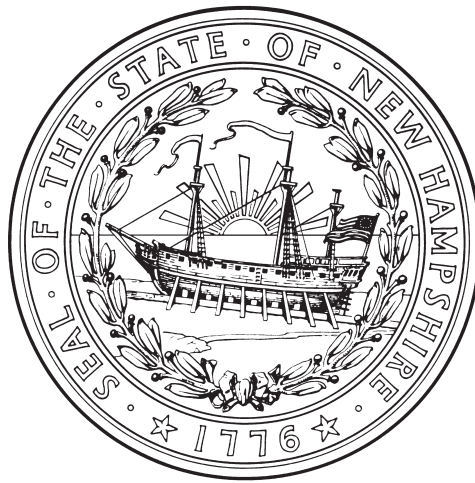


**March 7, 2019
Nos. 6-7**

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 – FEBRUARY 21, 2019 SESSION
COMMENCEMENT – MARCH 7, 2019 SESSION**

SENATE JOURNAL 6 *(continued)*

February 21, 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 119, relative to training requirements for electrologists.
- HB 130-LOCAL, relative to property tax relief for totally and permanently disabled veterans.
- HB 148, relative to electric bicycles.
- HB 174, relative to alternative treatment center licenses.
- HB 196, relative to proof of residency for fish and game purposes.
- HB 223, relative to night work.
- HB 237, establishing the New Hampshire rare disease advisory council.
- HB 239, (New Title) relative to requirements for supervision for licensure of certain mental health and drug counselors.
- HB 278, relative to the New Hampshire insurance department's annual hearing requirement.
- HB 301-FN-LOCAL, relative to funeral and burial or cremation expenses for assisted persons.
- HB 310, relative to the membership of the wellness and primary prevention council.
- HB 335, relative to therapeutic cannabis dispensary locations.
- HB 338, relative to rebates under the law governing unfair insurance practices.
- HB 345, relative to certification of devices for the electronic counting of ballots.
- HB 350, relative to licensed prescribers of medical marijuana.
- HB 369-FN, relative to the controlled drug prescription health and safety program.
- HB 384, relative to access to historic burial sites on state-owned land.
- HB 398, relative to New Hampshire MasoniCare.
- HB 418-FN, relative to the limitations on part-time employment under the New Hampshire retirement system.
- HB 420, relative to naming buildings and other construction built using public funds.
- HB 452, establishing a commission on the first-in-the-nation presidential primary.
- HB 463-FN, (New Title) relative to licensure of pharmacist assistants.
- HB 479-FN, relative to eligibility for the low and moderate income homeowners property tax relief.
- HB 490, (New Title) establishing a commission to study the role of clinical diagnosis and the limitations of serological diagnostic tests in determining the presence or absence of Lyme and other tick-borne diseases and available treatment protocols, and appropriate methods for educating physicians and the public about the inconclusive nature of prevailing test methods and available treatment alternatives.
- HB 518-FN, repealing certain statutes concerning reimbursement of cost of care by inmates.
- HB 528-FN, relative to insurance reimbursement for emergency medical services.
- HB 544, relative to the governance of the Manchester school district.
- HB 570, establishing a commission to study career pathways from full-time service year programs to post-secondary education and employment opportunities in support of New Hampshire's future workforce needs.
- HB 588, relative to presidential nominations.
- HB 589, relative to signs for New Hampshire liquor and wine manufacturers.
- HB 606, relative to certain insurance licensing statutes.
- HB 607, relative to life and health insurance.
- HB 627, (New Title) relative to rulemaking by the board of pharmacy on compounding.
- HB 637-FN, relative to criminal history background checks by employers and public agencies.
- HB 651, allowing the use of campaign funds for child care expenses.
- HB 652, relative to suicide prevention.
- HB 675-FN, relative to the purchase of service credit in the state retirement system.
- HB 689-FN-A, establishing a student career and college investment program and making an appropriation therefor.
- HB 701-FN, relative to bow and arrow hunting for certain disabled veterans.
- HB 719-FN-A, establishing the position of school nurse coordinator in the department of education and making an appropriation therefor.
- HB 726-FN, (New Title) establishing a secure forensic psychiatric hospital advisory council.

HCR 2, requesting an investigation on whether opioids, benzodiazepines, and exposure to agent orange contribute to suicides by veterans.

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 435, relative to certain terminology in the rulemaking authority of the department of education.

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 123, relative to emergency response plans in schools.

HB 226, relative to the renomination of teachers.

HB 258, establishing a committee to study teacher preparation and education programs

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

HB 488-FN, requiring interpreters for the deaf and hard of hearing at the state house campus.

HB 491, relative to questioning and detaining suspects.

HB 567, relative to using the Atlantic Time Zone in New Hampshire.

HB 572, proclaiming the second Saturday in June as Pollyanna of Littleton New Hampshire Recognition Day.

