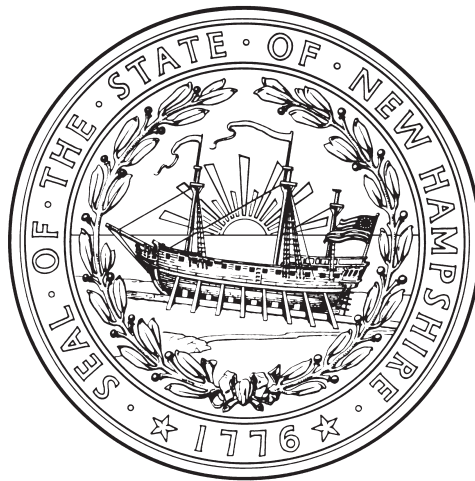


February 14, 2019
Nos. 4-5

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – JANUARY 31, 2019 SESSION
COMMENCEMENT – FEBRUARY 14, 2019 SESSION**

SENATE JOURNAL 4 *(continued)*

January 31, 2019

HOUSE MESSAGE

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

HB 111, (New Title) establishing a committee to study the effect of the opioid crisis, substance misuse, adverse childhood experiences (ACEs), and domestic violence as a cause of posttraumatic stress disorder syndrome (PTSD) and other mental health and behavioral problems in New Hampshire children and students.

HB 189-FN, establishing an exemption from criminal penalties for child sex trafficking victims.

HB 260, relative to the purging of motor vehicle violations.

HB 267, relative to the international registration plan.

HB 268, relative to real estate commissions paid to unlicensed entities.

HB 307, relative to driver's license photographs.

HB 337, relative to property and casualty insurance.

HB 339, relative to commercial modernization.

HB 342, relative to insurance examinations.

HB 347, adding insurer's policy administration expenses to commercial rate standards.

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

HB 433, relative to foreign insurance companies.

HB 500, naming the Warner roundabout in memory of Barbara Annis.

HCR 4, encouraging media outlets not to broadcast the name or image of a suspected perpetrator of a mass shooting.

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

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

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 5

February 14, 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, as we celebrate love today, help us to search for the deeper love. The love you call us to today is not a mushy sentimental love; it is a love that seeks the best of our neighbor; a love that is not selfish, boastful, or rude; it is a love that does not insist on its own way, but is willing to compromise for the betterment of other people. Help us to pass laws that are the best for all the people of New Hampshire. Help us to pass laws not because of our feelings, but based on our deep love for our fellow citizens. Help us to care for the widow, the stranger, the homeless, the lost and forsaken; and we thank you for all those in our lives who gave us true love. Remember all those who are patient with us when we learned hard lessons in our lives. Remember those who are kind to us when we needed a kind word. Remember those who worked hard so we could be here today. And we especially remember Josh Elliott's mom's passing. Remember today that love bears all things, believes all things, hopes all things, endures all things. Give us the wisdom and strength to truly love. Amen.

PRESIDENT SOUCY: The entire Senate wants to offer our deepest condolences to Josh and his family in the loss of his mom.

Senator Watters led the Pledge of Allegiance.

Senator Fuller Clark is excused for the day.

SPECIAL ORDER

Without objection, the following bills are special ordered to after Energy and Natural Resources. Adopted.

COMMERCE

SB 19, relative to the privacy of certain information concerning public employees.

SB 59-FN, adding post traumatic stress disorder and acute stress disorder to the definition of “injury” for purposes of workers’ compensation and reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.

SB 146-FN, relative to eliminating the waiting period before eligibility to receive unemployment benefits.

SB 151-FN, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers’ compensation coverage.

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

SB 195-FN, relative to insurance continuing education.

SB 249-FN, including the legislature as a public employer under the public employee labor relations act.

SB 250-FN, relative to forgery of a certificate of insurance.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 12-FN-A, establishing the New Hampshire college graduate retention incentive partnership program and making an appropriation therefor.

SB 196, relative to non-academic surveys administered by a public school to its students.

MOTION TO VACATE

Without objection, the following Senate Bill was vacated from the Committee on Finance and referred to the Committee on Education and Workforce Development. Adopted.

SB 309-FN-LOCAL, relative to stabilization grants for education.

AMENDED FN REPORT FOR FEBRUARY 14, 2019

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

CONSENT CALENDAR:

COMMERCE

SB 58-FN, relative to reimbursement rates for low-dose mammography coverage.

SB 252-FN, relative to the detection and prevention of financial exploitation of vulnerable adults.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 268-FN, providing in-state tuition rates at any university system of New Hampshire institution for any person registered to vote in this state.

ENERGY AND NATURAL RESOURCES

SB 121-FN, relative to acquisition rights and easements at Weeks Crossing Dam in the town of Warren by the department of environmental services.

JUDICIARY

SB 183-FN, relative to salaries of certain circuit court judges.

TRANSPORTATION

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

SB 264-FN, relative to motorcycle registration for a period of less than one year.

REGULAR CALENDAR:

COMMERCE

SB 59-FN, adding post traumatic stress disorder and acute stress disorder to the definition of “injury” for purposes of workers’ compensation and reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.

SB 146-FN, relative to eliminating the waiting period before eligibility to receive unemployment benefits.
 SB 151-FN, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers' compensation coverage.
 SB 193-FN, prohibiting the sale of certain furniture and carpeting with flame retardant chemicals.
 SB 195-FN, relative to insurance continuing education.
 SB 250-FN, relative to forgery of a certificate of insurance.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 12-FN-A, establishing the New Hampshire college graduate retention incentive partnership program and making an appropriation therefor.

HEALTH AND HUMAN SERVICES

SB 225-FN, adding physician assistants to certain New Hampshire laws.

JUDICIARY

SB 125-FN, relative to parental reimbursement for voluntary services provided under the child in need of services (CHINS) program.

TRANSPORTATION

SB 239-FN, relative to implementation of the blue alert system in New Hampshire.

WAYS AND MEANS

SB 189-FN, relative to the insurance premium tax.

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

CONSENT CALENDAR:

EDUCATION AND WORKFORCE DEVELOPMENT

SB 107-FN, relative to extended foster care under the child protection act.

TRANSPORTATION

SB 238-FN, relative to the registration of motor vehicles owned by veterans.

REGULAR CALENDAR:

COMMERCE

SB 249-FN, including the legislature as a public employer under the public employee labor relations act.

ENERGY AND NATURAL RESOURCES

SB 202-FN-A, establishing a stormwater management and flood resilience fund within the department of environmental services.

SB 254-FN-A, appropriating funds to the department of environmental services for the purpose of funding eligible wastewater projects under the state aid grant program.

SB 269-FN-A, making an appropriation to the department of natural and cultural resources to perform an ecological integrity assessment.

TRANSPORTATION

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

SB 185-FN-A, establishing a rail trail corridors advisory committee to assist the department of transportation in updating the state trails plan and making an appropriation therefor.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS REMOVED

EDUCATION AND WORKFORCE DEVELOPMENT

SB 65, by Senator Kahn

SB142, by Senator Carson

CONSENT CALENDAR

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

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

COMMERCE

SB 58-FN, relative to reimbursement rates for low-dose mammography coverage.

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

This bill clarifies the reimbursement rates for low-dose mammography screenings. This bill ensures that providers of low-dose mammography screenings shall be reimbursed at rates accurately reflecting the resource costs specific to each modality, including any increased cost of a 3-D breast tomosynthesis. The legislation will ensure that all carriers consistently follow the intent of the law passed last year.

SB 252-FN, relative to the detection and prevention of financial exploitation of vulnerable adults.

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

This bill permits broker-dealers and investment advisors to delay disbursements from accounts of eligible individuals when such broker-dealers and investment advisors, or other qualified individuals, reasonably believe that the requested disbursement may result in financial exploitation. This bill's purpose is to allow a qualified individual acting in good faith to delay or prevent a transaction they deem is the result of financial exploitation against a vulnerable adult under their supervision. This bill, as amended, will not affect the reporting requirements of RSA 161-F.

