment to HB 531

Amend the bill by replacing section 1 with the following:

1 Procedure for Absence, Religious Observance, and Disability and Overseas Voting; Procedure by Voter.
Amend RSA 657:17 to read as follows:

657:17 Procedure by Voter.

I. After marking the ballot, the voter or the person assisting a blind voter or voter with a disability who is unable to mark his or her ballot shall enclose and seal the same in an inner envelope. The voter shall execute the affidavit on the envelope. A person assisting a blind voter or voter with a disability who needs assistance executing the affidavit shall sign a statement on the affidavit envelope acknowledging the assistance. The voter or the person assisting the blind voter or voter with a disability who needs assistance shall enclose and seal the inner envelope with the affidavit in an outer envelope. The voter **or the person assisting a blind voter or voter with a disability** shall then endorse on the outer envelope ~~[his or her]~~ **the voter's** name, address, and voting place ~~[and shall mail the envelope, affixing postage, or personally deliver it or have it delivered by the voter's spouse, parent, sibling, or child to the city or town clerk from whom it was sent].~~ **The absentee ballot shall be delivered to the city or town clerk from whom it was received in one of the following ways:**

(a) The voter or the voter's delivery agent may personally deliver the envelope; or

(b) The voter or the person assisting the blind voter or voter with a disability may mail the envelope to the city or town clerk, with postage affixed.

II. As used in this section, "delivery agent" means:

(a) The voter's spouse, parent, sibling, child, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepparent, stepchild; or

(b) If the voter is a resident of a nursing home as defined in RSA 151-A:1, IV, the nursing home administrator, licensed pursuant to RSA 151-A:2, or a nursing home staff member designated in writing by the administrator to deliver ballots; or

(c) If the voter is a resident of a residential care facility licensed pursuant to RSA 151:2, I(e) and described in RSA 151:9, VII(a)(1) and (2), the residential care facility administrator, or a residential care facility staff member designated in writing by the administrator to deliver ballots; or

(d) A person assisting a blind voter or a voter with a disability who has signed a statement on the affidavit envelope acknowledging the assistance.

III. The city or town clerk, or ward clerk on election day at the polls, shall not accept an absentee ballot from a [family member] **delivery agent** unless the [family member] **delivery agent** completes a form provided by the secretary of state, which shall be maintained by the city or town clerk, and the [family member] **delivery agent** presents a government-issued photo identification or has his or her identity verified by the city or town clerk. Absentee ballots delivered through the mail or by the voter's [spouse, parent, sibling, or child] **delivery agent** shall be received by the town, city, or ward clerk no later than 5:00 p.m. on the day of the election. ***A delivery agent who is assisting a voter who is blind or who has a disability pursuant to this section may not personally deliver more than 4 absentee ballots in any election, unless the delivery agent is a nursing home or residential care facility administrator, an administrator designee, or a family member, each as authorized by this section.***

ENERGY AND NATURAL RESOURCES

HB 466, relative to the capacity of electricity customer generators for eligibility for net energy metering. Re-refer to Committee, Vote 5-0. Senator Feltes for the committee.

This bill increases the apportionment for net energy metering provisions from electrical facilities with total generating capacity of 100 kilowatts to 500 kilowatts. The Public Utilities Commission, or PUC, is currently reviewing the effects of cost-shifting from net metering. The committee felt the bill should be re-referred to committee pending the outcome of the PUC's study.

HB 495, establishing a commission on drinking water.

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

This bill reestablishes the Seacoast Commission on Long Term Goals and Requirements for Drinking Water from HB 431 (2017). While the Commission met for two years, more work is required. Water quality is a major issue in seacoast communities. Reviving this Commission will help bring together various stakeholders to address water supply and water quality issues in the region. The Commission would be more inclusive and would conclude its work in 2029.

Energy and Natural Resources

May 28, 2019

2019-2353s

08/06

Amendment to HB 495

Amend RSA 485-F:6, IV(e)-(g) as inserted by section 1 of the bill by replacing them with the following:

(e) Encourage coordination between towns and cities.

(f) Establish working subgroups as needed.

(g) Monitor and review the work of state agencies regarding possible new emerging contaminant threats.

HB 617, establishing a committee to study recycling streams in New Hampshire.

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

This bill establishes a committee to study recycling programs and solid waste management in New Hampshire. The collapse of recycling markets, especially for plastics, mixed papers, and glass, has impacted recycling programs in New Hampshire. Some municipalities have chosen to end their programs and divert all their waste to landfills. New Hampshire's landfills have a finite capacity. The addition of recyclable materials to landfills is not a feasible, long-term solution. This bill would create a study committee to examine the state of New Hampshire's recycling programs, the challenges to the state and municipalities in running these programs, and other related issues as the committee deems necessary.

Energy and Natural Resources
May 28, 2019
2019-2344s
08/05

Amendment to HB 617

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

AN ACT establishing a committee to study recycling streams and solid waste management in New Hampshire.

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

1 Committee Established. There is established a committee to study recycling programs and solid waste management in New Hampshire.

2 Membership and Compensation.

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

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

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study:

I. The state of recycling programs in New Hampshire in light of changing market conditions.

II. Challenges faced by the state and municipalities in running recycling programs and solid waste management.

III. Such other related issues as the committee deems necessary, including potential legislation.

2019-2344s

AMENDED ANALYSIS

This bill establishes a committee to study recycling streams and solid waste management in New Hampshire.

HB 707, relative to settlement money from actions pertaining to the contamination of groundwater or drinking water.

Re-refer to Committee, Vote 5-0. Senator Feltes for the committee.

This bill requires costs that are recovered from damages awarded in cases of hazardous waste clean up after expenditures from the drinking water and groundwater trust fund be deposited in such fund. The intent of this bill is to ensure that the drinking water and groundwater trust fund is maintained into the future. The fund is used to protect vital water sources and to advance water infrastructure projects. The language from this bill has already been addressed in other legislation like SB 169.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 115, relative to the regulation of private investigators, security guards, and bail recovery agents.

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

This bill revises the law for the licensure and regulation of private investigative agencies, security guard agencies, or bail recovery agencies and individuals employed as private investigators, security guards, and bail recovery agents. The Committee amended to bill to clarify that an individual conducting computer or digital forensic services, or computer network or system testing on behalf of an attorney or law firm does not need to obtain a private investigator license to engage in that work.

Senate Executive Departments and Administration
May 22, 2019
2019-2204s
10/08

Amendment to HB 115

Amend RSA 106-F:4, XII as inserted by section 1 of the bill by replacing it with the following:

XII. Attorneys, and employees of their law firms acting as their agents, exercising legal rights to investigate on behalf of their clients, and persons engaged in computer or digital forensic services, or computer network or system testing.

HB 122, allowing for gifts, grants, and donations on behalf of state and national legislative association events. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill as amended excludes from legislative prohibitions the solicitation and acceptance of gifts, grants, or donations by legislative employees or officers for the underwriting of expenses associated with certain official state and national legislative association events. Enacting this change will codify a Legislative Ethics Committee decision and create a clear path for this process.

Senate Executive Departments and Administration

May 22, 2019

2019-2202s

10/05

Amendment to HB 122

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

AN ACT allowing for gifts, grants, and donations to legislative employees or officers for expenses associated with state and national legislative association events.

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

1 New Subparagraph; Gifts and Honorariums; Legislature; Definition of Gift; Exclusion Added. Amend RSA 14-C:2, IV(b) by inserting after subparagraph (14) the following new subparagraph:

(15) Gifts, grants, or donations to legislative employees or legislative officers for the underwriting of expenses associated with an official meeting, conference, or event of a state or national legislative association to which the general court pays dues and which includes among its membership the New Hampshire general court, officers, or staff.

2 Gifts and Honorariums; Solicitation or Acceptance. Amend RSA 14-C:3, III to read as follows:

III.(a) It shall be unlawful for any legislator or legislative employee to solicit or to knowingly accept, directly or indirectly, any gift, as defined in this chapter, or to fail to meet the reporting requirements of this chapter.

(b) The prohibition in subparagraph (a) shall not apply to legislative employees or officers who solicit or accept gifts, grants, or donations on behalf of an official meeting, conference, or event held within the state of New Hampshire of a state or national legislative association to which the general court pays dues and which includes among its membership the New Hampshire general court, officers, or staff. Any legislative employee or officer who receives gifts, grants, or donations pursuant to this subparagraph shall disclose the source and amount of any gift, grant, or donation to the office of the secretary of state.

3 New Paragraph; Duty to Report; Legislative Employees or Legislative Officers. Amend RSA 14-C:4 by inserting after paragraph II the following new paragraph:

III. A legislative employee or legislative officer who solicits or accepts gifts, grants, or donations for the underwriting of expenses associated with holding an official meeting, conference, or event of a state or national legislative association to which the general court pays dues, and which includes among its membership the New Hampshire general court, officers, or staff, under RSA 14-C:2, IV(b)(15), shall file a report with the secretary of state no later than the last day of the month following the month during which the official meeting, conference, or event was held. Such report shall include an itemized listing of all individuals, corporations, or other entities from whom the legislative employee or legislative officer received a donation, the value of the donation, date received, and name of the legislative association benefiting from the donation. The report shall be established by the secretary of state, shall be public, and shall contain the same information and affirmations required under RSA 14-C:5.

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

2019-2202s

AMENDED ANALYSIS

This bill excludes from legislative prohibitions the solicitation and acceptance of gifts, grants, or donations by legislative employees or officers for the underwriting of expenses associated with certain official state and national legislative association events.

HB 174, relative to alternative treatment center licenses.

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

This bill would authorize a new alternative treatment center for cannabis in the Hillsborough and Merrimack area of New Hampshire. The Committee believes there are better avenues to address the issue of access such as HB335, which the Committee has unanimously recommended for passage.

HB 243, adding members to the Pease development authority board of directors to represent Greenland.

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

As amended, this bill changes the membership of the Pease Development Authority Board of Directors to give representation to the town of Greenland. This reflects an agreement between all parties involved to acknowledge the importance and need of the town of Greenland having a position on the Board.

Senate Executive Departments and Administration

May 22, 2019

2019-2205s

06/08

Amendment to HB 243

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

AN ACT relative to membership of the Pease development authority board of directors.

Amend RSA 12-G:4, I as inserted by section 1 of the bill by replacing it with the following:

I. The management of the authority shall be vested in a board of 7 directors to be appointed as follows:

(a) One member appointed by the governor and executive council.

(b) One member appointed by the mayor and city council of the city of Portsmouth.

(c) One member appointed by the board of selectmen of the town of Newington.

(d) One member appointed by the president of the senate.

(e) One member appointed by the speaker of the house of representatives.

(f) One member appointed jointly by the ~~[mayor and city council]~~ **board of selectmen** of the [city] **town** of [Portsmouth] **Greenland** and the board of selectmen of the town of Newington.

(g) One member who is nominated by majority vote of the legislative delegation of Strafford county, including the senators whose districts include towns in Strafford county, and who is appointed by the governor, the senate president, and the speaker of the house. The member appointed in this manner shall be a resident of Strafford county and shall serve an initial term of 2 years beginning June 1, 1993. Subsequent terms shall be governed by the provisions of this section. The member appointed in this manner may be removed from office for cause after hearing by the Strafford county legislative delegation.

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect April 30, 2021.

2019-2205s

AMENDED ANALYSIS

This bill changes the membership of the Pease development authority board of directors to give representation to the town of Greenland.

HB 271, relative to apprentice electricians and third party electrical inspections.

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

This bill as amended establishes a limit for supervision of apprentices by a journeyman electrician in the first year of licensure and provides for level 1 and level 2 third party electrical inspections in rules adopted by the Electricians' Board. Making this change will allow state electrical inspectors to conduct inspections in conjunction with the Fire Marshal's Office for the State Building Permit System and will statutorily outline level 1 and level 2 inspectors as requested by the JLCAR Committee.

Senate Executive Departments and Administration
 May 22, 2019
 2019-2210s
 10/05

Amendment to HB 271

Amend RSA 319-C:5-a as inserted by section 2 of the bill by replacing it with the following:

319-C:5-a Third Party Electrical Inspections.

I. The board shall adopt rules under RSA 319-C:6-a requiring any entity engaging a person ~~[to conduct]~~ ***who conducts residential electrical inspections for up to 4 contiguous units, which shall be considered a level 1 inspector, or a person who conducts all types of electrical inspections, which shall be considered a level 2 inspector, who is conducting*** third-party electrical inspections of electrical installations in this state to have the person conducting the inspection be approved by the board. ***The board shall determine the qualifications necessary for approval as a level 1 or level 2 electrical inspector.*** The board shall maintain and make available a list of such persons approved for ***level 1 or level 2*** third-party electrical inspections. The approval of a person to conduct ***either level of*** third-party electrical inspections shall not prohibit a city or town that has established inspections under RSA 47:22 or RSA 674:51 from contracting with any person of its choice to perform third-party electrical inspections.

II. Paragraph I and rules adopted by the board thereunder shall not apply to state electrical inspectors conducting inspections under the state building permitting system under rules adopted in Saf-C 8100.

Amend the bill by replacing section 3 with the following:

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

HB 287, relative to nepotism in state employment.

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

This bill expands the prohibition on nepotism in the Executive Branch Code of Ethics to include a step-parent, grandparent, and grandchild. As the familial relationships in our culture have evolved, we need to adjust our statutes to reflect that.

HB 335, relative to therapeutic cannabis dispensary locations.

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

This bill clarifies where a second dispensary of therapeutic cannabis may be geographically located. Implementing this change will address some of the challenges of access to therapeutic cannabis by allowing for an increase in the number of satellite locations.

HB 524, establishing a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.

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

This bill establishes a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire. We are experiencing a shortage of daycares in the state and as we continue to look to attract and retain more young families, it is vital to have services such as these available.

HB 615, relative to the regulation of pharmacies and pharmacists.

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

This is a housekeeping bill that makes various changes to the regulation of pharmacies and pharmacists as crafted by the Board of Pharmacy, including procedures of the Board, exceptions to possessing prescription drugs, license expirations and renewals, and establishing the licensure of drug distribution agents.

HB 627, relative to rulemaking by the board of pharmacy on compounding.

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

This bill requires the Board of Pharmacy to adopt rules on exceptions from compliance with the United States Pharmacopeia for practice by veterinarians. This will provide veterinarians flexibility when prescribing medications for animals under certain circumstances, for example, when prescribing for pets whose owners may find it financially challenging.