HB 634, establishing a commission to study the licensure of individuals who forage for wild mushrooms for sale to others.

HB 706-FN-A, establishing an independent redistricting commission.

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 7

March 7, 2019

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

The Reverend Mark Warren, chaplain to the Senate, offered the following prayer:

Let us pray.

Lord, on this day we are...the flurry of activity this morning is very evident of the work that needs to be done for the people of the state, the laws to be legislated, the ideas and the thoughts that would transform this state into a continued great place to live, to play. Lord, our heart goes to Tammy this morning, who lost her father last week, Ronald Wright, who we pray for. This family, that you would give this family peace; comfort during this time of loss. For I also pray for a blessing over these Senators. They've given so much of their lives to this work. Many of them have sacrificed income, sacrificed their leisure to serve. And so Lord, we pray a blessing on them this morning. Amen.

Senator Gray led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

Senator Hennessey introduced students from the Mount Lebanon School visiting in the gallery.

President Soucy introduced David Elder, Sr., and his daughter Kelly visiting on the Senate floor.

INTRODUCTION OF PAGES

Senator Feltes introduced Alice Richards and Grace Poirier from Concord High School, serving as Senate Pages for the day.

SPECIAL ORDER

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

ENERGY AND NATURAL RESOURCES

SB 76, relative to the prohibition of offshore oil and natural gas exploration.

FN REPORT FOR MARCH 7, 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:

REGULAR CALENDAR:

COMMERCE

SB 99-FN, relative to gainful employment and partial disability in workers' compensation.

SB 224-FN, relative to insurance coverage for pediatric autoimmune neuropsychiatric disorders.

SB 248-FN, increasing the age for sales and possession of tobacco products.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 278-FN-A, establishing the education administration efficiency fund and making an appropriation therefor.

SB 280-FN-L, relative to the cost of an adequate education.

SB 302-FN, relative to suspension and expulsion of pupils.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 105-FN, relative to contributions to inaugural committees.

ENERGY AND NATURAL RESOURCES

SB 77-FN, relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases.

JUDICIARY

SB 89-FN, relative to the penalties for violation of privacy.

SB 90-FN, relative to certain disclosures by health care provider facilities.

SB 296-FN, relative to live medical testimony in courts.

SB 297-FN, extending the deadline for arraignments.

WAYS AND MEANS

SB 41-FN, relative to historical racing.

SB 190-FN, relative to apportionment of sales under the business profits tax.

SB 244-FN, relative to taxes applicable to certain real estate investment trusts.

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:

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 230-FN, requiring the attorney general to hire staff to supervise election law, campaign finance law, and lobbying matters.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 246-FN, relative to licensing of child daycare, residential care, and child-placing agencies.

TRANSPORTATION

SB 300-FN, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack.

REGULAR CALENDAR:

EDUCATION AND WORKFORCE DEVELOPMENT

SB 247-FN-A, establishing a sunny day fund in the department of business and economic affairs.

SB 265-FN-L, relative to maintaining stabilization grants at the current level.

SB 276-FN-A, relative to career readiness credentials for high school students.

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

ENERGY AND NATURAL RESOURCES

SB 161, relative to the definition of pet vendor.

SB 167-FN, establishing a clean energy resource procurement commission.

SB 285-FN, establishing a coastal resilience and economic development program.

HEALTH AND HUMAN SERVICES

SB 88-FN, relative to registry identification cards under the use of cannabis for therapeutic purposes law.
 SB 259-FN, expanding eligibility for the Medicaid for employed adults with disabilities (MEAD) program.
 SB 289-FN, relative to health and human services.

JUDICIARY

SB 130-FN, establishing positions within the cold case homicide unit.
 SB 237-FN, relative to the office of cost containment.
 SB 313-FN, establishing a citizen's right-to-know appeals commission and a right-to-know law ombudsman and making an appropriation therefor.

WAYS AND MEANS

SB 57-FN, relative to phasing out and repealing the utility property tax—if Inexpedient to Legislate recommendation is overturned.
 SB 191-FN, relative to exemptions for the tax on interest and dividends—if Inexpedient to Legislate recommendation is overturned.
 SB 223-FN, increasing the minimum gross business income required for filing a business profits tax return—if Re-refer to Committee recommendation is overturned.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS REMOVED

TRANSPORTATION

SB 300-FN, by Senator Watters

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.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 44, relative to election procedures, delivery of ballots, and assents to candidacy.
 Ought to Pass, Vote 5-0. Senator Birdsell for the committee.

This bill clarifies that unused absentee ballots shall be used as election day ballots if the supply of election day ballots becomes exhausted and that anyone in line to register to vote or to vote before the closing of the polls shall be entitled to vote. The bill also amends the number of votes needed to award a nomination in the case of a disqualification of a write-in candidate in state primary elections. This is a housekeeping bill requested by the Secretary of State's office

SB 230-FN, requiring the attorney general to hire staff to supervise election law, campaign finance law, and lobbying matters.