Commerce

February 6, 2019

2019-0317s

11/04

Amendment to SB 252-FN

Amend RSA 421-B:5-507-A, (2)(A) as inserted by section 1 of the bill by replacing it with the following:

(A) The secretary of state, provided nothing in this section shall affect the reporting requirements of RSA 161-F.

Amend RSA 421-B:5-507-A, (4)(B) and (C) as inserted by section 1 of the bill by replacing them with the following:

(B) Not more than 2 business days after the requested disbursement, notifies the secretary of state of such delay; and

(C) Continues its internal review of the suspected or attempted financial exploitation of the eligible adult, as necessary, and reports the investigation's results to the secretary of state within 7 business days after the day the broker-dealer or investment adviser first delayed disbursement of the funds.

Amend RSA 421-B:5-507-A, (5)(B) as inserted by section 1 of the bill by replacing it with the following:

(B) Fifteen business days after the date on which the broker-dealer or investment adviser first delayed disbursement of the funds, unless the secretary of state requests that the broker-dealer or investment adviser extend the delay. Upon such a request, the disbursement shall be delayed no more than 25 business days after the date on which the broker-dealer or investment adviser first delayed disbursement of the funds, unless sooner terminated by the secretary of state or an order of a court of competent jurisdiction.

Amend RSA 421-B:5-507-A, (6) as inserted by section 1 of the bill by replacing it with the following:

(6) A court of competent jurisdiction may enter an order extending the delay of the disbursement of funds or may order other protective relief upon the petition of the secretary of state, the broker-dealer or investment adviser that initiated the delay under RSA 421-B:5-507-A, (4), or other interested party.

Amend RSA 421-B:5-507-A, (8) as inserted by section 1 of the bill by replacing it with the following:

(8) A broker-dealer or investment adviser shall provide access to or copies of records that are relevant to the suspected or attempted financial exploitation of an eligible adult to law enforcement, either as part of a referral to law enforcement, or upon request of law enforcement pursuant to an investigation. The records may include historical records as well as records relating to the most recent transaction that may comprise financial exploitation of an eligible adult. Any records made available to law enforcement under this section shall not be considered a "governmental record" as defined in RSA 91-A. Nothing in this provision shall limit or otherwise impede the authority of the secretary of state to access or examine the books and records of broker-dealers and investment advisers as otherwise provided by law.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 107-FN, relative to extended foster care under the child protection act.

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

This bill provides for the extension of foster care services for young adults between the ages of eighteen and twenty-one, as long as they are students or working. Studies have shown that for each year of extended foster care, there is an increased probability of the young adult graduating high school, going to college, getting a job, and saving money. The committee determined from testimony given, that these young adults, some from abusive backgrounds, are more successful when they have a home to go to until twenty-one.

SB 136, relative to classification of students for tuition purposes in the university system.

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

This bill removes the rulemaking requirement for the adoption of criteria by the university system Board of Trustees when determining if a student is classified as in-state or out-of-state for tuition purposes. The Joint Legislative Committee on Administrative Rules suggested the USNH board seek legislation clarifying their authority under the USNH Charter, RSA 187-A:16 and SB 136 will give that clarification. This authority parallels the statutory authority granted to the NH Community College System.

SB 139, establishing a committee to study options for lowering student debt.

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

This bill establishes a committee to study options for lowering student loan debt in New Hampshire. Due to the high debt New Hampshire students face after college, they struggle with loan payments as high as \$1,000 a month. This delays young, educated citizens' starter home and car purchases. The amendment adds the New Hampshire Higher Education Assistance Foundation to the list of Organizations the committee will receive testimony and potential solutions from.

Education and Workforce Development

February 5, 2019

2019-0310s

06/05

Amendment to SB 139

Amend paragraph III as inserted by section 2 of the bill by inserting after subparagraph (h) the following new subparagraph:

(i) The New Hampshire Higher Education Assistance Foundation.

SB 144, requiring the lottery commission to notify the department of education about revenue.

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

This bill provides the Department of Education notice of Keno games revenue by September 1 of each year and defines the basis for keno games revenue distribution as the amount collected in the previous fiscal year. This will allow Department of Education to adequately distribute funds to participating school districts with full day kindergarten.

SB 268-FN, providing in-state tuition rates at any university system of New Hampshire institution for any person registered to vote in this state.

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

This bill would provide in-state tuition to any student who is registered to vote in this state, at any University System of New Hampshire Institution. The fiscal impact to the University System would be a loss of \$140 million dollars. The committee found that this impact could not be absorbed by the University System without a negative impact on the current residents of New Hampshire.

ENERGY AND NATURAL RESOURCES

SB 121-FN, relative to acquisition rights and easements at Weeks Crossing Dam in the town of Warren by the department of environmental services.

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

This bill gives the Department of Environmental Services acquisition rights and easements at Weeks Crossing Dam in the town of Warren. The Weeks Crossing Dam was critical to Warren as a recharge resource for fire suppression for both the woodlands and numerous houses nearby. The pond created by the dam was also a major tourist attraction for the town, bringing much needed reserves to local small

businesses. Reconstruction of the dam will help the town and the state. Warren has committed to operating, maintaining, and taking ownership of the dam after it is rebuilt, relieving the state of any future fiscal obligations for the dam.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 25, relative to exemptions from real estate practice license requirements.

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

This bill would have exempted persons engaged in rental, leasing, and management of residential housing units for an owner, business, or other entity under a formal management agreement from licensure under the Real Estate Practice Act. The Committee recommends Inexpedient to Legislate on the bill at the request of the prime sponsor.

SB 26, relative to the New Hampshire health care quality assurance commission.

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

This bill changes the name of the New Hampshire Health Care Quality Assurance Commission to the New Hampshire Health Care Quality and Safety Commission to highlight the focus of safety in the Commission's work. Furthermore, the bill makes the Commission permanent in recognition of the importance and success of the work the Commission has done since its enactment in 2005. The Committee amended the bill to clarify the membership and to add the CEO of the New Hampshire Hospital in order to further enrich the work of the Commission.

Senate Executive Departments and Administration

January 30, 2019

2019-0203s

01/04

Amendment to SB 26

Amend the bill by replacing section 2 with the following:

2 Commission Established. Amend RSA 151-G:1, II to read as follows:

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

(a) One representative of each ~~[acute-care]~~ hospital in New Hampshire, ***licensed under RSA 151***, nominated by the hospital and appointed by the governor.

(b) One representative of each freestanding ambulatory surgical center in New Hampshire, nominated by the ambulatory surgical center and appointed by the governor.

(c) The commissioner of the department of health and human services, or designee.

(d) The state epidemiologist, department of health and human services.

(e) ***The chief executive officer of the New Hampshire hospital, or designee.***

(f) Three members-at-large, one member appointed by the speaker of the house of representatives, one member appointed by the president of the senate, and one member appointed by the governor.

Amend the bill by replacing section 4 with the following:

4 Confidentiality. Amend RSA 151-G:5 to read as follows:

151-G:5 Confidentiality. All information of any type submitted to or collected by the commission, including, but not limited to, written, oral, and electronic information; records and proceedings of the commission, including, but not limited to, oral testimony and discussions, notes, minutes, summaries, analyses, and reports; and information disseminated by the commission or its members to ~~[acute-care]~~ hospitals and ambulatory surgical centers, shall be confidential and privileged and shall be protected from direct or indirect means of discovery, subpoena, or admission into evidence in any judicial, administrative, or other type of proceeding. The provision of information to the commission and the dissemination of information by the commission shall not be deemed to void, waive, or impair in any manner the confidentiality protection of this section or which the information may have under any other law or regulation. However, information, documents, or records otherwise available from original sources shall not be construed as immune from discovery or use in any civil or administrative action merely because they were presented to the commission. Furthermore, any person who supplies information to or testifies before the commission shall not be immune from discovery in such

civil or administrative action because the information or testimony was presented to the commission, but such witness shall not be asked about and shall not provide information about his or her testimony before this commission or opinions formed by him or her as a result of commission participation.

SB 28, relative to an active employee member of the retirement system independent investment committee. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill would have required that one of the members on the Independent Investment Committee of the Retirement System be an active member employee appointed by the Governor and Council from a list of nominations. The bill is amended to add an additional member to the Independent Investment Committee who will be a nonvoting member, which will add valuable insight to discussions and provide information to members on a regular basis.