Senate Executive Departments and Administration
 May 22, 2019
 2019-2211s
 10/05

Amendment to HB 627

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

AN ACT relative to exceptions from certain pharmacy requirements for veterinarians.

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

1 Pharmacy; Compounding; Exception for Veterinarians. Amend RSA 318:14-a, I to read as follows:

I. Products that are not commercially available may be compounded for hospital or office use but shall not be resold or dispensed. Nonprescription items may be compounded upon order by a practitioner for sale as long as the labeling complies with RSA 318:47-a and the product is not a copy of, or similar to, prescription or nonprescription products. ***Except as provided in rules adopted under paragraph V for veterinarians,*** all compounding shall be done in compliance with the United States Pharmacopeia as defined by board of pharmacy rules.

2 Compounding; Rulemaking. Amend RSA 318:14-a, V to read as follows:

V. The board shall adopt rules under RSA 541-A concerning the regulation of compounding, ***including exceptions for veterinarians from compliance with the United States Pharmacopoeia Chapter 797.***

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

2019-2211s

AMENDED ANALYSIS

This bill requires the board of pharmacy to adopt rules on exceptions from compliance with the United States Pharmacopeia for practice by veterinarians.

HEALTH AND HUMAN SERVICES

HB 522, establishing a commission to study the environmental and health effects of evolving 5G technology. Ought to Pass, Vote 5-0. Senator Sherman for the committee.

HB522 will establish a commission to study the environmental and health effects of evolving 5G technology. The committee heard compelling testimony from Granite Staters who are concerned about the emergence of 5G technology, and the potential unintended consequences that it could pose for the health of New Hampshire citizens. There are still many unanswered questions surrounding 5G technology, and the formation of this commission will allow the legislature to assess the positive and negative implications of this technology and determine if further legislative action is appropriate.

JUDICIARY

HB 154, prohibiting non-disparagement clauses in settlement agreements involving a governmental unit. Inexpedient to Legislate, Vote 5-0. Senator French for the committee.

This bill would prohibit and render unenforceable the inclusion of a non-disparagement clause in a settlement agreement involving a governmental unit. The Committee believes that two parties engaging in a settlement negotiation should have the option to agree to a non-disparagement clause if they so choose.

HB 351, relative to exemptions from property attachments. Ought to Pass, Vote 5-0. Senator French for the committee.

This bill increases the value of an automobile that is exempt from debt attachment from \$4,000 to \$10,000. Enacting this change will better reflect the current market value of vehicles and help protect an individual's ability to go to work and live a reasonable life.

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

REGULAR CALENDAR

CAPITAL BUDGET

HB 25-A, making appropriations for capital improvements. Ought to Pass with Amendment, Vote 5-0. Senator Watters for the committee.

Capital Budget
May 22, 2019
2019-2209s
10/01

Amendment to HB 25-A

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

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies, and branches named:

I. Adjutant General

A. Concord Aviation Readiness Center	2,850,000
Less Federal Funds	<u>(2,850,000)</u>
Net State	0
B. Federal Statewide Repairs And Upgrades	15,000,000
Less Federal Funds	<u>(15,000,000)</u>
Net State	0
C. Minor Military Construction Statewide	3,500,000
Less Federal Funds	<u>(3,500,000)</u>
Net State	0
D. Manchester Anti-Terrorism Force Protection Renovations	1,000,000
Less Federal Funds	<u>(500,000)</u>
Net State	500,000
E. Grafton County Readiness Center - Design	2,000,000
Less Federal Funds	<u>(1,500,000)</u>
Net State	500,000
F. Aviation Hangar Bay	4,160,000
Less Federal Funds	<u>(2,080,000)</u>
Net State	2,080,000
G. Veteran's Cemetery - Replace Backhoe*	115,000
Total state appropriation paragraph I	\$3,195,000

* The bonds issued for the equipment in subparagraph G shall not exceed a 10-year maturity date.

II. Department of Administrative Services

A. Statewide Projects, Statewide Emergency Funding	1,500,000
B. General Services	
1. Walker Building HVAC Repairs And Replacements	729,000
2. State House Basement Fire Protection	140,000
3. Storrs Street Parking Garage Repairs	2,220,000
4. State House Annex Renovations	5,320,000
5. State House Annex Elevator Upgrades	900,000
6. Roof Replacements And Exterior Repairs	544,500
7. Temporary Boiler Steam Infrastructure Removal	274,500
8. HHS And DES Mechanical Replacements	1,125,000
C. Facilities & Asset Management	
1. Concord Steam - Raze Structurally Deficient Building	2,898,500
2. Emergency Back-Up Generator Power To New Boilers	1,534,500
3. Annex 1 - Life Safety/ADA Improvements	1,458,000
4. Thayer Building - Relocate and Upgrade Electrical Service	166,500
5. Paint And Carpentry - Upgrade Electrical Service And Entrance	229,500
D. Court Facilities	
1. Rockingham County and Hillsborough County South Courthouses - New Chiller, Variable Frequency Drives and Controls	576,000

2. Rockingham County Courthouse - HVAC Pipes	733,500
3. Coos County Courthouse - New Boilers	166,500
4. Rochester Circuit Court - New Boilers And Building Management System	216,000
5. Generators - Conway, Coos, Jaffrey, Lebanon, Plymouth	948,000
6. Hillsborough County South - Cellblock Renovation	225,000
E. Financial Data Management, ERP Sustainability and Advancement	1,440,000
Total state appropriation paragraph II	\$23,345,000
III. Community College System of New Hampshire	
A. Critical Maintenance and Safety, Master Plans	6,475,500
B. NCC Engineering Technology Renovation*	750,000
C. WMCC Diesel Heavy Equipment and CDL Equipment	240,000
Total state appropriation paragraph III	\$7,465,500
* The general court intends that funding to complete the \$3,300,000 NCC Engineering Technology Renovation project will be included in the state capital budget for the biennium ending June 30, 2023.	
IV. Department of Corrections	
A. Perimeter Security and Fence Detection Systems	1,600,000
B. Kitchen Renovation	4,320,000
C. Replace Electrical Services	265,000
D. Generator Replacement -2 Generators	300,000
E. Rebuild/Replace Access Road, Berlin	721,000
F. Door Replacements	198,000
Total state appropriation paragraph IV	\$7,404,000
V. Department of Education	
A. Renovation of Rochester CTE Center, State Share*	4,000,000
B. Renovation of Hudson CTE Center, State Share**	14,450,000
C. Pre-Engineering Technology	100,000
Total state appropriation paragraph V	\$18,550,000
*The funds appropriated to the department of education for CTE centers in Hudson and Rochester shall not be spent, obligated, or encumbered until such time as an action plan has received approval from the capital budget overview committee.	
**The funds appropriated in subparagraph B to the department of education for CTE center in Hudson shall be included in the total project authorization as provided in section 18 of this act.	
VI. Department of Environmental Services	
A. Dam Repairs and Reconstruction*	4,144,500
B. Construction and Operations Facility	8,235,000
C. Clean Water State Revolving Fund State Match	6,573,000
D. Drinking Water State Revolving Fund State Match	3,348,200
E. IT Upgrades For E-Permitting and Automation	1,460,970
F. Comprehensive Monitoring Program for the Piscataqua Region Estuaries	100,000
Total state appropriation paragraph VI	\$23,861,670
*For the appropriation made in subparagraph VI, A, the department is authorized to reallocate funds as necessary to address emergencies or alternate repairs or reconstruction needs at other dams if delays in other projects occur.	
VII. Fish And Game Department	
A. Building Security And Fire Safety Improvements	350,000
Less Other Funds*	<u>(350,000)</u>
Net State	0
B. Milford Hatchery Well Reconstruction	50,000
Less Other Funds*	<u>(50,000)</u>
Net State	0
Total state appropriation paragraph VII	\$0

*To provide funds for the appropriations made in subparagraphs A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$400,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the fish and game fund established in RSA 206:33.

VIII. Department of Health and Human Services

A. DCYF Comprehensive Child Welfare Information System	8,884,352
Less Federal Funds	<u>(4,442,176)</u>
Net State	4,442,176
B. Glencliff Home Potable Water System - Phase II	1,485,000
Total state appropriation paragraph VIII	\$5,927,176

IX. Department of Information Technology*

A. Digital Government Transformation (Enterprise)	2,965,500
B. Continuity of Operation and Disaster Planning	235,000
C. Cybersecurity - Program Enhancements	1,092,000
Total state appropriation paragraph IX	\$4,292,500

*The commissioner of the department of information technology is authorized to reallocate funds among the projects in subparagraphs IX, A-C as necessary to complete the projects.

X. Judicial Branch

A. New Hampshire e-Court	1,710,000
Total state appropriation paragraph X	\$1,710,000

XI. Liquor Commission

A. Computer Software - Credit Cards - POS*	2,000,000
Less Other Funds	<u>(2,000,000)</u>
Net State	0
Total state appropriation paragraph XI	\$ 0

*To provide funds for the appropriations made in paragraph XI, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$2,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the liquor commission fund established in RSA 176:16.

XII. Department of Natural and Cultural Resources

A. Roofing and Repair	1,350,000
B. Mount Washington Sewage Treatment Expansion	1,870,000
C. Restoration of Historic Sites*	630,000
D. Campground Toilet Buildings*	505,000
E. Day-Use Toilet Buildings	720,000
F. Mount Sunapee State Park Beach Boat Ramp	740,000
Less Other Funds**	<u>(340,000)</u>
Net State	400,000
G. Communication System Replacement	400,000
H. Climate Controlled Storage Area - State Library	200,000
I. Design and Engineering Services; Archaeology Lab; Office, Lab, and Storage Space Needs	270,000
Total state appropriation paragraph XII	\$6,345,000

* The commissioner of the department of natural and cultural resources is authorized to reallocate funds among the projects in subparagraphs XII, C and D as necessary to complete the projects.

**To provide funds for the appropriations made in subparagraph F, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$340,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the statewide public boat

access fund in RSA 233-A:13. The department of natural and cultural resources shall be responsible for the improvements to and operation of the boat ramp and parking at Mount Sunapee state park beach. In addition, the department of natural and cultural resources, on behalf of the state, may accept donations designated for the Mount Sunapee state park beach boat ramp project and shall use such donations for project costs. The improved boat ramp is intended for use as a public boat access area under RSA 233-A. The department of natural and cultural resources shall report on the progress of the project to the capital budget overview committee in October and April of each year until project is completed.

XIII. Pease Development Authority

A. Hampton Harbor Dredging	118,750
B. Rye Harbor Dredging	637,500

Total state appropriation paragraph XIII	\$756,250
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XIV. Police Standards and Training Council

A. Boiler Replacement	1,035,000
B. Purchase Training and Certification Database	150,000

Total state appropriation paragraph XIV	\$1,185,000
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XV. Department of Safety, General Funds

A. Fire Academy HVAC Upgrade*	426,000
Less Other Funds	<u>(426,000)</u>
Net State	0

B. Fire Academy, New Truck*	1,200,000
Less Federal Funds	(504,000)
Less Other Funds	<u>(696,000)</u>
Net State	0

C. Criminal Records Customer Portal**	600,000
Less Other Funds	<u>(600,000)</u>
Net State	0

D. Troop C Renovation- General Fund Portion	959,850
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Total state appropriation paragraph XV	\$959,850
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*To provide funds for the appropriation made in subparagraphs A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,122,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

**To provide funds for the appropriation made in subparagraph C, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$600,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the special nonlapsing account for the expenses of the criminal records section, established in RSA 106-B:7, II.

XVI. Department of Transportation, General Funds

A. Aeronautics, Rail, and Transit, 5 percent match for Federal Aviation Administration Projects	77,662,527
Less Federal Funds	<u>(73,538,972)</u>
Net State	4,123,555

B. Repairs to State-Owned Active Railroad Lines	984,000
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C. Repairs to State-Owned Active Railroad Bridges	1,000,000
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D. Coos County Rail Improvements*	900,000
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E. Strafford and Carroll County Rail Improvements*	900,000
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F. Public Transit Bus and Facility Matching Funds	907,460
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Total state appropriation paragraph XVI	\$8,815,015
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*The sums appropriated in subparagraphs D and E shall be a match to private funds of an equal amount. The department of transportation shall report on the use of the appropriation and matching private funds to the capital budget overview committee in October and April for each year of the biennium.

XVII. Veterans Home

A. Heat Pump Equipment Replacements	1,170,000
Total state appropriation paragraph XVII	\$1,170,000
Total state appropriation section 1	\$114,981,961

2 Appropriation; Highway Funds; Department of Safety and Department of Transportation. The sums hereinafter detailed are appropriated for the projects specified:

I. Department of Safety

A. Troop C Renovation, Highway Fund Portion	\$225,150
B. DMV Online Customer Portal	3,300,000
Less Other Funds*	<u>(3,300,000)</u>
Net State	0

Total state appropriation paragraph I	\$225,150
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*To provide funds for the appropriation made in subparagraph B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$3,300,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from funds deducted for the administration and collection costs of highway fund revenue under RSA 9:9-a.

II. Department of Transportation

A. Statewide Equipment 2020*	10,000,000
B. Manchester 527 - Patrol Shed Addition/Renovation	2,100,000
C. Derry 528 - Brine System	185,000
D. Statewide - Life Safety Code Improvements	4,115,000
E. Statewide Salt Sheds	1,800,000
F. Lancaster District Office - Addition	760,000
G. Statewide Underground Fuel Tank Replacement	2,060,000
H. NHDOT Document Management Software	1,000,000
I. NHDOT Work Order System Phase 1	2,000,000

Total state appropriation paragraph II	\$24,020,000
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* The bonds issued for the equipment in subparagraph A shall not exceed a 10-year maturity date.

Total state appropriation section 2	\$24,245,150
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3 Capital Projects; University System of New Hampshire.

I. The New Hampshire legislature recognizes the need for investment in university system of New Hampshire projects primarily to renovate and expand facilities. The sum of \$42,000,000 is hereby committed and appropriated to the university system of New Hampshire (USNH), effective July 1, 2020 but limited to the drawdown of funds as stated in this section. The appropriation is for the following capital projects:

- A. Spaulding Hall renovation and expansion (UNH);
- B. Hyde Hall Innovation and Entrepreneurship Center renovation (PSU); and
- C. Elliot Student Service Success Center and Joslin Hall Classroom renovation (KSC).