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

This bill authorizes the Attorney General to hire 2 additional attorneys, an investigator, and an investigative paralegal to be assigned to campaign finance, election law and lobbying matters. The committee found that these positions are needed in order for the Attorney General's office to handle an increasing number of cases and stay in compliance with existing law.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 110, relative to the investigations by the state fire marshal.
 Ought to Pass with Amendment, Vote 5-0. Senator Cavanaugh for the committee.

This bill is a request of the Office of the State Fire Marshal and authorizes the Fire Marshal to obtain information from the insurance company when investigating a fire loss, building collapse, or incident involving the release of carbon monoxide other than from a motor vehicle. This will bring the statute in line with investigations involving a fire death, while continuing to maintain the confidentiality of the information. The Committee would like to note for future consideration that the title of this statute may need renaming in order to accurately reflect its content and asks for your support for the Ought to Pass with Amendment motion.

Senate Executive Departments and Administration
 February 20, 2019
 2019-0618s
 05/10

Amendment to SB 110

Amend the introductory paragraph of RSA 153:13-a, I as inserted by section 1 of the bill by replacing it with the following:

I. An authorized investigator from the state fire marshal's office, or from any fire department or law enforcement agency may request an insurance company investigating a fire loss of real or personal property, ***building collapse, or an incident involving the release of carbon monoxide other than from a motor vehicle*** to release any information in its possession relative to that loss. The company shall release the information and cooperate with any official authorized to request such information pursuant to this section. ***No waiver of an insurance company's applicable privilege or claim of confidentiality in the documents, materials, or information shall occur as a result of such release of information.*** The information may include, but shall not be limited to:

Amend RSA 153:13-a, V as inserted by section 1 of the bill by replacing it with the following:

V. ~~[The recipient of any information furnished pursuant to this section shall hold the information in confidence and not release it, except to another official referred to in paragraph I, until such time as its release is required pursuant to a criminal or civil proceeding.]~~ ***The insurance company's papers, documents, reports, or evidence relative to the subject of investigation under this section shall remain confidential and shall not be subject to public inspection or disclosure. Further, such papers, documents, reports, or evidence shall be privileged and shall not be subject to subpoena, discovery, or disclosure in any proceeding other than the action initiated by the state fire marshal's office or a law enforcement agency, except as specifically authorized by court order. For purposes of this section, investigative materials shall include the testimony of personnel of the insurance company, the state fire marshal's office, or a law enforcement agency concerning any matter of which they have knowledge pursuant to a pending investigation.***

2019-0618s

AMENDED ANALYSIS

This bill authorizes the fire marshal to obtain information from the insurance company when investigating a fire loss, building collapse, or incident involving the release of carbon monoxide other than from a motor vehicle. The bill also clarifies the confidential nature of the insurance company's investigative materials in such cases.

SB 112, establishing a committee to study procedures governing the hiring and payment of bail bondsmen. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

With the amendment this bill establishes a committee to study procedures governing the hiring and payment of bail bondsmen and bail commissioners. The Committee heard testimony regarding multiple areas of concern about the current statute and the payment of bail commissioners, and therefore believes the procedures governing them are in need of a holistic review.

Senate Executive Departments and Administration
 February 20, 2019
 2019-0615s
 04/06

Amendment to SB 112

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

AN ACT establishing a committee to study procedures governing the hiring and payment of bail bondsmen and bail commissioners.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study procedures governing the hiring and payment of bail bondsmen and bail commissioners.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study and update procedures relating to bail bondsmen and bail commissioners, including hiring practices and payment for services.

2019-0615s

AMENDED ANALYSIS

This bill establishes a committee to study procedures governing the hiring and payment of bail bondsmen and bail commissioners.

SB 246-FN, relative to licensing of child daycare, residential care, and child-placing agencies. Ought to Pass with Amendment, Vote 5-0. Senator Reagan for the committee.

This bill is a request of the Department of Health and Human Services and revises the state registry and criminal records check requirements for employees and others associated with residential child care agencies and child day care providers. These changes are necessary in order for the State to be in compliance with federal standards and to continue receiving federal funds.

Senate Executive Departments and Administration

February 20, 2019

2019-0613s

05/04

Amendment to SB 246-FN

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

3 New Section; Child Day Care Licensing; State Registry and Criminal Records Check; Child Care Licensing Fund Established. Amend RSA 170-E by inserting after section 7 the following new section:

170-E:7-a Child Care Licensing Fund Established. There is hereby established a nonlapsing fund to be known as the child care licensing fund, which shall be administered by the commissioner of the department of health and human services and which shall be kept distinct and separate from all other funds. All fees for state registry and criminal records checks collected by the department pursuant to RSA 170-E:7 and RSA 170-E:29-a shall be deposited in the fund and all moneys in the fund shall be continually appropriated to the department of health and human services for the purpose of paying costs associated with administering the provisions of this chapter.