Senate Executive Departments and Administration

January 30, 2019

2019-0206s

10/08

Amendment to SB 28

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

AN ACT relative to an active retirement system member appointment to the independent investment committee.

Amend RSA 100-A:14-b, I as inserted by section 1 of the bill by replacing it with the following:

I. The independent investment committee shall consist of not more than 5 **voting** members, 3 of whom shall be persons who are not members of the board of trustees appointed by the governor with the consent of the council, and up to 2 of whom shall be members of the board of trustees appointed by the chairperson of the board of trustees. ***There shall also be one nonvoting member appointed by the governor with the consent of the council who shall be an active member in the retirement system chosen from a list submitted upon a vacancy of up to 3 persons nominated by each of the following organizations: the New Hampshire State Employees' Association, the New Hampshire Education Association, the New Hampshire AFL-CIO, the New Hampshire Police Association, and the Professional Fire Fighters of New Hampshire.*** Each independent investment committee member shall serve for a term of 3 years.

2019-0206s

AMENDED ANALYSIS

This bill requires that a nonvoting member be added to the independent investment committee of the retirement system who is an active retirement system member appointed from a list of nominations.

SB 31, relative to membership of the New Hampshire community development advisory committee. Ought to Pass, Vote 5-0. Senator Cavanaugh for the committee.

This bill adds an executive director of a regional development organization to the Community Development Advisory Committee. The regional development organizations play a vital role in the community and they utilize a significant portion of CDAC's products, making them an important voice to add to the Committee.

SB 114, establishing a committee to study state oversight and regulation of life coaches. Ought to Pass, Vote 5-0. Senator Rosenwald for the committee.

This bill establishes a committee to study state oversight and regulation of life coaches. This committee shall investigate, evaluate, and provide recommendations regarding whether a need to form a regulatory or oversight structure of life coaches is necessary, as no oversight currently exists.

SB 115, establishing a commission to study the business environment for mental health providers in New Hampshire.

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

This bill establishes a commission to study the business environment for mental health providers. The enactment of this commission will allow for the opportunity to fully examine the work that has already been done on barriers in the state and consider what more needs to be done. The Committee amended the bill reducing the number of senators and adjusting the reporting deadlines in order to give the commission a more appropriate timeframe to complete their work.

Senate Executive Departments and Administration
January 30, 2019
2019-0205s
05/04

Amendment to SB 115

Amend RSA 330-A:26-a, II(a) as inserted by section 1 of the bill by replacing it with the following:

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

Amend RSA 330-A:26-a, V and VI as inserted by section 1 of the bill by replacing them with the following:

V. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the insurance commissioner. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before October 1, 2020.

Amend the bill by replacing paragraph I of section 3 of the bill with the following:

I. Section 2 of this act shall take effect November 1, 2020.

SB 208, renaming the adjutant general's department to the department of military affairs and veterans services. Ought to Pass, Vote 5-0. Senator Chandley for the committee.

This bill changes the name of the Adjutant General's Department to the Department of Military Affairs and Veterans and establishes divisions within that Department, including the Office of Veterans and Veterans Council Services. The language of this bill will simply codify the Executive Order passed last year by Governor Sununu that has proven to be an effective and beneficial adjustment to support New Hampshire's veterans.

SB 233, relative to the classification of certain state employee positions. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill is a request of the Joint Committee on Employee Classification that deletes and inserts positions and salary grades for certain unclassified state officers. Enacting this change will simply align position titles in multiple state departments with their pay grades.

JUDICIARY

SB 183-FN, relative to salaries of certain circuit court judges. Ought to Pass, Vote 5-0. Senator Carson for the committee.

This bill repeals the salary differential for the associate justices of the Concord, Nashua, and Manchester district courts. The salaries for these positions are currently established in the budgetary process, making the language of RSA 502-A:6, I-a irrelevant as the Judicial Branch adheres to the salaries established in the budget process.

TRANSPORTATION

SB 39, relative to the repair of roads not maintained by a municipality. Ought to Pass with Amendment, Vote 5-0. Senator Birdsell for the committee.

This bill provides that, in the absence of an express agreement or requirement governing the maintenance of a private road, each residential owner who enjoys a common benefit from the road shall contribute to the cost of its maintenance. Some residents who live on private roads are not able to access home financing if there is no maintenance agreement for that road. With this language in state statute, the VA and Fannie Mae would be more willing to back home financing.

Senate Transportation
January 30, 2019
2019-0201s
05/04

Amendment to SB 39

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Repair of Roads Not Maintained by a Municipality. Amend RSA 231 by inserting after section 81 the following new subdivision:

Repair of Roads Not Maintained by a Municipality

231:81-a Repair of Roads Not Maintained by a Municipality.

I. In the absence of an express agreement or requirement governing maintenance of a private road, when more than one residential owner enjoys a common benefit from a private road, each residential owner shall contribute rateably to the reasonable cost of maintaining the private road, and shall have the right to bring a civil action to enforce the requirement of this paragraph. This paragraph shall not apply to any highway defined in RSA 229:5.

II. Any owner of a residential property abutting a private road who directly or indirectly damages any portion such road shall be solely responsible for repairing or restoring the portion damaged by such owner.

SB 53-L, relative to maintenance of roads and highways to summer cottages.

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

This bill will allow a town, by majority vote of the legislative body, to extend the exemption period for maintenance of highways to summer cottages. The committee heard testimony that due to snowpack, certain towns have difficulty meeting the current requirements for clearing and opening these roads by April 10. This bill will allow them to vote to extend the period of time during which they are not required to maintain the roads from November 15th through April 30th.

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

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

This bill originally allowed for an exemption for certain licensed fuel distributors from obtaining a surety bond for road toll liability. The expense of a surety bond for fuel distributors can be an excessive burden that prevents a business from expanding and investing in its employees. An amendment was offered by the New Hampshire Department of Safety to allow for the release and reduction of the surety bond for road toll liability on certain licensed fuel distributors and provides for the revocation or suspension of such fuel distributors' license in certain instances. This amendment was supported by representatives from the fuel distribution industry.

Senate Transportation

January 30, 2019

2019-0194s

11/10

Amendment to SB 54-FN

Amend RSA 260:37-a, I as inserted by section 1 of the bill by replacing it with the following:

I. A distributor may request a release or reduction of the bond required pursuant to RSA 260:37 if the distributor has complied with all licensing, reporting, and payment requirements of this chapter for the immediately preceding 3 consecutive years, provided that such distributors first provide audited financial statements for the immediately preceding 3 years and have been licensed as distributors in good standing in New Hampshire for the immediately preceding 5 consecutive years. If the commissioner or his or her designee determines that release or reduction of the bond will not unreasonably jeopardize state revenues, the bond shall be released or reduced.

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

2 New Section; Power to Suspend or Revoke Licenses of Distributors Exempt from Bond Requirement. Amend RSA 260 by inserting after section 39 the following new section:

260:39-a Power to Suspend or Revoke Licenses of Distributors Exempt from Bond Requirement.

I. If a distributor that has been granted a released or reduced bond pursuant to RSA 260:37-a files a false monthly report or willfully fails, neglects, or refuses to file a monthly report or pay the full amount of the road toll as required by this subdivision, the commissioner or his or her designee may immediately revoke or suspend the distributor's license.

II. The commissioner shall provide written notification of his or her decision to revoke or suspend the distributor's license. Such notification shall provide a date, time, and place at the department's bureau of

hearings where the distributor may appear and show cause as to why the license should be reinstated, provided that the license shall remain revoked or suspended until otherwise ordered by a hearings examiner. Such hearing shall be held within 10 days of the date on the notification of suspension or revocation.

III. The written notification of suspension or revocation shall be presumed to have been served if sent to the last known recorded address of the licensee.

IV. Any distributor whose license remains revoked or suspended after a hearing conducted pursuant to paragraph II may appeal the hearing examiner's decision to the superior court of Merrimack County within 30 days of the date of such decision.