II. The university system board of trustees will determine the timing of the projects and the specific dollar allocation to each from the above sum available, while ensuring the respective campus priorities are addressed. The board of trustees shall report on the progress of the projects in paragraph I to the capital budget overview committee in October and April. The appropriation shall be nonlapsing and in addition to any other appropriation to the university system; provided, however, that the university system shall not receive actual cumulative payments from the state for such purposes of more than:

- A. \$10,000,000 through the biennium ending June 30, 2021.
- B. \$25,000,000 through the biennium ending June 30, 2023 (\$15,000,000 in new authorization for the biennium).
- C. \$42,000,000 through the biennium ending June 30, 2025 (\$17,000,000 in new authorization for the biennium).

Amend the bill by replacing section 8 with the following:

8 Bond Authorized.

I. To provide funds for the total of the appropriations of state funds made in sections 1 and 2 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$146,989,111 and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

II. To provide funds for the total of the appropriations of state funds made in section 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$42,000,000 and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A; provided the cumulative bonds or notes shall not be in excess of:

A. \$10,000,000 through the biennium ending June 30, 2021.

B. \$25,000,000 through the biennium ending June 30, 2023

C. \$42,000,000 through the biennium ending June 30, 2025.

III. The source of funds for paragraphs I and II for the biennium ending June 30, 2021 are as follows: general fund \$124,981,961, highway fund \$24,245,150, and other funds \$7,762,000.

Amend the bill by replacing all after section 17 with the following:

18 Capital Project; Hudson CTE Center; Alvirne High School, Wilbur H. Palmer Career and Technical Education Center.

I. The New Hampshire legislature recognizes the need for investment in career and technical education center projects primarily to renovate and expand facilities. The sum of \$17,000,000 is hereby committed and appropriated to the department of education for the renovation of the Hudson CTE Center, effective July 1, 2019, but limited to the drawdown of funds as stated in this section.

II. The appropriation shall not lapse until June 30, 2023 and shall be in addition to any other appropriation for the Hudson CTE Center; provided, however, that the department of education shall not receive actual cumulative payments from the state for such purposes of more than:

A. \$14,450,000 through the biennium ending June 30, 2021 as provided by the appropriation in section 1, paragraph V, B of this act.

B. A total of \$17,000,000 through the biennium ending June 30, 2023, with \$2,550,000 in new authorization for the biennium ending June 30, 2023.

III. In recognition of the need to avoid a delay in construction and in recognition that any delay is likely to increase costs, a sum not to exceed \$2,550,000 is authorized to be paid by the Alvirne School Trustees, or other sources determined by the Hudson school district, towards the cost of this project.

IV. The state of New Hampshire recognizes that the amount, up to \$2,550,000, paid under paragraph III, has been expended solely for purpose of completing the Hudson CTE Center project prior to full funding being available from the state of New Hampshire in the biennium ending June 30 2023.

V. When state funding for this project is appropriated in the biennium ending June 30, 2023, the state treasurer is authorized to pay any moneys expended for this project, in excess of \$14,450,000, but not to exceed the total amount authorized in subparagraph II, B, to the department of education for direct repayment to the Alvirne School Trustees, or such other funding source determined by the Hudson school district.

19 Lapse of Prior Capital Balance; Capital Appropriation; Liquor Commission; Chesterfield Store Expansion.

I. The sum of \$288,000 from the unencumbered balances of the appropriation made to the liquor commission in 2013, 195:1, XII, H, as amended by 2015, 220:14, extended by 2015, 220:23, 83, and extended by 2017, 228:22, 98, for Portsmouth traffic circle store #38, plans, layout and design, shall lapse on June 30, 2019.

II. The sum of \$288,000 is hereby appropriated for the biennium ending June 30, 2021 to the liquor commission for Chesterfield store expansion. Said funds shall not lapse until June 30, 2021.

III. To provide funds for the appropriation made in paragraph II, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$288,000 and for said purpose may issue

bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the liquor commission fund established in RSA 176:16.

IV. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

20 Lapse Dates Extended to June 30, 2021. The following appropriations are hereby extended to June 30, 2021:

1. The appropriation made to the adjutant general in 2017, 228:1, I, A for Pembroke readiness ctr & state active duty annex.

2. The appropriation made to the adjutant general in 2017, 228:1, I, B for Concord readiness center.

3. The appropriation made to the adjutant general in 2017, 228:1, I, D for Concord anti-terrorism security improvements.

4. The appropriation made to the adjutant general in 2017, 228:1, I, E for Concord medical facility health improvements.

5. The appropriation made to the adjutant general in 2017, 228:1, I, J for archaeological study for phase 2 cemetery development.

6. The appropriation made to the adjutant general in 2015, 220:1, I, C extended by 2017, 228:22, 3 for construction of FMS - Seacoast area.

7. The appropriation made to the adjutant general in 2015, 220:1, I, D extended by 2017, 228:22, 4 for land for military construction.

8. The appropriation made to the adjutant general in 2015, 220:1, I, E extended by 2017, 228:22, 5 for readiness center design.

9. The appropriation made to the adjutant general in 2013, 195:1, I, A extended by 2015, 220:23, 1, extended by 2017, 228:22,7 for unspecified minor military construction.

10. The appropriation made to the adjutant general in 2013, 195:1, I, D extended by 2015, 220:23, 3, extended by 2017, 228:22,9 for federal property conv to readiness center and maintenance shop.

11. The appropriation made to the department of administrative services in 2017, 228:1, II, A, 1 for state-wide emergency funding.

12. The appropriation made to the department of administrative services in 2017, 228:1, II, A, 2 for state-wide energy efficiency improvements projects.

13. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 1 for DoIT - new computer room fire system.

14. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 2 for safety - roof replacement.

15. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 3 for Spaulding - roof replacement.

16. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 4 for state owned buildings - security upgrades.

17. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 5 for health and human services - security upgrades.

18. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 6 for Claremont - HVAC replacements and repairs.

19. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 7 for Walker building - roof modifications.

20. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 8 for state library parapet and ceiling repair.

21. The appropriation made to the department of administrative services in 2017, 228:1, II, B, 10 for Concord steam project, heating of state-owned buildings.

22. The appropriation made to the department of administrative services in 2017, 228:1, II, C, 1 for main bldg lodge roof replacement/brick/trim repairs.

23. The appropriation made to the department of administrative services in 2017, 228:1, II, C, 2 for main bldg-north end ADA access & emergency egress.

24. The appropriation made to the department of administrative services in 2017, 228:1, II, C, 3 for main bldg, Peasley wing roof replacement.

25. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 1 for convert AOC building to probate court.

26. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 3 for Milford circuit court - new courthouse.

27. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 4 for supreme court building - new roof, insulation, dome repair.

28. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 5 for Hampton circuit court - new courthouse.

29. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 6 for Portsmouth circuit court - new roof.

30. The appropriation made to the department of administrative services in 2017, 228:1, II, D, 7 for Rochester circuit court - new roof.

31. The appropriation made to the department of administrative services in 2017, 228:1, II, E, 1 for ERP sustainability and advancement.

32. The appropriation made to the department of administrative services in 2017, 228:1, II, E, 2 for ERP scheduling and attendance.

33. The appropriation made to the department of administrative services in 2015, 220:1, II, A, 1, extended by 2017, 228:22, 12 for all state owned facilities - emergency repairs.

34. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 7, extended by 2017, 228:22, 20 for all buildings burglar alarm replacement.

35. The appropriation made to the department of administrative services in 2015, 220:1, II, B, 8, extended by 2017, 228:22, 21 for state house and Upham Walker house repairs.

36. The appropriation made to the department of administrative services in 2015, 220:1, II, D, 1, extended by 2017, 228:22, 26 for Merrimack county superior court - new courthouse.

37. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 1 extended by 2013 195:47, 13 extended by 2015, 220:23, 18, extended by 2017, 228:22, 29 for critical IT infrastructure.

38. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 2 extended by 2013 195:47, 14 extended by 2015, 220:23, 19, extended by 2017, 228:22, 30 for ERP phase 2 HR and payroll systems.

39. The appropriation made to the department of administrative services in 2009, 145:1, II, C, 3 extended by 2011, 253:28, 21 as amended by 2013, 195:14, extended by 2013 195:47, 23, extended by 2015, 220:23, 24, extended by 2017, 228:22, 32 for main building bakery, raze buildings and create parking lot.

40. The appropriation made to the community college system in 2017, 228:1, III, A for critical maintenance and safety.

41. The appropriation made to the community college system in 2017, 228:1, III, C for industry pathway lab renovations.

42. The appropriation made to the community college system in 2015, 220:1, III, A, extended by 2017, 228:22, 33 for critical maintenance.

43. The appropriation made to the department of corrections in 2017, 228:1, IV, A for transitional work center - complete bathroom replace.

44. The appropriation made to the department of corrections in 2017, 228:1, IV, B for repair bathroom floors - med cust n & med cust 5.

45. The appropriation made to the department of corrections in 2017, 228:1, IV, C for elevator replacement.

46. The appropriation made to the department of corrections in 2017, 228:1, IV, D for SHU door control software (NHSP-men).

47. The appropriation made to the department of corrections in 2017, 228:1, IV, E for door replacement (NHSP-men).

48. The appropriation made to the department of corrections in 2017, 228:1, IV, F for electronic controls and security camera installation.

49. The appropriation made to the department of corrections in 2017, 228:1, IV, G for body alarm/man down system (NHSP-men).

50. The appropriation made to the department of corrections in 2015, 220:1, IV, A, extended by 2017, 228:22, 36 for new women's prison.

51. The appropriation made to the department of corrections in 2015, 220:19, II, extended by 2017, 228:22, 38 for repairs and renovations to the Calumet transitional housing units.

52. The appropriation made to the department of corrections in 2013, 195:1, IV, A extended by 2015, 220:23, 29, extended by 2017, 228:22, 40 for 224 bed women's prison and transitional housing facility.

53. The appropriation made to the department of education in 2017, 228:1, VI, A for renovation of Plymouth CTE center- state share.

54. The appropriation made to the department of education in 2017, 228:1, VI, B for renovation of Rochester CTE center- state share.

55. The appropriation made to the department of education in 2017, 228:1, VI, C for pre-engineering technology program.

56. The appropriation made to the department of education in 2015, 220:1, V, A, extended by 2017, 228:22, 43 for renovation CTE in Dover.

57. The appropriation made to the department of education in 2013, 195:1, V, A as amended by 2014, 237:2, extended by 2015, 220:23, 35, extended by 2017, 228:22, 45 for renovation of CTE center Dover-state share.

58. The appropriation made to the department of education in 2011, 253:1, IV, A for extended by 2013 195:47, 38 extended by 2015, 220:23, 37, extended by 2017, 228:22, 47 for pre-engineering tech career pathway.

59. The appropriation made to the office of strategic initiatives in 2017, 228:1, VII, A for fuel assistance program/weatherization assistance program.

60. The appropriation made to the department of environmental services in 2017, 228:1, VIII, A for dam repairs and reconstruction.

61. The appropriation made to the department of environmental services in 2017, 228:1, VIII, B for drinking water SRF state matching funds.

62. The appropriation made to the department of environmental services in 2017, 228:1, VIII, C for clean water SRF state matching funds.

63. The appropriation made to the department of environmental services in 2017, 228:1, VIII, F for hazardous waste superfund match.

64. The appropriation made to the department of environmental services in 2017, 228:1, VIII, G for construction & operations facility.

65. The appropriation made to the department of environmental services in 2017, 228:1, VIII, H for Ossipee Lake dam reconstruction.

66. The appropriation made to the department of environmental services in 2015, 220:1, VI, B, extended by 2017, 228:22, 50, for hazardous waste superfund state match.

67. The appropriation made to the department of environmental services in 2015, 220:1, VI, C, extended by 2017, 228:22, 51, for Suncook river infrastructure protection project.

68. The appropriation made to the department of environmental services in 2015, 220:1, VI, D, extended by 2017, 228:22, 52, for rehabilitation of natural resources conservation.

69. The appropriation made to the department of environmental services in 2015, 220:1, VI, F, extended by 2017, 228:22, 53, for permitting, environmental monitoring and flood forecasting.

70. The appropriation made to the department of environmental services in 2015, 220:1, VI, H, extended by 2017, 228:22, 55, for clean water SRF state match funds.

71. The appropriation made to the department of environmental services in 2011, 253:1, VI, E extended by 2013 195:47, 47 extended by 2015, 220:23, 48, extended by 2017, 228:22, 59, for WRBP infrastructure capital improvements.

72. The appropriation made to the department of environmental services in 2011, 253:1, VI, F extended by 2013 195:47, 48 extended by 2015, 220:23, 49, extended by 2017, 228:22, 60, for Suncook river infrastructure protection project.

73. The appropriation made to the department of environmental services in 2003, 240:1, V, A extended by 2005, 259:25, XXVIII extended by 2007, 264:29, XXXV extended by 2009, 145:19, 31 extended by 2011, 253:28, 53 extended by 2013, 195:47, 54 extended by 2015, 220:23, 51, extended by 2017, 228:22, 62 for hazardous waste superfund match.

74. The appropriation made to the fish and game department in 2017, 228:1, IX, A for headquarters building security.

75. The appropriation made to the fish and game department in 2017, 228:1, IX, B for hatchery infrastructure improvements.

76. The appropriation made to the department of health and human services in 2017, 228:1, X, A for MMIS technical stack upgrade.

77. The appropriation made to the department of health and human services in 2017, 228:1, X, B for Glencliff home dementia treatment improvement.

78. The appropriation made to the department of health and human services in 2017, 228:1, X, C for developmental services IT remediation plan.

79. The appropriation made to the department of health and human services in 2017, 228:1, X, D for Glencliff home fire road & travel rebuild.

80. The appropriation made to the department of health and human services in 2017, 228:1, X, E for New HEIGHTS & NH EASY gateway modernization.

81. The appropriation made to the department of health and human services in 2017, 228:1, X, F for DCYF central scanning unit.

82. The appropriation made to the department of health and human services in 2017, 228:1, X, G for NH hospital air handling system upgrades.

83. The appropriation made to the department of health and human services in 2017, 228:1, X, H for automated in-line mailing system.

84. The appropriation made to the department of health and human services in 2017, 228:1, X, I for Glencliff home LaMott wing window replacement.