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

2019-0194s

AMENDED ANALYSIS

This bill allows for the release or reduction of the surety bond for road toll liability for certain licensed fuel distributors and provides for the revocation or suspension of such fuel distributors' license in certain instances.

SB 55, authorizing the Harris Center for Conservation Education to issue decals for multi-use decal plates. Ought to Pass, Vote 5-0. Senator Ward for the committee.

This bill would allow the Harris Center for Conservation Education to issue decals for multi-use plates. The Harris Center, located in Hancock, will be celebrating its 50th anniversary in the fall of 2019. It serves as an educational and research facility that conducts important outreach to local schools on scientific and environmental initiatives. Last year, the Harris Center reached 3,000 students in 28 schools. Additionally, the Harris Center serves as a land trust that protects or conserves nearly 25,000 acres in New Hampshire. Giving this non-profit the ability to enter New Hampshire's decal program will allow them to promote their activities and illustrate all the good work they do for our local communities.

SB 132, naming a lake in Meredith as Lake Wicwas.

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

This bill would name a lake in Meredith as Lake Wicwas. Locally, the lake has historically been spelt as Lake Wicwas. The most common misspelling is Lake Wickwas with the inclusion of a "k." This has not only created local frustration, but confusion for tourists and travelers. With the increasing use of GPS-enabled navigation systems, phones, and cameras, the proliferation of non-preferred spelling is expanding exponentially. Senate Bill 132 would restore the lake to its original naming, prevent further misspelling, and correct an annoyance to local residents and groups like the Lake Wicwas Association and the Wicwas Lake Grange 292.

SB 238-FN, relative to the registration of motor vehicles owned by veterans.

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

This bill will exempt certain veterans from the municipal portion of vehicle registration fees in addition to the state portion, which they are already exempt from paying. The exemption can be applied toward the registration of only one vehicle. The bill also adds new classifications of Pearl Harbor survivors, Purple Heart recipients, and POWs to be eligible for this exemption.

SB 264-FN, relative to motorcycle registration for a period of less than one year.

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

This bill sought to allow individuals to register a motorcycle for a 6 month period of their choosing. The committee heard testimony that this would result in a significant loss of revenue for municipalities. It could also create a slippery slope toward additional revenue loss if other types of seasonal vehicles were to be given the same option.

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

Senator D'Allesandro is in opposition to the adoption of the Consent Calendar.

HOUSE MESSAGE

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

RESOLUTION NO. 8

Senator Feltes offered the following Resolution:

RESOLVED, that the Senate is ready to meet with the Honorable House of Representatives in Joint Convention for the purpose of hearing the Budget Address by his Excellency, Governor Christopher T. Sununu. Adopted.

Recess. Out of recess.

REGULAR CALENDAR

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 21, relative to notice to cut timber.

Ought to Pass, Vote 3-0. Senator Birdsell for the committee.

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

SB 153, establishing state holidays for biennial state primary elections and quadrennial presidential primary elections.

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

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

Senators Dietsch and Kahn are in opposition to the motion of Inexpedient to Legislate on SB 153.

ENERGY AND NATURAL RESOURCES

SB 200, relative to wildlife corridors.

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

Energy and Natural Resources

February 7, 2019

2019-0364s

04/05

Amendment to SB 200

Amend the bill by deleting section 3 and renumbering the original sections 4-12 to read as 3-11, respectively.

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

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

SB 202-FN-A, establishing a stormwater management and flood resilience fund within the department of environmental services.

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

Energy and Natural Resources

February 7, 2019

2019-0369s

08/05

Amendment to SB 202-FN-A

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

AN ACT establishing a stormwater management and flood resilience fund within the department of environmental services and making an appropriation to the fund.

Amend RSA 483-B:23, II as inserted by section 1 of the bill by replacing it with the following:

II. The department of environmental services shall use the money from the stormwater management and flood resilience fund to give grants to public and non-profit organizations, such as municipalities, regional planning commissions, and other regional organizations for the monitoring, treatment of, and outreach regarding stormwater pollution and flood resilience.

Amend the introductory paragraph of RSA 483-B:23, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The remaining money shall be allocated to municipalities and eligible non-profit organizations to complement stormwater practices with priority given to:

Amend the bill by replacing section 2 with the following:

2 Department of Environmental Services; Appropriation; Stormwater Management and Flood Resilience Fund. The sum of \$400,000 for the fiscal year ending June 30, 2020, is hereby appropriated to the department of environmental services for the stormwater management and flood resilience fund established in RSA 483-B:23. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Amend RSA 483-B:5, VI as inserted by section 3 of the bill by replacing it with the following:

VI. The commissioner shall establish and publish criteria, forms, deadlines, and a distribution schedule for the stormwater management and flood resilience program under RSA 483-B:23.

2019-0369s

AMENDED ANALYSIS

This bill establishes a stormwater management and flood resilience fund within the department of environmental services and makes an appropriation to the fund.

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. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

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

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

Energy and Natural Resources

February 7, 2019

2019-0368s

08/04

Amendment to SB 203

Amend the bill by replacing section 1 with the following:

1 Administrative Appeals; Permitting Decision. Amend RSA 21-O:14, I(a) to read as follows:

I.(a) For purposes of this chapter, "department permitting decision" means the department's final action[~~to grant in whole or in part, with or without conditions, or to deny~~ **on** an application or other request for a license as defined in RSA 541-A:1, VIII, whether the action **to accept, grant in whole or in part with or without conditions, or deny the application or request and whether the action** is taken by the commissioner or by the department official who has statutory authority to take such final action or to whom the commissioner has properly delegated the authority to take such final action.

Amend the bill by replacing section 7 with the following:

7 Repeal. RSA 482-A:10, VI-IX, relative to appeals of decisions by the wetlands council, are repealed.

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

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

SB 254-FN-A, appropriating funds to the department of environmental services for the purpose of funding eligible wastewater projects under the state aid grant program.

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

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

SB 269-FN-A, making an appropriation to the department of natural and cultural resources to perform an ecological integrity assessment.

Ought to Pass, Vote 3-0. Senator Fuller Clark for the committee.

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

SPECIAL ORDER

Without objection, the following bills are special ordered to the present time. Adopted.

HEALTH AND HUMAN SERVICES

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

SB 180, relative to privileged communications under the law governing mental health practice.

SB 225-FN, adding physician assistants to certain New Hampshire laws.

HEALTH AND HUMAN SERVICES

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

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

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

SB 180, relative to privileged communications under the law governing mental health practice.

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

Health and Human Services

February 7, 2019

2019-0383s

01/04

Amendment to SB 180

Amend the bill by replacing section 1 with the following:

1 Mental Health Practice; Privileged Communications. Amend RSA 330-A:32 to read as follows:

330-A:32 Privileged Communications. The confidential relations and communications between any person licensed under provisions of this chapter and such licensee's client are placed on the same basis as those provided by law between attorney and client, and nothing in this chapter shall be construed to require any such privileged communications to be disclosed, unless such disclosure is required by a court order ***or allowed by federal law pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) or 42 C.F.R. Part 2.*** Confidential relations and communications between a client and any person working under the supervision of a person licensed under this chapter which are necessary and customary for diagnosis and treatment are privileged to the same extent as though those relations or communications were with the supervising person licensed under this chapter, unless such disclosure is required by a court order. This section shall not apply to hearings conducted pursuant to RSA 135-C:27-54 or RSA 464-A.

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

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

SB 225-FN, adding physician assistants to certain New Hampshire laws.

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

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

SPECIAL ORDER

Without objection, the following bills are special ordered to the present time. Adopted.

JUDICIARY

SB 50, relative to testing to determine alcohol concentration.

SB 51, establishing a commission to study expanding mental health courts statewide.

SB 125-FN, relative to parental reimbursement for voluntary services provided under the child in need of services (CHINS) program.

JUDICIARY

SB 50, relative to testing to determine alcohol concentration.

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

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

SB 51, establishing a commission to study expanding mental health courts statewide.

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

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

SB 125-FN, relative to parental reimbursement for voluntary services provided under the child in need of services (CHINS) program.

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

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

SPECIAL ORDER

Without objection, the following bills are special ordered to the present time. Adopted.

TRANSPORTATION

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

SB 185-FN-A, establishing a rail trail corridors advisory committee to assist the department of transportation in updating the state trails plan and making an appropriation therefor.

SB 239-FN, relative to implementation of the blue alert system in New Hampshire.

TRANSPORTATION

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

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

Senate Transportation

February 5, 2019

2019-0312s

11/05

Amendment to SB 133-FN

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

1 Motor Vehicles; Words and Phrases Defined; Emergency Vehicles. Amend RSA 259:28 to read as follows:

259:28 Emergency Vehicles. "Emergency vehicles" shall mean all vehicles of fire departments and police departments, ***the state department of corrections***, and such ambulances and emergency vehicles of municipal departments or public service corporations as authorized by the director.

2 Motor Vehicles; Equipment of Vehicles; Sirens. Amend RSA 266:73 to read as follows:

266:73 Sirens. It shall be unlawful for any motor vehicle to be driven on the ways of this state equipped with a siren. The provisions of this section shall not apply to such emergency vehicles as police, fire department, [and] fire patrol, ***and state department of corrections*** vehicles nor to those law enforcement officers or volunteer members of fire departments nor to public or private ambulances.

3 Motor Vehicles; Equipment of Vehicles; Blue Lights Restricted to Law Enforcement, State Department of Corrections, and Emergency Response. Amend RSA 266:78-b to read as follows:

266:78-b Blue Lights Restricted to Law Enforcement, ***State Department of Corrections***, and Emergency Response.

I. No person other than a sworn law enforcement officer with power of arrest, ***state probation and parole officers, and state correctional officers in the performance of their official duties*** shall operate a vehicle equipped with blue colored lights, except in the case of a service technician driving the vehicle in connection with servicing or maintaining the vehicle or as provided under paragraph II.

II. No person other than a sworn law enforcement officer with power of arrest, ***state probation and parole officers, and state correctional officers in the performance of their official duties*** or an emergency response employee or volunteer of a city, town, or village district or the federal government or an employee of a private ambulance service contracted with a city, town, or village district shall operate a vehicle equipped with a rear-facing blue colored light, except in the case of a service technician driving the vehicle in connection with servicing or maintaining the vehicle.

III. Blue colored lights are authorized only for vehicles owned or leased by state, county, municipal, or federal law enforcement agencies, ***state department of corrections***, fire marshal vehicles, emergency response vehicles owned or leased by city, town, village district, or federal fire departments, forestry departments, or emergency medical departments, or emergency response vehicles owned or leased by a private ambulance service contracted with a city, town, or village district and vehicles privately owned or leased by sworn law

enforcement officers when authorized by their department heads. When blue colored lights are installed on a private vehicle owned by or leased to a law enforcement officer, such lights shall be covered when the vehicle is being driven by someone other than a law enforcement officer. A blue colored light installed on emergency response vehicles other than those vehicles used by a sworn law enforcement officer, ***state probation and parole officers, and state correctional officers in the performance of their official duties*** shall be limited to a single, rear-facing blue colored emergency light on each vehicle. A private ambulance service that is no longer contracted with a city, town, or village district shall remove the single rear-facing blue colored light upon the expiration of the contract.

4 Motor Vehicles; Equipment of Vehicles; Additional Lights Approved for Police, Fire, State Department of Corrections, and Rescue Vehicles. Amend RSA 266:78-d to read as follows:

266:78-d Additional Lights Approved for Police, Fire, ***State Department of Corrections***, and Rescue Vehicles. Police, fire, ***state department of corrections***, and emergency medical response vehicles, in addition to but not in place of the lights authorized by RSA 266:78-b and RSA 266:78-c, may be equipped with light bars containing one or more amber warning lights or amber arrow boards.

5 Motor Vehicles; Equipment of Vehicles; Other Flashing Lamps Prohibited. Amend RSA 266:78-e to read as follows:

266:78-e Other Flashing Lamps Prohibited. Only authorized emergency vehicles, including law enforcement, fire, ***state department of corrections***, and emergency medical services vehicles, state department of transportation vehicles engaged in construction or maintenance activities, and bicycles may be equipped with a device that provides for alternate flashing of headlamps.

6 Motor Vehicles; Equipment of Vehicles; Use of Lights by Law Enforcement and State Department of Corrections. Amend RSA 266:78-f to read as follows:

266:78-f Use of Lights by Law Enforcement ***and State Department of Corrections***. Law enforcement officers, ***state probation and parole officers, and state correctional officers in the performance of their official duties*** shall only illuminate emergency lights and warning lights when in pursuit or stopping a violator, when responding to but not returning from an emergency call for service, when conducting an escort, or when parked on or adjacent to the highway to warn other traffic of a hazard or obstruction. Except as provided for under RSA 266:78-b, II, no person other than a sworn law enforcement officer, ***state probation and parole officers, and state correctional officers in the performance of their official duties*** shall drive a vehicle with a blue light or lights in operation.

7 Motor Vehicles; Equipment of Vehicles; Use of Lights by Fire, State Department of Corrections, and Emergency Response Personnel. Amend RSA 266:78-g to read as follows:

266:78-g Use of Lights by Fire, ***State Department of Corrections***, Rescue, and Emergency Response Personnel. Police, fire, ambulance, ***state department of corrections***, and rescue vehicles, and other vehicles authorized under RSA 266:78-c shall only illuminate emergency lights and warning lights when responding to but not returning from an actual or reported emergency, transporting a patient to a hospital for emergency treatment, or when parked at the scene of an emergency for purposes of warning approaching traffic. Fire apparatus and ambulances may also illuminate emergency lights and warning lights while parking or backing the vehicle to access a garage housing the apparatus or when serving as a mobile command post to designate the location of the command post. No persons other than emergency response personnel shall drive a vehicle with red emergency lights in operation.

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

2019-0312s

AMENDED ANALYSIS

This bill adds vehicles of the New Hampshire department of corrections to the definition of “emergency vehicle,” and permits vehicles operated by certain personnel of the department of corrections to use sirens, blue lights, emergency lights, and warning lights.

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

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

SB 185-FN-A, establishing a rail trail corridors advisory committee to assist the department of transportation in updating the state trails plan and making an appropriation therefor.
Ought to Pass with Amendment, Vote 5-0. Senator Ward for the committee.

Senate Transportation
January 30, 2019
2019-0209s
05/04

Amendment to SB 185-FN-A

Amend the bill by replacing section 1 with the following:

1 Statement of Purpose. The state of New Hampshire owns 500 miles of rail corridors. Use of these trails for biking and non-motorized recreation provides valuable low-impact uses. This act establishes an advisory committee to assist in the development of a plan for the state rail-trail system to ensure the preservation and integrity of these assets and to provide direction for future development. In addition to defining the roles of the department of transportation and department of natural and cultural resources in preservation of rail corridors, the plan will determine the best way to maximize the return on investment from, and leverage future investment in, the state's rail corridor assets. Additionally, this plan will determine how to engage towns, municipalities, and private rail-trail organizations in these efforts.

Amend the section heading of section 2 and the introductory paragraph of RSA 21-L:12-c as inserted by section 2 of the bill by replacing it with the following:

2 New Sections; New Hampshire State Rail Trails Plan; Rail Trail Corridors Advisory Committee. Amend RSA 21-L by inserting after section 12-b the following new sections:

21-L:12-c New Hampshire State Rail Trails Plan. The department of transportation, in consultation with the rail trail corridors advisory committee established in RSA 21-L:12-d, shall update the 2005 state trails plan and document the best means to maintain and develop state-owned rail trail corridors. The updated plan shall be entitled the state rail trails plan and shall be completed on or before June 30, 2020. In developing the state rail trails plan, the department of transportation shall:

Amend the introductory paragraph of RSA 21-L:12-d as inserted by section 2 of the bill by replacing it with the following:

21-L:12-d Rail Trail Corridors Advisory Committee. There is hereby established the rail trail corridors advisory committee to assist the department of transportation in the development of the state rail trails plan under RSA 21-L:12-c.

Amend RSA 21-L:12-d, I as inserted by section 2 of the bill by inserting after subparagraph (m) the following new subparagraph:

(n) One representative of the railroad industry that operates on a state-owned rail corridor.