85. The appropriation made to the department of health and human services in 2015, 220:1, VII, A, extended by 2017, 228:22, 63 for Glencliff home potable water system.

86. The appropriation made to the department of health and human services in 2015, 220:1, VII, B, extended by 2017, 228:22, 64 for campus security Glencliff.

87. The appropriation made to the department of health and human services in 2015, 220:1, VII, C, extended by 2017, 228:22, 65 for main access tunnel repair.

88. The appropriation made to the department of health and human services in 2015, 220:1, VII, D, extended by 2017, 228:22, 66 for replace roof over auditorium at Howard rec.

89. The appropriation made to the department of health and human services in 2015, 220:1, VII, F, extended by 2017, 228:22, 68 for chillers and associated components replacement.

90. The appropriation made to the department of health and human services in 2015, 220:1, VII, H, extended by 2017, 228:22, 70 for new HEIGHTS access front door.

91. The appropriation made to the department of health and human services in 2015, 220:1, VII, I, extended by 2017, 228:22, 71 for the department email project.

92. The appropriation made to the department of health and human services in 2015, 220:1, VII, J, extended by 2017, 228:22, 72 for NHH electronic health record pharmacy and scanning module.

93. The appropriation made to the department of health and human services in 2015, 220:1, VII, L, extended by 2017, 228:22, 74 for NHH renovation of existing space.

94. The appropriation made to the department of health & human services in 2013, 195:1, VII 253:1, VII, A extended by 2015, 220:23, 52, extended by 2017, 228:22, 75 for Glenclyff fire and ADA code compliance.

95. The appropriation made to the department of health & human services in 2013, 195:1, VII 253:1, VII, B extended by 2015, 220:23, 53, extended by 2017, 228:22, 76 for APS security and safety upgrades.

96. The appropriation made to the department of health & human services in 2013, 195:1, VII 253:1, VII, E extended by 2015, 220:23, 56, extended by 2017, 228:22, 79 for new HEIGHTS incremental modernization.

97. The appropriation made to the department of health & human services in 2013, 195:1, VII 253:1, VII, I extended by 2015, 220:23, 60, extended by 2017, 228:22, 81 for Bridges modernization project.

98. The appropriation made to the department of health & human services in 2011, 253:1, VII, D extended by 2013 195:47, 60 extended by 2015, 220:23, 61, extended by 2017, 228:22, 82 as amended by 2018, 163:15, for APS repair/renovations-roof, windows and curtain wall, door replacements and upgrades.

99. The appropriation made to the department of health & human services in 2011, 253:1, VII, G extended by 2013 195:47, 62 extended by 2015, 220:23, 62, extended by 2017, 228:22, 83 for incremental renewal of new HEIGHTS.

100. The appropriation made to the department of health & human services in 2011, 253:1, VII, H 63, extended by 2015, 220:23, 63, extended by 2017, 228:22, 84 for electronic health records.

101. The appropriation made to the department of health & human services in 2011, 253:1, VII, L extended by 2013 195:47, 66 extended by 2015, 220:23, 66, extended by 2017, 228:22, 86 for replatform option application.

102. The appropriation made to the department of health & human services in 2011, 253:1, VII, Q extended by 2013 195:47, 70 extended by 2015, 220:23, 67, extended by 2017, 228:22, 87 for ACCESS front door release II.

103. The appropriation made to the department of health & human services in 2009, 145:17, IV, C extended by 2011, 253:28, 67 extended by 2013 195:47, 72 extended by 2015, 220:23, 69, extended by 2017, 228:22, 88 for strategic plan for legacy systems, 50-50 federal match.

104. The appropriation made to the department of information technology in 2017, 228:1, XII, A for cyber security program enhancement.

105. The appropriation made to the department of information technology in 2017, 228:1, XII, B for enterprise workflow/document mgmt (all - enterprise).

106. The appropriation made to the department of information technology in 2017, 228:1, XII, C for state-wide archiving assessment.

107. The appropriation made to the department of information technology in 2017, 228:1, XII, D for enterprise GIS alignment (all-enterprise).

108. The appropriation made to the department of information technology in 2015, 220:1, IX, C, extended by 2017, 228:22, 90 for enterprise collaboration solution.

109. The appropriation made to the department of information technology in 2013, 195:1, VIII, A extended by 2015, 220:23, 71, extended by 2017, 228:22, 91 for enterprise licensing solution.

110. The appropriation made to the department of information technology in 2013, 195:24, I extended by 2015, 220:23, 72, extended by 2017, 228:22, 92 for productivity suite desktop security project.

111. The appropriation made to the department of information technology in 2013, 195:42, I extended by 2015, 220:23, 73, extended by 2017, 228:22, 93 for business one stop.

112. The appropriation made to the judicial branch in 2017, 228:1, XIII, A for New Hampshire e-court.

113. The appropriation made to the judicial branch in 2015, 220:1, X, A, extended by 2017, 228:22, 94 for New Hampshire e-court.

114. The appropriation made to the legislative branch in 2015, 220:21 as amended by 2017, 228:16, II, for state house complex building maintenance.

115. The appropriation made to the liquor commission in 2017, 228:1, XV, A for computer software - credit cards - POS.

116. The appropriation made to the liquor commission in 2017, 228:1, XV, B for new 20,000 SF liquor store- Portsmouth.

117. The appropriation made to the liquor commission in 2017, 228:1, XV, D for Hampton north & south new liquor stores.

118. The appropriation made to the liquor commission in 2017, 228:14, III, as amended by this act, for the Concord headquarters roof replacement and parking lot.

119. The appropriation made to the liquor commission in 2015, 220:1, XI, A, extended by 2017, 228:22, 96, as amended by this act, for Concord warehouse and headquarters roof replacement.

120. The appropriation made to the liquor commission in 2015, 220:14, XII, J, extended by 2017, 228:22, 99 for signage and branding upgrade.

121. The appropriation made to the liquor commission in 2013, 195:1, XII, G extended by 2015, 220:23, 82, extended by 2017, 228:22, 101 for computer software-credit card.

122. The appropriation made to the Pease development authority in 2017, 228:1, XVI, A for Piscataqua river turning basin.

123. The appropriation made to the Pease development authority in 2015, 220:1, XII, extended by 2017, 228:22, 102 for the Piscataqua river turning basin.

124. The appropriation made to the department of natural and cultural resources in 2017, 228:1, V, A for replacement of NH union catalog.

125. The appropriation made to the department of natural and cultural resources in 2017, 228:1, XVIII, B for roofing & repair of DRED buildings statewide.

126. The appropriation made to the department of natural and cultural resources in 2017, 228:1, XVIII, C for dams & retaining walls.

127. The appropriation made to the department of natural and cultural resources in 2017, 228:1, XVIII, D for restorations at historic sites.

128. The appropriation made to the department of natural and cultural resources in 2017, 228:1, XVIII, F for Mount Washington communication building study.

129. The appropriation made to the department of natural and cultural resources in 2015, 220:1, XIII, B, extended by 2017, 228:22, 104 for fire tower repairs - statewide.

130. The appropriation made to the department of revenue administration in 2017, 228:1, XIX, A for revenue information management system (RIMS).

131. The appropriation made to the department of safety in 2017, 228:1, XX, A for troop F renovation, general fund portion.

132. The appropriation made to the department of safety in 2017, 228:1, XX, C for state police records management system.

133. The appropriation made to the department of safety in 2017, 228:2, I, A for troop F renovation, highway fund portion.

134. The appropriation made to the department of safety in 2015, 220:2, II, C, extended by 2017, 228:22, 108 for radio interoperability project.

135. The appropriation made to the department of safety in 2015, 220:1, XIV, D, extended by 2017, 228:22, 109 for radio interoperability project.

136. The appropriation made to the department of safety in 2013, 195:2, I, A extended by 2015, 220:23, 93, extended by 2017, 228:22, 110 for radio interoperability infrastructure upgrade.

137. The appropriation made to the department of safety in 2013, 195:1, XIV, A extended by 2015, 220:23, 95, extended by 2017, 228:22, 111 for radio interoperability infrastructure upgrade.

138. The appropriation made to the department of safety in 2011, 253:1, XIII, A extended by 2013 195:47, 89 extended by 2015, 220:23, 96, extended by 2017, 228:22, 112 for e-911 next generation.

139. The appropriation made to the department of state 2017, 228:1, XXI, A for archives addition.

140. The appropriation made to the department of transportation, general funds in 2017, 228:1, XXII, A for aeronautics, rail, and transit, public transit bus & facility matching funds.

141. The appropriation made to the department of transportation, general funds in 2017, 228:1, XXII, B for repairs to granite arches in Westmoreland & Walpole.

142. The appropriation made to the department of transportation, general funds in 2017, 228:1, XXII, E for eastern slope regional airport terminal/hangar building.

143. The appropriation made to the department of transportation in 2017, 228:2, II, A for Lisbon 114 - new patrol shed facilities.

144. The appropriation made to the department of transportation in 2017, 228:2, II, B for statewide- underground fuel tank replacement.

145. The appropriation made to the department of transportation in 2017, 228:2, II, C for statewide salt sheds.

146. The appropriation made to the department of transportation in 2017, 228:2, II, D for Manchester 527 addition to patrol shed.

147. The appropriation made to the department of transportation in 2017, 228:2, II, E for Dixville 103D new patrol shed facilities.

148. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 1, extended by 2017, 228:22, 116 for 5 percent match for federal aviation administration project.

149. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 2, extended by 2017, 228:22, 117 for repairs to state-owned railroad bridges.

150. The appropriation made to the department of transportation in 2015, 220:1, XVI, A, 3, extended by 2017, 228:22, 118 for public transit bus and facility matching funds.

151. The appropriation made to the department of transportation in 2015, 220:2, III, A, extended by 2017, 228:22, 120 for underground fuel tank replacement - statewide.

152. The appropriation made to the department of transportation in 2015, 220:2, III, B, extended by 2017, 228:22, 121 for oversize/overweight permit software.

153. The appropriation made to the department of transportation in 2015, 220:2, III, E, extended by 2017, 228:22, 124 for statewide salt sheds (3).

154. The appropriation made to the department of transportation in 2015, 220:2, III, F, extended by 2017, 228:22, 125 for welcome and information center capital improvement.

155. The appropriation made to the department of transportation in 2013, 195:XVI, A, 1 extended by 2015, 220:23, 106, extended by 2017, 228:22, 134 for 5 percent match for FAA projects.

156. The appropriation made to the department of transportation in 2011, 253:2, III, D extended by 2013 195:47, 99 extended by 2015, 220:23, 112, extended by 2017, 228:22, 138 for new patrol shed and salt storage-Salem.

157. The appropriation made to the department of transportation in 2005, 259:1, XIII, F amended by 2007, 264:20, extended by 2007, 264:29 extended by 2009, 145:19, 81 extended by 2011, 253:28, 104 extended by 2013 195:47, 110, extended by 2015, 220:23, 120, extended by 2017, 228:22, 142 for railroad acquisition right of first refusal rail match.

158. The appropriation made to the department of transportation in 1999, 226:1, XIII, C, as extended by 2001, 202:28, XXXIII, and 2003, 240:34, LXXVI extended by 2005, 259:25, LVI extended by 2007, 264:29 LXXIV extended by 2009, 145:19, 64 extended by 2011, 253:28, 98 extended by 2013 195:47, 111 extended by 2015, 220:23, 121, extended by 2017, 228:22, 143 for acquisition for railroad and airport properties.

159. The appropriation made to the New Hampshire veterans' home in 2017, 228:1, XXIII, A for LEDU building fire wall repairs.

160. The appropriation made to the New Hampshire veterans home in 2017, 228:1, XXIII, B for security infrastructure improvements.

161. The appropriation made to the New Hampshire veterans' home in 2015, 220:1, XVII, A, extended by 2017, 228:22, 144 for third floor addition to the LEDU building - vets home.

162. The appropriation made to the New Hampshire veterans' home in 2013, 195:1, XVII, A extended by 2015, 220:23, 122, extended by 2017, 228:22, 145 for equipment upgrades.

21 Effective Date.

I. Section 20 of this act shall take effect June 30, 2019.

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

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 Fuller Clark, seconded by Senator Watters.

The following Senators voted Yes: Starr, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Carson, Feltes, Cavanaugh, Reagan, Birdsell, D'Allesandro, Fuller Clark, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

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

COMMERCE

HB 186, establishing a state minimum wage and providing for adjustments to the minimum wage.
Re-refer to Committee, Vote 3-2. Senator Morgan for the committee.

The question is on the adoption of the motion of Rerefer to Committee. Adopted.

HB 211, relative to inquiries by prospective employers concerning salary history.
Inexpedient to Legislate, Vote 4-0. Senator French for the committee.

Recess. Out of recess.

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

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

The following Senators voted Yes: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse, Morgan.

The following Senators voted No: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Sherman, Soucy.

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

Senator Cavanaugh moved Ought to Pass.

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse, Morgan.

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

HB 270, relative to commencement of foreclosure by civil action.
Inexpedient to Legislate, Vote 4-0. Senator Cavanaugh for the committee.

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

Senator Feltes is in opposition to the motion of Inexpedient to Legislate on HB 270.

HB 272, relative to temporary workers.
Re-refer to Committee, Vote 5-0. Senator Cavanaugh for the committee.

The question is on the adoption of the motion of Rerefer to Committee. Adopted.

HB 293, relative to employee credit privacy.
No Recommendation, Vote 2-2. Senator Cavanaugh for the committee.

Senator Cavanaugh moved Ought to Pass.

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse, Morgan.

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

HB 348, relative to procedures for condominiums with 25 or fewer residential units.
Re-refer to Committee, Vote 4-0. Senator French for the committee.

The question is on the adoption of the motion of Rerefer to Committee. Adopted.

HB 695, relative to transparency of nonprofit patient advocacy organizations.
Inexpedient to Legislate, Vote 4-0. Senator Cavanaugh for the committee.

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

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 105-FN, relative to domicile residency, voter registration, and investigation of voter verification letters.
Ought to Pass, Vote 3-2. Senator Morgan for the committee.

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

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

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

HB 315, relative to the Interstate Voter Registration Crosscheck Program.
Ought to Pass with Amendment, Vote 3-2. Senator Levesque for the committee.

Election Law and Municipal Affairs

May 22, 2019

2019-2228s

11/06

Amendment to HB 315

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

AN ACT relative to the Interstate Voter Registration Crosscheck Program and the accuracy and efficiency of voter registration systems.