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

3 Appropriation; Department of Transportation; State Rail Trails Plan. The sum of \$200,000 for the fiscal year ending June 30, 2020 is hereby appropriated to the department of transportation for the purpose of updating the New Hampshire state rail trails plan under RSA 21-L:12-c. This appropriation shall be in addition to any other funds appropriated to the department of transportation. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2019-0209s

AMENDED ANALYSIS

This bill makes an appropriation to the department of transportation to update the 2005 state trails plan, and establishes a rail trail corridors advisory committee to assist the department in the development of the plan.

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 Kahn, seconded by Senator Birdsell.

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, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

The following Senators were excused: Fuller Clark.

Roll Call, Yeas: 23 - Nays: 0. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

SB 239-FN, relative to implementation of the blue alert system in New Hampshire.

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.

SPECIAL ORDER

Without objection, the following bill is special ordered to the present time. Adopted.

WAYS AND MEANS

SB 189-FN, relative to the insurance premium tax.

WAYS AND MEANS

SB 189-FN, relative to the insurance premium tax.

Ought to Pass, Vote 4-0. 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.

Recess. Out of recess.

COMMERCE

SB 19, relative to the privacy of certain information concerning public employees.

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

Commerce

February 7, 2019

2019-0381s

04/06

Amendment to SB 19

Amend RSA 275:78 as inserted by section 1 of the bill by replacing it with the following:

275:78 Privacy of Employee Information. The home address, personal email address, and home or mobile telephone number of an employee of a public agency or public body, as those terms are defined in RSA 91-A:1-a, which maintains records identifying its employees shall not be public, except that such information may be disclosed to an employee organization whose written purpose is to represent public employees in collective bargaining, or as otherwise required by law. The home address, personal email address, and home or mobile telephone number of a family member of such employee contained in a record in the custody of a public agency or public body which maintains records identifying its employees shall not be public and may only be disclosed as required by law or as is necessary in the performance of the employee's duties.

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

Senator French offered a Floor Amendment.

Sen. French, Dist 7

February 14, 2019

2019-0513s

04/05

Floor Amendment to SB 19

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Privacy of Employee Information. Amend RSA 275 by inserting after section 77 the following new subdivision:

Privacy of Employee Information

275:78 Privacy of Employee Information. The home address, personal email address, and home or mobile telephone number of an employee of a public agency or public body, as those terms are defined in RSA 91-A:1-a, which maintains records identifying its employees shall not be public, except that such information may be disclosed,

with the employee's written consent, to an employee organization whose written purpose is to represent public employees in collective bargaining, or as otherwise required by law. The home address, personal email address, and home or mobile telephone number of a family member of such employee contained in a record in the custody of a public agency or public body which maintains records identifying its employees shall not be public and may only be disclosed as required by law or as is necessary in the performance of the employee's duties.

2019-0513s

AMENDED ANALYSIS

This bill requires that an employee's home address, personal email address, and home or mobile telephone numbers shall not be disclosed except to an employee organization for the purpose of collective bargaining, with the employee's written consent, or as otherwise required by law.

The question is on the adoption of the Floor Amendment.

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

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

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

The following Senators were excused: Fuller Clark.

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

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

SB 59-FN, adding post traumatic stress disorder and acute stress disorder to the definition of "injury" for purposes of workers' compensation and reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.

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

Commerce
January 30, 2019
2019-0187s
01/06

Amendment to SB 59-FN

Amend RSA 281-A:17-b, II(a) as inserted by section 3 of the bill by replacing it with the following:

II.(a) The commission shall study:

- (1) The prevalence of post traumatic stress disorder (PTSD) among first responders.
- (2) The prevalence of PTSD, or factors contributing to PTSD, among first responders at the time of hiring.
- (3) The extent to which first responders' employment benefits provide health insurance coverage for treatment of PTSD.
- (4) The degree to which employers who hire first responders are capable of reassigning affected workers to less stressful positions that would allow employees to continue working while receiving mental health treatment.
- (5) The extent to which prior military service may contribute to the rate of PTSD among first responders.
- (6) The difficulty first responders currently have establishing that a PTSD diagnosis is causally related to employment.
- (7) The difficulty employers would have establishing that a pre-employment condition or experience caused PTSD, rather than a first responders' current employment.
- (8) The cost that creating a rebuttal presumption that PTSD was caused uncured during service in the line of duty would impose on public employers, private employers, and taxpayers, and funding solutions to mitigate such cost.
- (9) Other issues the commission deems relevant to its study.

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

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

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

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, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

The following Senators were excused: Fuller Clark.

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

SB 146-FN, relative to eliminating the waiting period before eligibility to receive unemployment benefits. Ought to Pass, Vote 3-2. Senator Cavanaugh for the committee.

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

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

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

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

The following Senators were excused: Fuller Clark.

Roll Call, Yeas: 13 - Nays: 10. Adopted, bill ordered to Third Reading.

SB 151-FN, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers' compensation coverage. 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 Giuda, seconded by Senator Birdsell.

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

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

The following Senators were excused: Fuller Clark.

Roll Call, Yeas: 13 - Nays: 10. Adopted, bill ordered to Third Reading.

SB 193-FN, prohibiting the sale of certain furniture and carpeting with flame retardant chemicals. Ought to Pass with Amendment, Vote 3-2. Senator Morgan for the committee.

Commerce

February 7, 2019

2019-0382s

05/04

Amendment to SB 193-FN

Amend RSA 359-Q as inserted by section 1 of the bill by inserting after RSA 359-Q:6 the following new section:

359-Q:7 Exemptions. The prohibition in RSA 359-Q:2 shall not apply to the following upholstered furniture products containing flame-retardant chemicals:

I. Used upholstered furniture, including antique and resold upholstered furniture.

II. Upholstered furniture purchased for public use in public facilities, including, but not limited to, schools, jails, and hospitals, that is required by the state of California to meet the flammability standard in California Department of Consumer Affairs, Bureau of Home Furnishings and Thermal Insulation Technical Bulletin 133, "Flammability Test Procedure for Seating Furniture for Use in Public Occupancies," dated January 1991.

III. New upholstered furniture otherwise subject to the prohibition in RSA 359-Q:2 that is sold, offered for sale, or distributed for promotional purposes in the state by a retailer or wholesaler on or after January 1, 2021 and that was imported into the state or otherwise purchased or acquired by the retailer or wholesaler for sale or distribution in the state prior to January 1, 2021.

IV. New upholstered furniture otherwise subject to the prohibition in RSA 359:Q-2 that is manufactured prior to January 1, 2020.

V. Upholstered furniture which includes electronic components.

Amend the bill by replacing section 2 with the following:

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

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

Senator Watters offered a Floor Amendment.

Sen. Watters, Dist 4

February 14, 2019

2019-0510s

05/10

Floor Amendment to SB 193-FN

Amend RSA 359-Q:7, V as inserted by section 1 of the bill by replacing it with the following:

V. Upholstered furniture which includes electronic or electric components.

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.

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

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

The following Senators voted No: Gray, French.

The following Senators were excused: Fuller Clark.

Roll Call, Yeas: 21 - Nays: 2. Adopted, bill ordered to Third Reading.

SB 195-FN, relative to insurance continuing education.

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

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

SB 249-FN, including the legislature as a public employer under the public employee labor relations act.

Ought to Pass, Vote 3-2. Senator Cavanaugh 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, Morgan, Sherman, Soucy.

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

The following Senators were excused: Fuller Clark.

Roll Call, Yeas: 13 - Nays: 10. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

SB 250-FN, relative to forgery of a certificate of insurance.

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

Senator French offered a Floor Amendment.

Sen. French, Dist 7

February 11, 2019

2019-0411s

04/10

Floor Amendment to SB 250-FN

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Forgery; Certificate of Insurance. Amend RSA 638:1 by inserting after paragraph III the following new paragraph:

III-a. Forgery is a class A misdemeanor if the writing is or purports to be a fake or counterfeit certificate of insurance.

2019-0411s

AMENDED ANALYSIS

This bill makes issuance of a fake or counterfeit certificate of insurance a class A misdemeanor.