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

2 Centralized Voter Registration Database; Electronic Registration Information Center. Amend RSA 654:45, VIII to read as follows:

VIII.(a) The secretary of state ~~[may enter into an agreement to share]~~ **shall become a member of a program or organization whose membership is composed of election officials from the United States and whose purpose is to share and exchange information to improve the accuracy and efficiency of voter registration systems. The secretary of state shall enter into a membership agreement with such program or organization no later than January 1, 2020 and shall remain in good standing with such program or organization thereafter. The secretary of state shall share with such program or organization** voter information or data from the statewide centralized voter registration database ~~[for the purpose of comparing duplicate voter information with other states or groups of states.],~~ **along with voter information or data from the department of safety, division of motor vehicles, the secretary of state, and political subdivisions as necessary and in compliance with relevant law.** The secretary of state ~~[shall only provide information that is necessary for matching duplicate voter information with other states and]~~ shall take precautions to make sure that information in the database is secure in a manner consistent with RSA 654:45, VI. The secretary of state ~~[may]~~ **shall** solicit input from the department of safety and the department of information technology and shall ensure that any information or data **collected and** shared ~~[between the agencies]~~ **pursuant to this paragraph is protected by security processes and protocols, and that any such information or data** that is of a confidential nature remains confidential.

(b) The secretary of state shall investigate any duplicate matches of voters resulting from any comparisons of the statewide centralized voter registration database **and other voter information or data** with other states. If the investigation results in the inability to confirm the eligibility of a person or persons who voted, or there is reason to believe a person or persons voted who were not eligible, the secretary of state shall forward the results to the attorney general for further investigation or prosecution.

(c) **Upon the effective date of subparagraph (a), the secretary of state shall cease any activity or data transfer with the Kansas-based Interstate Voter Registration Crosscheck Program.**

(d) Upon completion of any investigation authorized under RSA 654:45, VIII(b), the attorney general and the secretary of state shall forward a report summarizing the results of the investigation to the speaker of the house of representatives, the president of the senate, and the chairpersons of the appropriate house and senate standing committees with jurisdiction over election law.

3 New Paragraph; Administration of Motor Vehicle Laws; Records and Certification. Amend RSA 260:14 by inserting after paragraph III-d the following new paragraph:

III-e. Voter information and data contained in motor vehicle records shall be provided to the secretary of state pursuant to RSA 654:45, VIII. This information and data may be further transferred or otherwise made available to programs or organizations pursuant to RSA 654:45, VIII(a).

4 Funding. Funding for implementation of section 2 of this act shall be provided by grants received pursuant to the 2018 Help America Vote Act Election Security Award and section 101 of the Help America Vote Act of 2002, Public Law 107-252.

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

2019-2228s

AMENDED ANALYSIS

This bill repeals the authorization of the secretary of state to enter into an agreement to share voter information and data through the Interstate Voter Registration Crosscheck Program and requires the secretary of state to enter into an agreement with a program or organization to share voter information or data from the statewide centralized voter registration database.

The question is on the adoption of the Committee Amendment.

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

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

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

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

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

Recess. Out of recess.

HB 611-FN, allowing voters to vote by absentee ballot.

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

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

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Sherman.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse, Soucy.

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

HB 635-L, enabling a payment in lieu of taxes for a combined heat and power agricultural facility.

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

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

A roll call was requested by Senator Morgan, seconded by Senator Sherman.

The following Senators voted Yes: Starr, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Carson, Feltes, Cavanaugh, Reagan, Birdsell, D'Allesandro, Fuller Clark, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

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

HB 641-L, allowing municipalities to collect an occupancy fee from operators of local room rentals.

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

Election Law and Municipal Affairs

May 22, 2019

2019-2224s

05/08

Amendment to HB 641-LOCAL

Amend RSA 353:11 as inserted by section 1 of the bill by replacing it with the following:

353:11 Municipal Occupancy Fee.

I. The legislative body of a municipality may vote to collect a municipal fee on each occupancy, as defined in RSA 78-A:3, VI, for the purpose of establishing a municipal capital improvement or tourism support fund, which is intended to increase or stabilize local hotel and other room rental occupancy.

II. As authorized by the legislative body vote, the fee may be collected as a daily charge of up to \$2 per occupancy per 24-hour period, or as a percentage of the price of the occupancy, provided that the rate shall not exceed \$2 per occupancy per 24-hour period. If the average daily price of the occupancy does not exceed \$40, the occupancy fee shall not be collected. The vote by the legislative body shall specify the number of consecutive days to which the occupancy fee applies, provided that the maximum number of consecutive days for which the fee may be collected for each occupancy shall not exceed 184. Enforcement powers for nonpayment shall be the same as those provided under RSA 31:39-c, RSA 31:39-d, and RSA 47:17-b, relative to enforcement of ordinances.

III. The revenues collected shall be deposited in a capital reserve fund, tourism support fund, revolving fund, or other special revenue fund as may be authorized. Such funds shall be used to augment funding for the cost of municipal services associated with the increase in tourism and transient traffic.

IV. Any funds received shall not be deemed part of the general fund accumulated surplus, nor shall any surplus be expended for any purpose or transferred to any appropriation until such time as the town select board or legislative body of the city shall have voted to appropriate a specific amount from the fund for a specific purpose.

V. Any town or city may adopt the provisions of this section in the following manner:

(a) In a town, the question shall be placed on the warrant of a special or annual town meeting under the procedures set out in RSA 39:3, and shall be voted on by ballot. In a city, the legislative body shall vote on the question as provided in its charter.

(b) The selectmen or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The town or city shall specify in the wording of the question:

(1) The name of the fund and permitted uses of the fund; and

(2) The nature, amount, and manner of collection of the occupancy fee, including the number of consecutive days to which the occupancy fee shall apply.

(d) If a majority of those voting on the question vote "Yes," the municipal occupancy fee shall apply within the town or city on the date set by the selectmen or the city council.

(e) A town or city may consider rescinding its action in the manner described in subparagraphs (a)-(c). The wording of the question shall be the same as that was adopted by the town or city, except the word "adopt" shall be changed to "rescind." If a majority of those voting on the question vote "Yes," following the action taken to rescind, the municipal occupancy fee shall not apply within the town or city, and any moneys already in the fund shall be used for the purposes already voted.

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

Without objection, Senator Hennessey moved to call the question. Adopted.

Recess. Out of recess.

Senator Feltes moved to Lay on the Table HB 641-L.

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

The following Senators voted Yes: Starr, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Carson, Feltes, Birdsell, D'Allesandro, Morse, Morgan, Soucy.

The following Senators voted No: Cavanaugh, Reagan, Fuller Clark, Sherman.

Roll Call, Yeas: 20 - Nays: 4. Adopted.

HB 651, allowing the use of campaign funds for child care expenses.

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

Election Law and Municipal Affairs

May 16, 2019

2019-2042s

11/01

Amendment to HB 651

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

2 Political Expenditures and Contributions; Definitions. Amend RSA 664:2, VIII to read as follows:

VIII. "Contribution" shall mean a payment, gift, subscription, assessment, contract, payment for services, dues advance, forbearance or loan to a candidate or political committee made for the purpose of influencing the nomination or election of any candidate. "Contributions" shall include the use of any thing of value but shall not include the services of volunteers who receive no pay therefor or the use of personal resources by a candidate on behalf of his candidacy. ***Contributions may be used by candidates for expenses incurred by a candidate for childcare.***

The question is on the adoption of the Committee Amendment.

A division vote was requested.

Yeas: 14 - Nays: 10. Adopted

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

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, Reagan, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Birdsell, Morse.

Roll Call, Yeas: 15 - Nays: 9. Adopted, bill ordered to Third Reading.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 239, relative to requirements for supervision for licensure of certain mental health and drug counselors.

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

Senate Executive Departments and Administration

May 16, 2019

2019-2041s

10/06

Amendment to HB 239

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

1 Mental Health Practice; Rulemaking; Supervision. Amend RSA 330-A:10, XII to read as follows:

XII. Procedures, standards, and supervision requirements for candidates for licensure as a member of one of the licensed mental health disciplines, consistent with the standards established by the advisory committee for each of the licensed mental health disciplines. All candidates for licensure shall be documented with the board. ***The supervision shall be at a location mutually convenient to both the supervisor and the candidate for licensure.***

2 Mental Health Practice; Candidates for Licensure. Amend RSA 330-A:22, II(a) to read as follows:

(a) Regular meetings shall be held between the supervisor and the candidate ***at locations mutually convenient to both the supervisor and the candidate.***

3 Alcohol and Other Drug Use Professionals; Definition; Supervised Practical Training. Amend RSA 330-C:2, XX to read as follows:

XX. "Supervised practical training" means experiential activities monitored by one or more clinical supervisors who provide timely feedback to assist the counselor in the learning process, and which are designed to provide training of specific knowledge and skills necessary to competently perform the tasks inherent in the performance domains of substance use counseling. ***The supervision shall be at a location mutually convenient to both the supervisor and the candidate for licensure.***

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

Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14

May 16, 2019

2019-2047s

10/06

Floor Amendment to HB 239

Amend RSA 330-C:12, II(f) as inserted by section 4 of the bill by replacing it with the following:

(f) Provide supervision at locations mutually convenient to both the supervisor and the supervisee.

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

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

HB 410, allowing the department of environmental services to have access to enhanced 911 information. Ought to Pass with Amendment, Vote 4-1. Senator Chandley for the committee.

Senate Executive Departments and Administration
May 22, 2019
2019-2219s
08/06

Amendment to HB 410

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

AN ACT allowing all state agencies and political subdivisions to have access to enhanced 911 information.

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

1 New Paragraph; Sheriffs, Constables, and Police Officers; Enhanced 911 System; Definitions. Amend RSA 106-H:2 by inserting after paragraph V the following new paragraph:

V-a. "Division" means the division of emergency services and communications of the department of safety.

2 Sheriffs, Constables, and Police Officers; Enhanced 911 System; Information Not Subject to Right-to-Know Law. Amend RSA 106-H:14 to read as follows:

106-H:14 Information Not Subject to Right-to-Know Law.

I. Any information or records compiled under this chapter shall not be considered a public record for the purposes of RSA 91-A regardless of the use of such information under paragraph ~~I or~~ **II or III**.

II. Notwithstanding any provision of law to the contrary, the ~~bureau~~ **division** shall ~~only~~ make information or records compiled under this chapter available ~~as follows~~ **only as follows**:

~~II-~~ **(a)** On a case-by-case basis to a law enforcement agency that requires the information or records for investigative purposes; and

~~II-~~ **(b)** To the department of environmental services solely for the purpose of estimating the location of wells subject to RSA 482-B. Information shared with the department of environmental services under this provision shall be limited to geographic information systems data that will aid in locating such wells. The department of environmental services shall not release such shared data under RSA 91-A.

III. Address information may be made available to any state agency or political subdivision upon request for the purpose of using one set of street names and numbers within and across New Hampshire. Address information shall be limited to geospatial data that is sufficient to place an address on a map, consistent with the methodology used by the division to spatially locate any address. Address information shall not consist of any other information or data, including, but not limited to, any information about the property to which an address pertains, any information about the structures thereon, and the name or other identifying information of the property owner or any individual or individuals who occupy any specific address. The timing and method of delivery of address information, as well as the format of the address information, shall be solely determined by the division, in light of the demand or such information and the division's technical capabilities and available resources. Address information shall only be used for the official purposes of the requesting state agency or political subdivision, and recipient state agencies and political subdivision shall not make such address information available under RSA 91-A. The division shall not be liable for any inaccuracies in the information provided under this paragraph.

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

2019-2219s

AMENDED ANALYSIS

This bill allows all state agencies and political subdivisions to have access to certain enhanced 911 information.

This bill is a request of the department of environmental services.

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

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

HB 567, relative to using the Atlantic Time Zone in New Hampshire.
Inexpedient to Legislate, Vote 4-1. Senator Rosenwald for the committee.

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

HB 650, establishing a committee to study the economic challenges of employed persons serving in the New Hampshire legislature.
Inexpedient to Legislate, Vote 4-1. Senator Carson for the committee.

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

FINANCE

HB 110-FN-A, relative to the cost of fiscal analysis of legislation relating to the retirement system and relative to the reclassification of jobs in the retirement system.
Ought to Pass, Vote 6-0. Senator Reagan for the committee.

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

HB 198-FN, clarifying the prohibition against the use of mobile electronic devices while driving.
Ought to Pass, Vote 6-0. Senator D'Allesandro for the committee.

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

HB 480-FN, relative to sports betting.
Ought to Pass with Amendment, Vote 6-0. Senator Feltes for the committee.

Senate Finance

May 22, 2019

2019-2196s

08/05

Amendment to HB 480-FN

Amend RSA 287-I:1, XV as inserted by section 1 of the bill by replacing it with the following:

XV. "Sports wagering" means wagering on sporting events or any portion thereof, or on the individual performance statistics of athletes participating in a sports event, or combination of sports events, by any system or method of wagering, including but not limited to in person communication and electronic communication through Internet websites accessed via a mobile device or computer and mobile device applications. The term sports wagering shall include, but not be limited to, single game bets, teaser bets, parlays, over-under bets, money line bets, pools, exchange wagering, in game wagering, in-play bets, proposition bets, and straight bets.

Amend RSA 287-I:3 and 287-I:4 as inserted by section 1 of the bill by replacing it with the following:

287-I:3 Commission Agents. The commission shall conduct sports books for sports wagering through agents selected through a competitive bid process and approved by the governor and executive council. Any such contract shall be based on the state receiving a percentage of revenue from sports wagering activities within the state. The commission shall ensure that an agent demonstrates financial stability, responsibility, good character, honesty, and integrity. In selecting an agent, the commission shall consider, at a minimum, the experience and background of the agent, the agent's ability to serve proposed locations for sports book retail operations, the agent's mobile and Internet capabilities, the agent's contribution to economic development within the state, the agent's commitment to prevention of problem gambling, to responsible gaming, and to integrity in betting. The commission shall select a group of bidders who best meet the criteria set forth in this paragraph and select from that group the agent or agents whose bids provide the state with the highest percentage of revenue from the sports wagering activities covered by the bid or bids, provided that the commission determines that the bidder's commitment to return said revenue percentage to the state is consistent with the bidder's commitment to meet all other criteria specified in the bid request and in applicable law. All agents shall be subject to criminal and financial background checks as prescribed by the commission.

287-I:4 Commission Directed Sports Wagering. The commission is further authorized to directly offer lottery games to authorized bettors within the state in the form of tier III sports wagers through the commission's lottery retailers subject to the provisions of this chapter. The commission may retain vendors to support the commission in operating a sports book and such vendors shall be selected through a competitive bid process and approved by the governor and executive council.

Amend RSA 287-I:7 as inserted by section 1 of the bill by replacing it with the following:

287-I:7 Mobile Sports Wagering Authorized. The commission and its agents are authorized to operate a sports books that offer tier I, tier II, and tier III sports wagers through a mobile sports wagering platform by mobile devices or over the Internet. No more than 5 mobile sports wagering agents shall be in operation at any given time. With respect to mobile sports wagering, the commission, either independently, or through its agent, shall provide:

I. Age verification measures to be undertaken to block access to and prevent sports wagers by persons under the age of 18 years.

II. Identity verification through secure online databases or by examination of photo identification.

III. That mobile sports wagers must be initiated and received within the geographic borders of the state of New Hampshire and may not be intentionally routed outside of the state. The incidental intermediate routing of mobile sports wager shall not determine the location or locations in which such a wager is initiated, received, or otherwise made.

IV. Wager limits for daily, weekly, and monthly amounts consistent with the best practices in addressing problem gambling.

V. A voluntary self-exclusion program for players to self-exclude themselves from wagering for set periods of time.

VI. Security mechanisms to ensure the confidentiality of wagering and personal and financial information except as otherwise authorized by this chapter.

Amend RSA 287-I:8, I(h) as inserted by section 1 of the bill by replacing it with the following:

(h) Any and all monitoring systems utilized by the agents or vendor to report and receive information on suspicious betting activities.

Amend RSA 287-I:8, III(f)-(i) as inserted by section 1 of the bill by replacing it with the following:

(f) Circumstances under which the agent will void a bet;

(g) Treatment of errors, late bets, and related contingencies;

(h) Method of contacting the agents or vendor for questions or complaints;

(i) Description of those persons who are prohibited from wagering with the agents or contractor if broader than the prohibited bettors list set forth in this section;

(j) The method and location for posting and publishing the approved house rules.

Amend RSA 287-I:8, X as inserted by section 1 of the bill by replacing it with the following:

X. Any agent or contractor who sends or receives electronic sports wagers is responsible to ensure that any transfer of that wager is initiated and received and completed within the state of New Hampshire and that only incidental intermediate routing of the wager occurs outside of the state. The agent and contractor shall be responsible for periodically reviewing their information technology systems and networks to ensure compliance with this section.

Amend the bill by replacing section 6 with the following:

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

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

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2

Sen. Feltes, Dist 15

May 30, 2019

2019-2396s

08/10

Floor Amendment to HB 480-FN

Amend RSA 287-I:3 as inserted by section 1 of the bill by replacing it with the following:

287-I:3 Commission Agents. The commission shall conduct sports books for sports wagering through agents selected through a competitive bid process and approved by the governor and executive council. Any such contract shall be based on the state receiving a percentage of revenue from sports wagering activities within the state. The commission shall ensure that an agent demonstrates financial stability, responsibility, good character, honesty, and integrity. In selecting an agent, the commission shall consider, at a minimum, the experience and background of the agent, the agent's ability to serve proposed locations for sports book retail operations, the agent's mobile and Internet capabilities, the agent's contribution to economic development within the state, the agent's commitment to prevention of problem gambling, to responsible gaming, and to integrity in betting. The commission shall select a group of bidders who best meet the criteria set forth in this paragraph and select from that group the agents whose bids provide the state with the highest percentage of revenue from the sports wagering activities covered by the bids, provided that the commission determines that the bidder's commitment to return said revenue percentage to the state is consistent with the bidder's commitment to meet all other criteria specified in the bid request and in applicable law. All agents shall be subject to criminal and financial background checks as prescribed by the commission.

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

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

HB 710-FN, relative to adoption of state building code and fire code amendments.
Ought to Pass, Vote 6-0. Senator Giuda for the committee.

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

JUDICIARY

HB 295-FN-A, establishing a special marriage officiant license.
Ought to Pass with Amendment, Vote 3-2. Senator Levesque for the committee.

Senate Judiciary
May 14, 2019
2019-1966s
05/04

Amendment to HB 295-FN-A

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

AN ACT establishing a special marriage officiant license and relative to the assignment of temporary justices to the supreme court.

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

2 Disqualification; Temporary Justices. Amend RSA 490:3, II to read as follows:

II. Upon the retirement, disqualification, or inability to sit of any justice of the supreme court, the chief justice, or *if necessary, the* senior associate justice of the supreme court may assign a *retired* justice of the supreme court who ~~[has retired from regular active service]~~ *is under the age of 75* or, if a retired supreme court justice is ~~[unavailable]~~ *unable or willing*, shall assign a justice of the superior court who has retired from regular active service to sit during supreme court sessions while the vacancy continues. The selection of a retired supreme or superior court justice shall be on a random basis. However if no retired supreme or superior court justice is available, then the selection of a replacement justice shall be made on a random basis from a pool of full-time justices of the superior court. In the event that no superior court justices are available, then the selection of a replacement justice shall be made on a random basis from a pool of full-time justices of the district and probate courts. The clerk of the supreme court shall maintain a list of superior, probate, and district court judges who are willing to serve as temporary supreme court judges.

3 Effective Date.

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

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

2019-1966s

AMENDED ANALYSIS

This bill establishes a special marriage officiant license which temporarily authorizes an individual to solemnize a marriage. A portion of the license fee shall be deposited in the fund for domestic violence programs. The bill also permits a retired supreme court justice who is under the age of 75 to serve as a temporary justice on the court.

The question is on the adoption of the Committee Amendment.

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

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

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

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

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

HB 394-FN, relative to crop theft.

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

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

HB 399-FN, relative to annulment of arrests or convictions for possession of a certain quantity of marijuana. Ought to Pass with Amendment, Vote 3-2. Senator French for the committee.

Senate Judiciary

May 14, 2019

2019-1948s

04/06

Amendment to HB 399-FN

Amend the bill by replacing section 1 with the following:

1 New Section; Annulment of Arrests and Convictions for Marijuana Possession. Amend RSA 651 by inserting after section 5-a the following new section:

651:5-b Annulment of Arrests and Convictions for Marijuana Possession. Any person who was arrested or convicted for knowingly or purposely obtaining, purchasing, transporting, or possessing, actually or constructively, or having under his or her control, 3/4 of an ounce of marijuana or less where the offense occurred before September 16, 2017 may, at any time, petition the court in which the person was convicted or arrested to annul the arrest record, court record, or both. The petition shall state that the amount of marijuana was 3/4 of an ounce or less. The petitioner shall furnish a copy of the petition to the office of the prosecutor of the underlying offense. The prosecutor may object within 10 days of receiving a copy of the petition and request a hearing. If the prosecutor does not object within 10 days, the court shall grant the petition for annulment. If the prosecutor timely objects, the court shall hold a hearing. In a hearing on the petition for annulment, the prosecutor shall be required to prove beyond a reasonable doubt that the petitioner knowingly or purposely obtained, purchased, transported, or possessed, actually or constructively, or had under his or her control, marijuana in an amount exceeding 3/4 of an ounce. At the close of the hearing, the court shall grant the petition unless the prosecutor has proven that the amount of marijuana exceeded 3/4 of an ounce. If the petition is granted, and an order of annulment is entered, the provisions of RSA 651:5, X-XI shall apply to the petitioner.

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 481-FN-A-L, relative to the legalization and regulation of cannabis and making appropriations therefor. Re-refer to Committee, Vote 5-0. Senator Hennessey for the committee.

The question is on the adoption of the motion of Rerefer to Committee. Adopted.

HB 486, relative to department of corrections procedures concerning the requirement for restoration of the voting rights of felons.

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

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

HB 491, relative to questioning and detaining suspects.

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

Senate Judiciary

May 21, 2019

2019-2181s

08/10

Amendment to HB 491

Amend RSA 594:2 as inserted by section 1 of the bill by replacing it with the following:

594:2 Questioning and Detaining Suspects. A peace officer may stop any person abroad whom [he] *the officer* has reason to suspect is committing, has committed, or is about to commit a crime[~~and may demand of him his name, address, business abroad and where he is going~~]. ***An officer may request the person's name and address, but the officer shall not arrest the person based solely on the person's refusal to provide such information, or otherwise without probable cause. Nothing herein shall be construed to limit the provisions of RSA 265:4.***

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

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

HB 605-FN, relative to criminal penalties for possession, transfer, or manufacture of animal fighting paraphernalia with the intent to be present at, aiding in, or contributing to such fighting.

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

Senate Judiciary

May 14, 2019

2019-1953s

08/04

Amendment to HB 605-FN

Amend RSA 644:8-a, III(b) as inserted by section 2 of the bill by replacing it with the following:

(b) For purposes of this section, "animal fighting paraphernalia" means equipment, products, implements, and materials of any kind that are used, intended for use, or designed for use in the training, preparation, conditioning, or furtherance of animal fighting, and includes, but is not limited to, the following: breaking sticks, cat mills, fighting pits, springpoles, unprescribed anabolic steroids, unprescribed anti-inflammatory steroids, unprescribed antibiotics, treatment supplies or gaffs, slashers, heels, or any other sharp implement designed to be attached in place of the natural spur of a cock or game fowl.

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 637-FN, relative to criminal history background checks by employers and public agencies.

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

Senate Judiciary

May 14, 2019

2019-1965s

04/05

Amendment to HB 637-FN

Amend RSA 106-B:1, XI as inserted by section 1 of the bill by replacing it with the following:

XI. "Public criminal history record information" means New Hampshire state criminal history record information that is not confidential criminal history record information. "Public criminal history record information" shall not include violations of RSA 638:13, relating to the use and possession of slugs; RSA 644:8-f, relating to transporting dogs in pickup trucks; RSA 644:16-a, relating to the sale or use of stink bombs; RSA 644:16-b, relating to the sale or use of smoke bombs; or RSA 635:3, relating to trespassing stock or domestic fowl.

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

Senator Chandley offered a Floor Amendment.

Sen. Chandley, Dist 11
May 29, 2019
2019-2361s
04/08

Floor Amendment to HB 637-FN

Amend the introductory paragraph in RSA 106-B:14, I as inserted by section 2 of the bill by replacing it with the following:

I. With the approval of the commissioner of safety, the director shall adopt rules under RSA 541-A as may be necessary to secure records and other information relative to persons who have been convicted of a felony, misdemeanor, or violation within the state, or who are known to be habitual criminals, or who have been placed under arrest in criminal proceedings. The term "violation" as used in this section shall apply only to violations committed under title LXII. ***The division shall maintain public criminal history record information in an electronic database.*** Notwithstanding RSA 91-A, records and other information secured by the director under this section, including but not limited to dissemination logs, shall not be disclosed to any individual or public or private agency except as follows:

Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse, Morgan.

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

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

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

The following Senators voted Yes: Starr, Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

Roll Call, Yeas: 15 - Nays: 9. Adopted, bill ordered to Third Reading.

ADDENDUM REGULAR CALENDAR

COMMERCE

HB 233, relative to the group and individual health insurance market.

Re-refer to Committee, Vote 3-2. Senator Cavanaugh for the committee.

The question is on the adoption of the motion of Rerefer to Committee. Adopted.

HB 277, establishing a commission to study a public option for health insurance.

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

Commerce
May 28, 2019
2019-2343s
01/06

Amendment to HB 277

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

AN ACT relative to mental health parity under the insurance laws.

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

1 Coverage for Certain Biologically-Based Mental Illnesses. Amend RSA 417-E:1, II to read as follows:

II. Notwithstanding any other provision of law, each insurer that issues or renews any policy of [group] accident or health insurance and each nonprofit health service corporation under RSA 420-A and health maintenance organization under RSA 420-B providing benefits for disease or sickness in the state of New Hampshire shall provide benefits for treatment and diagnosis of certain biologically-based mental illnesses under the same terms and conditions and which are no less extensive than coverage provided for any other type of health care for physical illness.

2 Coverage for Certain Biologically-Based Mental Illnesses. Amend RSA 417-E:1, V to read as follows:

V. The commissioner *shall have the authority to enforce the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (the Act), including any amendments thereto and any federal rules adopted thereunder, and* may adopt rules, under RSA 541-A, as may be necessary to effectuate any provisions of the [~~Mental Health Parity Act of 2008~~] *Act* that relate to the business of insurance.

V-a. Under examination authority in RSA 400-A:37, the commissioner shall periodically examine and evaluate health insurers, health service corporations, and health maintenance organizations for compliance with this chapter and with the Act. Such examination and evaluation shall include provider reimbursement practices. The result of such examinations and evaluations shall be made public to the fullest extent allowed under RSA 400-A:37.

3 Effective Date. This act shall take effect January 1, 2020.

2019-2343s

AMENDED ANALYSIS

This bill authorizes the insurance commissioner to enforce the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and requires the commissioner to examine and evaluate health insurers, health service corporations, and health maintenance organizations for compliance.

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.

ENERGY AND NATURAL RESOURCES

HB 494, relative to removal or containment of contaminants from the Coakley Landfill.

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

Energy and Natural Resources

May 28, 2019

2019-2334s

08/06

Amendment to HB 494

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

2 Remedy. The general court concurs with the New Hampshire department of environmental services that the migration of contaminants from the site groundwater at the Coakley Landfill superfund site to the headwaters of Berry's Brook is unacceptable and that actions need to be implemented to provide additional removal or containment of the contamination in the surface water bodies that flow through all seacoast towns, including but not limited to Hampton, North Hampton, Rye, Greenland, and Portsmouth, and to public and private drinking water in the towns of Hampton, North Hampton, Rye, and Greenland. Therefore, by November 1, 2019, the department of environmental services, working with the Coakley Landfill Group and the Environmental Protection Agency (EPA), shall propose, under the applicable consent decree involving the Coakley Landfill superfund site, an appropriate remedy including a design solution and associated costs to ensure the substantial reduction of the contaminants entering Berry's Brook from the Coakley Landfill superfund site. By January 1, 2020, if there is no written agreement among the department of environmental services, the Coakley Landfill Group and the EPA as to an acceptable remedy and implementation schedule, the office of the attorney general shall seek such a remedy through any means appropriate, consistent with the consent decree.