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: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

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

The following Senators were excused: Fuller Clark.

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

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

EDUCATION AND WORKFORCE DEVELOPMENT

SB 12-FN-A, establishing the New Hampshire college graduate retention incentive partnership program and making an appropriation therefor.

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

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

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

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, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

The following Senators were excused: Fuller Clark.

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

SB 196, relative to non-academic surveys administered by a public school to its students.

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

Education and Workforce Development

February 5, 2019

2019-0313s

06/01

Amendment to SB 196

Amend RSA 186:11, IX-d as inserted by section 1 of the bill by replacing it with the following:

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose **by email or text, in addition to any written notice given via the student.** ~~[The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention.]~~ The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for

review by a student's parent or legal guardian at least 10 days prior to distribution to students. ***The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically.*** In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

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, Morgan, Sherman, Soucy.

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

The following Senators were excused: Fuller Clark.

Roll Call, Yeas: 13 - 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 Bradley, seconded by Senator Birdsell.

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

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

The following Senators were excused: Fuller Clark.

Roll Call, Yeas: 13 - Nays: 10. Adopted, bill ordered to Third Reading.

FINANCE

SB 1-FN, relative to family and medical leave.

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

Senate Finance

February 6, 2019

2019-0321s

06/01

Amendment to SB 1-FN

Amend RSA 282-B:2, III-XIII as inserted by section 2 of the bill by replacing it with the following:

III. "Commissioner" means the commissioner of the department of employment security.

IV. "Department" means the department of employment security.

V. "Employer" has the same definition as relevant provisions of RSA 282-A:8, except as provided in RSA 282-A:9.

VI. "Employment" means wages paid for services by an employer that is covered by this chapter.

VII. "Family member" means a spouse or domestic partner under RSA 457, son, daughter, parent, stepparent, grandparent, or step grandparent related through birth, marriage, adoption, foster care, or legal guardianship.

VIII. "Family and medical leave" means leave from work:

- (a) Because of the birth of a child of the employee, within the past 12 months; or
- (b) Because of the placement of a child with the employee for adoption, legal guardianship, or fostering, within the past 12 months; or
- (c) Because of a serious health condition of a family member; or
- (d) Because of a serious health condition of the employee that isn't related to employment; or
- (e) Because of any qualifying exigency arising from the foreign deployment with the Armed Forces, or to care for a service member with a serious injury or illness as permitted under the federal Family and Medical Leave Act, 29 U.S.C. section 2612(a)(1)

IX. "FMLI" means family and medical leave insurance.

X. "Federal Family and Medical Leave Act" means the federal Family and Medical Leave Act of 1993, 29 U.S.C. section 28.

XI. "Serious health condition" means any illness covered by the federal Family and Medical Leave Act including treatment for addiction as prescribed by a treating clinician, consistent with American Society of Addiction Medicine criteria, as well as treatment for a mental health condition, consistent with American Psychiatric Association criteria.

XII. "Fund" means the family and medical leave insurance fund as described in RSA 282-B:4.

Amend RSA 282-B:3, I as inserted by section 2 of the bill by replacing it with the following:

I. This chapter applies to the state and nongovernmental employers beginning January 1, 2020, provided that any employer may instead exercise a business option of: participating in a self-insured plan, self-insuring, purchasing insurance, providing benefits, or any combination thereof, upon employer application and certification by the commissioner or authorized representative that the employer will provide an equivalent benefit to all of its employees. If the employer is subject to a collective bargaining agreement, this chapter shall apply to the employer upon the effective date of the first successor collective bargaining agreement following January 1, 2020 to permit the employer and the union to negotiate the premium rate share under RSA 282-B:3, II. Political subdivisions of the state may opt into this chapter upon certification by the authorized representative that this chapter's insurance benefits are at least equivalent to the benefits provided under the collective bargaining agreement, provided the applicable bargaining unit has first ratified this option. Beginning January 1, 2020, this chapter shall be a mandatory subject of bargaining for collective bargaining agreements. Employees not covered by a collective bargaining agreement in a political subdivision of the state may opt into this chapter if the political subdivision has not.

Amend RSA 282-B:5, II as inserted by section 2 of the bill by replacing it with the following:

II. Any employee of an employer with 20 or more employees who takes leave under this chapter shall be restored to the position he or she held in the application period or to an equivalent position by his or her employer in accordance and consistent with the Federal Family and Medical Leave Act. Employers shall continue to provide health insurance to employees during the leave, but employees remain responsible for any employee-shared costs associated with the health insurance benefits. Employers shall not retaliate against any employee for exercising his or her rights under this chapter.

Amend RSA 282-B:10 and 282-B:11 as inserted by section 2 of the bill by replacing them with the following:

282-B:10 Sustainability Mechanism. The commissioner shall continuously monitor the solvency of the fund. Should the commissioner determine at any time that the solvency of the fund is in jeopardy, or that the fund is in excess of necessary funds, the commissioner shall provide the advisory council with data supporting such solvency determination and may prospectively, effective in a future calendar quarter, increase or reduce FMLI premiums in RSA 282-B:3, II, decrease the benefits payable in RSA 282-B:6, III, or decrease the allowable length of leave in RSA 282-B:6, I, or any combination thereof, provided such prospective changes are no greater than or less than 10 percent of those required under this chapter. If the commissioner thereafter determines such changes are no longer necessary for fund solvency the commissioner shall reverse such changes. Advance notice of any and all changes pursuant to this paragraph shall be provided to all covered employers and employees.

282-B:11 Third Party Administration. The department shall undertake best efforts to secure a suitable third party administrator. The department shall issue an initial request for proposals for a third party administrator for actuarial support, fund administration, the processing of benefits claims, payments, and appeals up to the appellate board, no later than July 30, 2019. No proposal shall be selected unless it is demonstrated that the benefits claims, payments, and appeals can be processed in accordance with this chapter and at less cost than the department. A contract for the third party administration shall include a clause for department termination for noncompliance with this chapter. A contract for the third party administration shall be first reviewed and approved by governor and executive council.

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

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3
Sen. Morse, Dist 22
Sen. Carson, Dist 14
Sen. Gray, Dist 6
Sen. Birdsell, Dist 19
Sen. Ward, Dist 8
Sen. Giuda, Dist 2
Sen. French, Dist 7
Sen. Reagan, Dist 17
Sen. Starr, Dist 1
February 13, 2019
2019-0508s
04/10

Floor Amendment to SB 1-FN

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

6 Independent Actuarial Analysis; Appropriation.

I. No later than July 30, 2019, the commissioner of the department of employment security shall issue a request for proposals to conduct an independent actuarial analysis and evaluation of the family and medical leave insurance plan established in RSA 282-B as inserted by section 2 of this act. The request for proposals may be informed by any responses to requests for information received prior to July 30, 2018. The actuarial analysis shall be completed on or before January 1, 2020.

II. The sum of \$250,000 for the fiscal year ending June 30, 2020 is hereby appropriated to the department of employment security for the purpose of completing the actuarial analysis required in paragraph I. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated

7 Contingency. Sections 1-5 of this act shall take effect on the date the commissioner of the department of employment security notifies the senate president, the speaker of the house of representatives, the governor, the secretary of state, and the director of the office of legislative services that, based on the independent actuarial analysis required in section 6 of this act, the family and medical leave insurance plan as provided in RSA 282-B will be financially solvent.

8 Effective Date.

I. Sections 1-5 of this act shall take effect as provided in section 7 of this act.

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

2019-0508s

AMENDED ANALYSIS

This bill establishes a paid family and medical leave insurance plan. The bill also makes enactment of the plan contingent on the commissioner of the department of employment security conducting an independent actuarial analysis to determine whether the plan will be financially solvent and makes an appropriation for the actuarial analysis.

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 Birdsell.

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

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

The following Senators were excused: Fuller Clark.

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

MOTION OF RECONSIDERATION

Senator Feltes, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 1-FN, relative to family and medical leave.: Floor Amendment 2019-0508s. Adopted.

The question is on the adoption of the Floor Amendment.

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

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

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

The following Senators were excused: Fuller Clark.

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

Without objection, Senator Birdsell moved to call the question. 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, D'Allesandro, Morgan, Sherman, Soucy.

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

The following Senators were excused: Fuller Clark.

Roll Call, Yeas: 13 - Nays: 10. Adopted, bill ordered to Third Reading.

SB 5-FN-A, making an appropriation relative to Medicaid provider rates for mental health and substance misuse. Ought to Pass with Amendment, Vote 5-0. Senator Rosenwald for the committee.

Senate Finance
February 6, 2019
2019-0316s
10/01

Amendment to SB 5-FN-A

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

AN ACT making an appropriation to the department of health and human services for Medicaid provider rates for mental health and substance misuse and emergency shelter and stabilization services.

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

2 Department of Health and Human Services; Emergency Shelter and Stabilization Services.

I. The sum of \$450,000 in general funds is hereby appropriated to the department of health and human services for the fiscal year ending June 30, 2019, which shall be nonlapsing, for the purpose of emergency shelter and stabilization services for persons experiencing substance misuse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Notwithstanding RSA 14:30-a, VI, the department is hereby authorized to accept and expend any federal fund match to the appropriation in this section without prior approval of the fiscal committee of the general court.

II. The commissioner of the department of health and human services shall allocate and disburse such funds through a sole source contract or contracts and shall prioritize the use of the funds to high need areas within the state of New Hampshire that are in immediate need for those services. The contracted services shall be operational on or before June 30, 2019.

2019-0316s

AMENDED ANALYSIS

This bill makes an appropriation to the department of health and human services for Medicaid provider rates for mental health and substance misuse and emergency shelter and stabilization services.

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

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

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

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, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

The following Senators were excused: Fuller Clark.

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

SB 6-FN-A-L, relative to child protection staffing and making an appropriation therefor.
Ought to Pass with Amendment, Vote 6-0. Senator Feltes for the committee.

Senate Finance
January 30, 2019
2019-0188s
01/05

Amendment to SB 6-FN-A-LOCAL

Amend the bill by replacing section 3 with the following:

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

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

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

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

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, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

The following Senators were excused: Fuller Clark.

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

CONSENT CALENDAR REPORTS REMOVED

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

EDUCATION AND WORKFORCE DEVELOPMENT

SB 65, relative to the start of the school year.

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

Senator Kahn moved Rerefer to Committee.

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

SB 142-L, requiring feminine hygiene products in school restrooms.

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

Education and Workforce Development
February 5, 2019
2019-0306s
06/10

Amendment to SB 142-LOCAL

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

1 New Section; Feminine Hygiene Products. Amend RSA 189 by inserting after section 16 the following new section:

189:16-a Feminine Hygiene Products. The school board shall make feminine hygiene products available free of charge in girls bathrooms located in public middle and high schools. The schools shall bear the cost of such products.

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

2019-0306s

AMENDED ANALYSIS

This bill requires school boards to make feminine hygiene products available, free of charge, in girls rest-rooms located in public middle and high schools.

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

Senator Carson moved Rerefer to Committee.

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

Recess. Out of recess.

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 Hennessey.

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

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

The following Senators were excused: Fuller Clark.

Roll Call, Yeas: 17 - Nays: 6. Adopted, bill ordered to Third Reading.

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 Morse: SB 1-FN

Senator Soucy: SB 59-FN

ANNOUNCEMENTS

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Madam President. Be it appropriate as my role as Chairman of Education and Workforce Development Committee to just ask us as a Senate body to recognize, besides Valentine's Day, today is the one year anniversary of the Parkland, Marjory Stoneman Douglas High School shootings where eighteen young high school students lost their lives. It's a day of...it's a bitter sweet day for people, and I hope that you will all hold them in your hearts as well as the celebration of the day. Thank you.

(The Chair recognized Senator Morse.)

SENATOR MORSE: Personal privilege? I went to Westfield, Mass this past week to celebrate Patricia Elliott's life, Josh's mom. The community was well briefed on the New Hampshire Senate, and when I arrived they certainly addressed me as Senator, and said I hear you make \$100 a year.

So, I have the obituary, and I'd like to read it:

Patricia Elliott 62, a recently retired Professor of Mathematics at Holyoke Community College for 23 years, passed away Wednesday quietly in her sleep at her home in Westfield. Born and raised in Westfield, Patsy attended St. Mary's Grammar School and St. Mary's High School, graduating in 1974. She attended St. Joseph College in West Hartford, Connecticut, graduating with her bachelors of Science in Mathematics in 1978 and went on to earn her Master's Degree in Mathematics from the University of Massachusetts, Amherst in 1984. She taught for several years in the 1980s at the former Cathedral High School in Springfield. Despite having Multiple Sclerosis for the last 25 years, she never let it get in the way of living her life on her terms. She was an excellent gardener, especially when it came to herbs and tomatoes. She loved to read; the walls of her home were lined with bookcases and she was a force to be reckoned with at used book sales. Both stand as testaments to that fact. In

more recent years, she took to antiquing, collecting everything from tea cups to a full dining room set, eagerly showing off her latest finds to friends and family. Above all, she loved her family, especially her children, to whom she devoted her life.

(Firtion Adams Funeral Home)

Josh, I want you to know our thoughts and prayers are with you.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: My announcement is going to take some time, and I'll not ask the body to indulge me, and I'll defer it to next week; especially in light of the announcement with respect to Josh's mom.

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

SB 1-FN, relative to family and medical leave.

SB 5-FN-A, making an appropriation to the department of health and human services for Medicaid provider rates for mental health and substance misuse and emergency shelter and stabilization services.

SB 6-FN-A-LOCAL, relative to child protection staffing and making an appropriation therefor.

SB 12-FN-A, establishing the New Hampshire college graduate retention incentive partnership program and making an appropriation therefor.

SB 19, relative to the privacy of certain information concerning public employees.

SB 21, relative to notice to cut timber.

SB 26, relative to the New Hampshire health care quality assurance commission.

SB 28, relative to an active retirement system member appointment to the independent investment committee.

SB 31, relative to membership of the New Hampshire community development advisory committee.

SB 39, relative to the repair of roads not maintained by a municipality.

SB 50, relative to testing to determine alcohol concentration.

SB 51, establishing a commission to study expanding mental health courts statewide.

SB 53-LOCAL, relative to maintenance of roads and highways to summer cottages.

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

SB 55, authorizing the Harris Center for Conservation Education to issue decals for multi-use decal plates.

SB 58-FN, relative to reimbursement rates for low-dose mammography coverage.

SB 59-FN, adding post traumatic stress disorder and acute stress disorder to the definition of "injury" for purposes of workers' compensation and reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.

SB 114, establishing a committee to study state oversight and regulation of life coaches.

SB 115, establishing a commission to study the business environment for mental health providers in New Hampshire.

SB 121-FN, relative to acquisition rights and easements at Weeks Crossing Dam in the town of Warren by the department of environmental services.

SB 125-FN, relative to parental reimbursement for voluntary services provided under the child in need of services (CHINS) program.

SB 132, naming a lake in Meredith as Lake Wicwas.

SB 136, relative to classification of students for tuition purposes in the university system.

SB 139, establishing a committee to study options for lowering student debt.

SB 142-LOCAL, requiring feminine hygiene products in school restrooms.

SB 144, requiring the lottery commission to notify the department of education about revenue.

SB 146-FN, relative to eliminating the waiting period before eligibility to receive unemployment benefits.

SB 151-FN, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers' compensation coverage.

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

SB 180, relative to privileged communications under the law governing mental health practice.

SB 183-FN, relative to salaries of certain circuit court judges.

SB 189-FN, relative to the insurance premium tax.

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

SB 195-FN, relative to insurance continuing education.

SB 196, relative to non-academic surveys administered by a public school to its students.

SB 200, relative to wildlife corridors.

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

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

SB 225-FN, adding physician assistants to certain New Hampshire laws.

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

SB 239-FN, relative to implementation of the blue alert system in New Hampshire.

SB 250-FN, relative to forgery of a certificate of insurance.

SB 252-FN, relative to the detection and prevention of financial exploitation of vulnerable adults.

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.