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

2019-2334s

AMENDED ANALYSIS

This bill directs the department of environmental services to pursue a remedy regarding the substantial reduction of certain contaminants from the Coakley Landfill.

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

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

HEALTH AND HUMAN SERVICES

HB 587, relative to organ donation on a driver's license.

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

Health and Human Services

May 28, 2019

2019-2348s

11/06

Amendment to HB 587

Amend the bill by replacing section 1 with the following:

1 Uniform Anatomical Gift Act; Honoring an Individual's Decision to Donate. Amend RSA 291-A:23 to read as follows:

291-A:23 Honoring an Individual's Decision to Donate. A person's decision to make a donation of that person's own body, organ, or tissue after death shall be honored ***and shall not be amended by anyone, including any agent with authority to make health care decisions under an advanced directive or any person who otherwise serves as a guardian or proxy for the donor, other than the donor prior to or after the donor's death unless pursuant to RSA 291-A:8, VII.*** In the absence of a revocation or amendment ***by the individual prior to death***, health care providers and procurement organizations shall act in accordance with the donor's decision and may take appropriate actions to effect the anatomical gift.

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

Senator Sherman offered a Floor Amendment.

Sen. Sherman, Dist 24

Sen. Chandley, Dist 11

May 30, 2019

2019-2397s

11/04

Floor Amendment to HB 587

Amend the bill by replacing section 1 with the following:

1 Uniform Anatomical Gift Act; Honoring an Individual's Decision to Donate. Amend RSA 291-A:23 to read as follows:

291-A:23 Honoring an Individual's Decision to Donate. A person's decision to make a donation of that person's own body, organ, or tissue after death ***pursuant to RSA 291-A:4, I*** shall be honored. ~~[In the absence of a revocation or amendment,]~~ ***Such a decision may only be revoked or amended as allowed in RSA 291-A:6, RSA 291-A:8, VII, or RSA 291-A:14, VI.*** Health care providers and procurement organizations shall act in accordance with the donor's decision and ~~[may take appropriate actions]~~ ***shall make reasonable efforts*** to effect the anatomical gift.

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

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

Recess. Out of recess.

JUDICIARY

HB 263, relative to department of health and human services family reunification practices involving convicted sex offenders.

Re-refer to Committee, Vote 3-1. Senator Hennessey for the committee.

The question is on the adoption of the motion of Rerefer to Committee. Adopted.

HB 349, relative to a second opinion on health care matters for state and county prisoners. Ought to Pass with Amendment, Vote 4-1. Senator Chandley for the committee.

Senate Judiciary
May 28, 2019
2019-2328s
04/10

Amendment to HB 349

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

1 New Paragraph; Medical Services for County Prisoners. Amend RSA 623-C:1 by inserting after paragraph II the following new paragraph:

III. The superintendent of a county correctional facility shall, upon request of the prisoner, provide each prisoner the opportunity to arrange for a second medical consult from a licensed health care provider not employed or contracted by the county or the state. Unless the superintendent or his or her designee allows for other arrangements, the examination shall occur at the correctional facility. Correctional facility staff shall approve a visit by any health care provider licensed or credentialed by the state of New Hampshire. The correctional facility may charge an administrative fee of no more than \$35 to process the prisoner's second medical consult. The prisoner may request a specific health care provider only if the second medical consult is at the prisoner's expense, or at the expense of another person on behalf of the prisoner. The prisoner shall make payment arrangements in advance of the medical examination to cover the \$35 fee and the cost of the second medical consult. Expenses for the second medical consult shall be billed directly to the prisoner or to the responsible party designated by the prisoner. If the primary care provider and the secondary care provider present conflicting medical opinions, the county correctional facility's health care provider shall make the final determination regarding the medical treatment for the prisoner.

2 New Paragraph; Medical Services for State Prisoners. Amend RSA 623-C:2 by inserting after paragraph III the following new paragraph:

IV. The commissioner of the department of corrections shall, upon request of the prisoner, provide each prisoner the opportunity to arrange for a second medical consult from a licensed health care provider not employed or contracted by the county or the state. Unless the commissioner or his or her designee allows for other arrangements, the examination shall occur at the correctional facility. Correctional facility staff shall approve a visit by any health care provider licensed or credentialed by the state of New Hampshire. The prisoner may request a specific health care provider only if the examination is a second medical consult at the prisoner's expense, or at the expense of another person on behalf of the prisoner. The prisoner shall make payment arrangements in advance of the medical examination. Expenses for the second medical opinion shall be billed directly to the prisoner or to the responsible party designated by the prisoner. If the primary care provider and the secondary care provider present conflicting medical opinions, the department of corrections' chief medical officer or designated health care provider shall make the final determination regarding the medical treatment for the prisoner.

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 552-FN, relative to transparency and standards for acquisition transactions in health care. Ought to Pass with Amendment, Vote 3-2. Senator Levesque for the committee.

Senate Judiciary
May 28, 2019
2019-2335s
01/10

Amendment to HB 552-FN

Amend RSA 7:19-b, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Due diligence has been exercised in selecting the acquirer, in engaging and considering the advice of expert assistance, in negotiating the terms and conditions of the proposed transaction, and in determining

that the transaction is in the best interest of the health care charitable trust and the community **or communities** which it serves, ***including the community's or communities' need to access to quality and affordable physical and mental health care services***;

Amend RSA 17:19-b, II(e)-(g) as inserted by section 2 of the bill by replacing them with the following:

(e) The assets of the health care charitable trust and any proceeds to be received on account of the transaction shall continue to be devoted to charitable purposes consistent with the charitable objects of the health care charitable trust and the needs of the community **or communities** which it serves, ***including the community's or communities' need to access quality and affordable physical and mental health care services***;

(f) If the acquirer is other than another New Hampshire health care charitable trust, control of the proceeds shall be independent of the acquirer; and

(g) Reasonable public notice of the proposed transaction and its terms has been provided to the community **or communities** served by the health care charitable trust, ***including, but not limited to, transaction documents and an analysis of how the transaction will meet the community's or communities' need for access to quality and affordable physical and mental health care services***, along with reasonable and timely opportunity for such community, through ***well-noticed*** public ~~[hearing or]~~ ***hearings*** **and** other similar methods, to inform the deliberations of the governing body of the health care charitable trust regarding the proposed transaction.

Amend RSA 7:19-b, III as inserted by section 3 of the bill by replacing it with the following:

III. Notice of a proposed acquisition transaction shall be given to the director of charitable trusts in writing to be received by the director no less than ~~[120]~~ **180** days before consummation of the transaction. Such notice shall identify all parties to the transaction; shall set forth all material terms thereof, including, without limitation, any changes in control or ownership of assets, any acquisition price, any change in the capital structure and management, and any and all compensation paid or to be paid in connection therewith; shall include a copy of the minutes and other documents evidencing the decision of the governing body of the health care charitable trust, including documentation of steps taken to comply with paragraph II(g) of this section and any changes in the proposed transaction resulting therefrom, any relevant community needs assessment developed by the health care charitable trust, ***data and analysis demonstrating how the transaction will meet the community's or the communities' need for access to quality and affordable physical and mental health care services***, and a copy of the acquisition agreement and financial statements of all parties; and shall include a certification signed by those members of the governing body or other person approving the acquisition on behalf of the health care charitable trust that the standards set forth in paragraph II of this section have been considered in good faith and complied with, together with such explanations and other documentation as may be necessary to demonstrate such compliance. The notice shall also include a statement from the acquirer specifying the manner in which it proposes to continue to fulfill the charitable objects of the health care charitable trust. Any information submitted pursuant to this section shall be subject to RSA 91-A.

Amend RSA 7:19-b, IV(b) as inserted by section 3 of the bill by replacing it with the following:

(b) The director shall seek input and advice from the commissioner of the department of health and human services and the insurance commissioner and may obtain from them confidential health care data and information in performing his or her functions under this section.

Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect January 1, 2020.

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 608, expanding the law against discrimination based on gender identity to other areas of the law prohibiting discrimination.

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

Senate Judiciary
 May 28, 2019
 2019-2333s
 08/04

Amendment to HB 608

Amend RSA 354-A:17 as inserted by section 2 of the bill by replacing it with the following:

354-A:17 Unlawful Discriminatory Practices in Public Accommodations. It shall be an unlawful discriminatory practice for any person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, because of the age, sex, gender identity, race, creed, color, marital status, physical or mental disability or national origin of any person, directly or indirectly, to refuse, withhold from or deny to such person any of the accommodations, advantages, facilities or privileges thereof; or, directly or indirectly, to publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account of age, sex, **gender identity**, race, creed, color, marital status, physical or mental disability or national origin; or that the patronage or custom thereof of any person belonging to or purporting to be of any particular age, sex, **gender identity**, race, creed, color, marital status, physical or mental disability or national origin is unwelcome, objectionable or acceptable, desired or solicited. In addition, no person shall be denied the benefit of the rights afforded by this section on account of that person's sexual orientation.

Amend RSA 354-B:1, I as inserted by section 8 of the bill by replacing it with the following:

I. All persons have the right to engage in lawful activities and to exercise and enjoy the rights secured by the United States and New Hampshire Constitutions and the laws of the United States and New Hampshire without being subject to actual or threatened physical force or violence against them or any other person or by actual or threatened damage to or trespass on property when such actual or threatened conduct is motivated by race, color, religion, national origin, ancestry, sexual orientation, ~~[gender]~~ **sex, gender identity**, or disability. "Threatened physical force" and "threatened damage to or trespass on property" is a communication, by physical conduct or by declaration, of an intent to inflict harm on a person or a person's property by some unlawful act with a purpose to terrorize or coerce.

Amend RSA 415-C:7, I(h) as inserted by section 17 of the bill by replacing it with the following:

(h) Unfairly discriminate based solely on age, place or area of residence, race, color, creed, national origin, ancestry, marital or civil union status, lawful occupation including military service, ~~[-gender]~~ **sex, gender identity**, sexual orientation, religion, or blindness or other disability.

Amend the bill by replacing all after section 18 with the following:

19 Accident and Health Insurance; Discrimination. Amend RSA 415:15 to read as follows:

415:15 Discrimination. Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of insurance covered by this chapter, or in the benefits payable thereon, or in any of the terms or conditions of such policy, or in any other manner whatever, is prohibited. ***Discrimination on the basis of gender identity with respect to the availability of any covered services, medications, supplies, or durable medical equipment is specifically prohibited.***

20 Unfair Insurance Trade Practices; Unfair Methods, Acts, and Practices Defined. Amend RSA 417:4, VIII(b) to read as follows:

(b) Making or permitting any unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees, or rates charged for any policy or contract of health insurance or in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatsoever. ***Discrimination on the basis of gender identity with respect to the availability of any covered services, medications, supplies, or durable medical equipment is specifically prohibited.***

21 Jurors; Prohibition of Discrimination. Amend RSA 500-A:4 to read as follows:

500-A:4 Prohibition of Discrimination. A citizen of this state shall not be excluded from jury service on account of race, color, religion, sex, **gender identity**, national origin or economic status.

22 Unlawful Discriminatory Practices. Amend RSA 354-A:7, III to read as follows:

III. For any employer or employment agency to print or circulate or to cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry or record in connection with employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to age, sex, gender identity, race, color, marital status, physical or mental disability, religious creed or national origin or any intent to make any such limitation, specification or discrimination in any way on the ground of age, sex, **gender identity**, race, color, marital status, physical or mental disability, religious creed or national origin, unless based upon a bona fide occupational qualification; provided, however, that nothing in this chapter shall limit an employer after the offer of hire of an individual from inquiring into and keeping records of any existing or pre-existing physical or mental conditions. In addition, no person shall be denied the benefit of the rights afforded by this paragraph on account of that person's sexual orientation.

23 Effective Date.

I. Sections 19 and 20 of this act shall take effect January 1, 2020.

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

Recess. Out of recess.

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 French, seconded by Senator Giuda.

The following Senators voted Yes: Bradley, Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, Reagan, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Gray, French, Ward, Carson, Birdsell, Morse.

Roll Call, Yeas: 16 - Nays: 8. Adopted, bill ordered to Third Reading.

SPECIAL ORDER

Without objection, the following bill is special ordered to next session. Adopted.

COMMERCE

HB 664-FN, relative to vehicle repair standards.

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

COMMERCE

HB 656, establishing a commission to study the impact of financial initiatives for commercially insured members by drug manufacturers on prescription drug prices and health insurance premiums.

Re-refer to Committee, Vote 5-0. Senator Morgan for the committee.

The question is on the adoption of the motion of Rerefer to Committee. Failed.

Senator Morgan moved Ought to Pass.

Recess. Out of recess.

Senator Morgan offered a Floor Amendment.

Sen. Morgan, Dist 23

May 29, 2019

2019-2389s

01/04

Floor Amendment to HB 656

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

AN ACT establishing a committee to study the impact of financial initiatives for commercially insured members by drug manufacturers on prescription drug prices and health insurance premiums.

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

1 Committee Established. There is established a committee to study the impact of financial initiatives for commercially insured members by drug manufacturers on prescription drug prices and health insurance premiums.

2 Membership and Compensation.

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

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties.

I. The committee shall study how financial initiatives for commercially insured members impact the cost of prescription drug prices and health insurance premiums. The committee's study shall include, but not be limited to:

(a) Identifying current financial assistance initiatives for commercially insured members provided by drug manufacturers, both directly and indirectly.

(b) How the use of free drug samples, copay coupons, and drug discount cards affects the health plan formularies, use of medications, charges, and payment rates for drugs.

(c) How the use of free drug samples, drug copay coupons, and drug discount cards affects medical cost trends and health insurance premiums.

(d) How drug manufacturer financial assistance with member cost sharing coordinates within commercial health insurance cost sharing structures, including high deductible health insurance plans.

(e) Examining persons, entities, and organizations that benefit from consumer use of drug manufacturer provided financial assistance to commercially insured members.

(f) How the use of drug manufacturer provided financial assistance drives market share of certain prescription drugs.

(g) Identifying funding provided to patient advocacy groups by drug manufacturers, either directly or indirectly.

(h) Reviewing legislation from other states and the results of such legislation.

(i) How drug manufacturer financial assistance initiatives benefit consumers who cannot otherwise afford their prescription medication.

(j) Proposing changes to New Hampshire law to reduce the rising cost of pharmaceuticals.

II. The committee shall prioritize studying drug copay coupons with the intent of either proposing an amendment to HB 717-FN of the 2019 regular legislative session or proposing new legislation for the 2020 legislative session.

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

5 Report. The committee shall make a report with its interim findings by November 1, 2019 to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library. The interim report shall contain any recommendations for proposed legislation on drug copay coupon programs. The committee shall make a final report with any further recommendations for proposed legislation on or before November 1, 2020 to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library.

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

2019-2389s

AMENDED ANALYSIS

This bill establishes a committee to study the impact of financial initiatives for commercially insured members by drug manufacturers on prescription drug prices and health insurance premiums.

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

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

Without objection, the Clerk shall read the first complete House Message and thereafter only the title of each bill shall be read. Adopted.

HOUSE MESSAGE

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

SB 18, relative to authorized employee wage deductions.

Senator Cavanaugh moved Concurrence.

A division vote was requested.

Yeas: 14 - Nays: 9. Adopted.

SB 27, relative to certain unclassified positions within the department of health and human services.

Senator Carson moved Concurrence. Adopted.

SB 30, relative to the advisory board on services for children, youth, and families.

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

The President appointed Senators Carson, Cavanaugh and Rosenwald.

SB 49, relative to the state fire code.

Senator Carson moved Concurrence. Adopted.

SB 59-FN, (New Title) adding post traumatic stress disorder and acute stress disorder to the definition of “injury” for purposes of workers’ compensation, establishing the commission to study the incidence of post-traumatic stress disorder in first responders, and clarifying workers’ compensation for firefighter and heart, lung, or cancer disease.

Senator Cavanaugh moved Concurrence.

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

The following Senators voted Yes: Bradley, Watters, Hennessey, Gray, Ward, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Carson, Feltes, Cavanaugh, Birdsell, D’Allesandro, Fuller Clark, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, French.

The following Senators were excused: Reagan.

Roll Call, Yeas: 20 - Nays: 3. Adopted.

SB 193-FN, prohibiting the sale of certain furniture and carpeting with flame retardant chemicals.

Senator Cavanaugh moved Concurrence. Adopted.

SB 197, relative to noncompete agreements for low-wage employees.

Senator Cavanaugh moved Concurrence. Adopted.

SB 208, renaming the adjutant general’s department to the department of military affairs and veterans services.

Senator Carson moved Concurrence. Adopted.

SB 233, relative to the classification of certain state employee positions.

Senator Carson moved Concurrence. Adopted.

SB 257-FN, prohibiting foams containing perfluoroalkyl chemicals for use in fighting fires.

Senator Carson moved Concurrence. Adopted.

MOTION TO ADJOURN FROM EARLY SESSION

Senator Feltes 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 Chandley: HB 263

Senator Levesque: HB 481-FN-A-L

Senator Morgan: HB 552-FN

Senator Morse: HB 552-FN

Senator Rosenwald: HB 552-FN

Senator Sherman: HB 552-FN

Senator Soucy: SB 59-FN, SB 257-FN

SENATE CLERK'S NOTE

Senator Chandley's Rule 6-25 on House bill 263 was provided to the Senate Clerk's Office by the appropriate deadline and the Senate Clerk's Office inadvertently omitted advertising it in the original Daily Senate Journal.

ANNOUNCEMENTS

(The Chair recognized Senator Morse.)

SENATOR MORSE: Thank you, Madam President. Personal privilege. Let me make one thing first perfectly clear: I respect Senator D'Allesandro greatly, and I don't doubt that the AG told him removing money from this account would be appropriate if the legislature deemed it so. That is not what I am debating.

I certainly support the subject matter of \$6 million that the Finance Committee took up. The Governor contacted me, and I changed my schedule to be here yesterday to attend that water conference where they said the two lawsuits were going to happen, and I did so because I believe water is that important in the state of New Hampshire.

I voted for the lead bill last year. I sat on the commission and we certainly were asked on the commission because no money was appropriated to forward some money to make sure that we had some start up in the Department of Education to take care of a problem. So, we gave a million and a half dollars up front knowing it was about a \$4 million problem, \$4.5 million problem, with the intention we come back to the legislature to be reimbursed.

You know Senators, past Senators, Senator Russman, has worked two and a half years writing rules much like LCHIP for this committee because this committee wanted to act like LCHIP; that's the drinking water trust fund. This committee realized that \$280 million wasn't enough money to solve the MTBE problem; they needed \$800 million. So, as we went through the process we tried to figure a way to triple our money. You can't take \$6 million with no match and triple your money. Everything we've done on this committee is to make sure the fund does what it's supposed to do. The top priority in the state of New Hampshire is contamination. The committee voted on that; they worked with the Department.

All I was pointing out is that if this commission is going to succeed and live past the year 2043, which is what the commission did with the financial people that were involved with the project, there needs to be discipline. And in a \$13.5 million budget, billion-dollar budget, you can find \$6 million. Trust me. So, all I'm suggesting is this drinking water committee has been working very hard to design the next LCHIP in the state of New Hampshire.

Two processes coming up right away: one in the summer we protect source water. That application process starts right now. The next process starts on September 13th where people apply. If we're going to take money out where they're expecting that there's going to be \$37 million in the process and we're not going to have money there, then having the process kind of gets defeated. And we've coached all these people in the state of New Hampshire. Many of you have sent people to the commission or to myself to explain the process and coach them how to get through it. And I'll use Peterborough as the example: they came in for \$2.5 to \$3 million, they didn't ask for the appropriation, they asked for a positive vote, so they could go to town meeting, and get the town meeting to meet exactly that one-third formula, which they did, and now we will appropriate the money for them. So that's how it's been working.

I'm very protective of the fund for the right reason. There's a lot of contamination in New Hampshire and all I'm asking this legislature to understand is in order to keep up with the needs that we're seeing, we need some money. Thank you.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Madam President, members of the Senate. On a somewhat different tack—thank you, Senator Morse, for your very cogent remarks. It's my pleasure, by surprise, to announce a 32nd wedding anniversary of the Senator from District 11 and her husband, who has been patiently watching us debate. Welcome to the Senate and congratulations! Thank you, Madam President.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you very much, Madam President. I want to do two things. First of all, I want to tell you that on Monday, the 27th of May, the beautiful and talented Patricia Morganstern D'Allesandro and her husband, the miniscule Lou, celebrated their 58th wedding anniversary. We started going out when we were freshman in college. So, we've been together for about 62 years, and it's been the greatest experience of my life. I just can't say enough about it. She's put up with me for all of this time and she deserves a star for that. Thank you.

With regard to the comments from my colleague, Senator Morse, he knows, and I don't have to say this, he knows I have the greatest respect for him and the work he's done here, particularly in the water area. Just let me give you the circumstances because I think they have to be addressed.

I was called by the Governor, who said that he was going to have a press conference the next day and they were going to need "x" amount of dollars in order to address this particular situation. I asked that the Attorney General come before the Finance Committee and present the issue. A: present the two suits that were going forward, and what was required to support those suits.

We're in the process of putting the budget together; it is a big budget. There is a way to find \$6 million, but I think what they wanted immediately was an answer to get money to environmental services so that the research work could be done to collaborate the suit. So, we did that, you know, with the caveat absolutely that the money would be restored to the fund. There's no intent to deplete the fund of the \$6 million. There's no intent not to pay the money back as quickly as possible. The reason I suggested taking it from the trust was the urgency of the situation. The Attorney General said this is a matter of extreme emergency for the state of New Hampshire. And the amount of money that's going to be spent through his iteration was there was going to be a lot of money spent and it was going to cost municipalities a lot of money, and hopefully the recovery would be substantial enough to cover that.

But I want to make it perfectly clear: it was no attempt to raid the fund. The idea was to get the money that was required to do the job as quickly as possible. There is every intention to take the money from the fund, and we could go to the revenue stabilization account to get that money if it's that important to the Governor. He has that option to ask for that, and we'll certainly work within the confines of the monies that we have.

As we're sorting things out, we have to get two things done. The House has to agree with our revenue projections, alright. That's got to be done in order for us to move forward, and we will do that, and we'll solve it. But there's every intention to restore that fund. You built that fund with Senator Feltes and done a great job with it. The money will go back into the fund. So, I hope that's clear to everybody. There's no attempt to do something that's inappropriate.

And Madam President, I have to give just a quickie on Mike Dupre, whose daughter Mindy worked for the Senate for a long period of time. Mike Dupre passed away. His wake is tomorrow morning at 9 o'clock at the Lambert Funeral Home in Manchester. Senator Morse will be leading a contingent of people; the Senate President will be there, also. I can't make it because we're going to be here at 9 o'clock to do the finals for the Finance Committee. But Mike was very active in politics; very active at Saint Anselm College as the chairman of the sociology department; won an award as a distinguished teacher at Saint Anselm College. And for those of you that know the west side of Manchester, he hung out on Fridays at Chez Vachon. Kevin, you know Chez. And Chez is a stop at the west side for everybody who is anybody in the city of Manchester. And Dickie Moquin, who I had as a student at Bishop Bradley High School, Moquin & Daley law firm in Manchester, leads a contingent on Friday mornings and everybody goes there. Mike had four children. He was married, I think for 38-40 years. He was at the college for 38 years and, as I said, chairman of the sociology department. He liked to travel. He had a love of politics. He was involved in politics, what...wasn't he one of the kings in the intern situation; bringing interns to here, to this body from Saint Anselm College. So, as I said, tomorrow is his wake, and I believe the service is tomorrow, also, at the Lambert Funeral Home in Manchester. So, it's always sad when we bring these things forward but it's always good to remember quality people who did so much for the process, and so much for youngsters to make their lives better as students and to make our lives a little bit better by supplying interns and doing good things. So, with that, thank you very much, Madam President.

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Madam President. I rise for a moment of personal privilege. I appreciate your sending Chief Burke up into the gallery today. I understand we are a public body. We invite cameras to be on the floor. We invite cameras that people pull out in the gallery to observe a particular vote. When somebody is hanging over the balcony and pointing their camera for an inordinate amount of time over an inordinate number of bills, that is not acceptable to me. And I ask for your permission that should I feel that there is improper threatening-like presence in the gallery that I observe, that if I pull out my camera, which I would do on the street, to take a photo of the person who is doing that, that I ask your pardon and your acknowledgement that it is not to check my messages from my wife but it is to do something that I feel I would do to protect myself were I in any other place that's public, including this body. Thank you, Madam President.

PRESIDENT SOUCY: We do have a rule in the Senate that electronic devices except for the ipads that are approved are prohibited. I would encourage any Senator who at any time feels uncomfortable with anything going on in the gallery to please raise that concern. There shouldn't be people hanging over the building and there shouldn't be people recording when we're not in session. We are a public body; we are a very open place and encourage that, but to the extent anyone feels threatened or uncomfortable, we do have protective services in place for that reason to protect all of us. So, I would ask you if you have concerns in the future to please raise them with me and we will deal with them immediately. Thank you.

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

LATE SESSION

Third Reading and Final Passage

HB 25-A, making appropriations for capital improvements.

HB 105-FN, relative to domicile residency, voter registration, and investigation of voter verification letters.

HB 110-FN-A, relative to the cost of fiscal analysis of legislation relating to the retirement system and relative to the reclassification of jobs in the retirement system.

HB 115, relative to the regulation of private investigators, security guards, and bail recovery agents.

HB 122, allowing for gifts, grants, and donations to legislative employees or officers for expenses associated with state and national legislative association events.

HB 198-FN, clarifying the prohibition against the use of mobile electronic devices while driving.

HB 211, relative to inquiries by prospective employers concerning salary history.

HB 239, relative to requirements for supervision for licensure of certain mental health and drug counselors.

HB 243, relative to membership of the Pease development authority board of directors.

HB 271, relative to apprentice electricians and third party electrical inspections.

HB 277, relative to mental health parity under the insurance laws.

HB 287, relative to nepotism in state employment.

HB 293, relative to employee credit privacy.

HB 295-FN-A, establishing a special marriage officiant license and relative to the assignment of temporary justices to the supreme court.

HB 315, relative to the Interstate Voter Registration Crosscheck Program and the accuracy and efficiency of voter registration systems.

HB 335, relative to therapeutic cannabis dispensary locations.

HB 349, relative to a second opinion on health care matters for state and county prisoners.

HB 351, relative to exemptions from property attachments.

HB 394-FN, relative to crop theft.

HB 399-FN, relative to annulment of arrests or convictions for possession of a certain quantity of marijuana.

HB 410, allowing all state agencies and political subdivisions to have access to enhanced 911 information.

HB 480-FN, relative to sports betting.

HB 486, relative to department of corrections procedures concerning the requirement for restoration of the voting rights of felons.

HB 491, relative to questioning and detaining suspects.

HB 494, relative to removal or containment of contaminants from the Coakley Landfill.

HB 495, establishing a commission on drinking water.

HB 522, establishing a commission to study the environmental and health effects of evolving 5G technology.

HB 524, establishing a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.

HB 531, relative to the delivery of absentee ballots cast by elderly or disabled citizens.

HB 552-FN, relative to transparency and standards for acquisition transactions in health care.

HB 577, relative to call blocking in an automated telephone dialing system.

HB 587, relative to organ donation on a driver's license.

HB 605-FN, relative to criminal penalties for possession, transfer, or manufacture of animal fighting paraphernalia with the intent to be present at, aiding in, or contributing to such fighting.

HB 608, expanding the law against discrimination based on gender identity to other areas of the law prohibiting discrimination.

HB 611-FN, allowing voters to vote by absentee ballot.

HB 615, relative to the regulation of pharmacies and pharmacists.

HB 617, establishing a committee to study recycling streams and solid waste management in New Hampshire.

HB 627, relative to exceptions from certain pharmacy requirements for veterinarians.

HB 635-LOCAL, enabling a payment in lieu of taxes for a combined heat and power agricultural facility.

HB 637-FN, relative to criminal history background checks by employers and public agencies.

HB 651, allowing the use of campaign funds for child care expenses.

HB 656, establishing a committee to study the impact of financial initiatives for commercially insured members by drug manufacturers on prescription drug prices and health insurance premiums.

HB 710-FN, relative to adoption of state building code and fire code amendments.

MOTION TO RECESS TO CALL OF THE CHAIR

Senator Feltes 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.