4 New Subparagraph; State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

(344) Moneys deposited into the child care licensing fund established in RSA 170-E:7-a.

2019-0613s

AMENDED ANALYSIS

This bill revises the state registry and criminal records check requirements for employees and others associated with residential child care agencies and child day care providers. The bill also establishes the child care licensing fund in the department of health and human services.

The bill is a request of the department of health and human services.

TRANSPORTATION

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

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

This bill allows a veteran who qualifies for special number plates without charge to be issued an additional set of plates at the regular cost. The committee amendment addresses a concern raised by the Division of Motor Vehicles that updates were needed to other statutes relating to the issuance of plates to disabled and blind veterans to conform with the intent of the legislation, which is that only one set of plates be at no cost.

Senate Transportation

February 20, 2019

2019-0593s

10/04

Amendment to SB 186

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

1 Special Number Plates for Certain Veterans; Additional Set. Amend RSA 261:86, II to read as follows:

II. ***The initial set of*** plates furnished pursuant to subparagraphs I(a)-I(e) shall be issued without charge. ***An additional set of plates shall be issued to a person who qualifies for the special plates upon payment of the state and municipal permit fees for issuance of number plates.*** Notwithstanding RSA 265:73 or any other law, any person who is issued a plate pursuant to subparagraphs I(c)-I(e) shall not be entitled to free parking privileges for disabled veterans. A person who qualifies for special plates pursuant to subparagraph I(a), I(c), I(d), or I(e) may be issued an additional plate for a motorcycle.

2 Disabled Veterans; Plate Fees. Amend RSA 261:157 to read as follows:

261:157 Exemption of Amputee and Other Disabled Veterans. ***For the initial set of plates,*** no fee shall be charged for a permit to register a motor vehicle owned by a veteran of any war or armed conflict, as defined in RSA 72:28, V, who because of being an amputee or paraplegic or having suffered loss or use of a limb from a service-connected cause, as certified by the United States Department of Veterans Affairs, has received said vehicle from the United States government or cash settlement in lieu thereof; or because of a disability incurred in, or aggravated by such service, and upon satisfactory proof that the veteran is evaluated by the United States Department of Veterans Affairs to be totally and permanently disabled from such service-connected disability.

3 Blind Veterans; Plate Fees. Amend RSA 261:159 to read as follows:

261:159 Exemption for Blind Veterans. ***For the initial set of plates,*** no fee shall be charged for a permit to register a vehicle owned by a veteran who has been determined by the Department of Veterans Affairs to be suffering from total blindness as a result of a service-connected disability.

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

SB 201, requiring the department of transportation and the fish and game department to develop a plan for the construction of a ramp, dock, and parking at Great Bay Waters at Hilton Park in Dover.
Ought to Pass, Vote 5-0. Senator Watters for the committee.

This bill requires the Departments of Transportation and Fish and Game to develop a plan for the construction of a ramp, dock, and parking at Great Bay Waters at Hilton Park in Dover. This plan will include a cost analysis for the purchase of the needed property, which is owned by the Department of Transportation. The departments will consult with other relevant entities as well as hold a public hearing and present a final report. The intent is to have a solid cost estimate for inclusion in the next biennium's capital budget. The impetus for this project comes from the concerns of Dover rescue personnel who are unable to make a transfer from their rescue boat to an ambulance without a dock. This causes them to have to travel under the bridge through a dangerous current to Newington, wasting time in life threatening situations.

SB 214, relative to transportation projects.
Ought to Pass, Vote 5-0. Senator Watters for the committee.

This bill requires the department of transportation to study a type 2 sound barrier program as part of the ten year transportation improvement plan. The type 1 sound barrier program is federally funded and typically completed at the time of construction based on a formula. The NH Department of Transportation has identified 49 sites that did not meet the requirements for a type 1 sound barrier that should be considered for a type 2 sound barrier. The bill also puts into statute the existing practice that if a highway project has an impact on historical resources, then mitigation should be provided.

SB 215, relative to learning to drive and commercial motor vehicles designed to transport passengers.
Ought to Pass, Vote 5-0. Senator Levesque for the committee.

This bill, requested by the Department of Safety, removes the requirement that a licensed driver occupy the seat adjacent to a person learning to drive a bus and allows the licensed driver to sit adjacent to or beside the person learning. This change is needed to adapt to new technology that has resulted in changes to the seating configuration in certain vehicles. The bill also changes the number of passengers from 15 to 16 that a certain type of commercial motor vehicle is designed to transport. This change is needed to comply with federal regulations.

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

REGULAR CALENDAR

COMMERCE

SB 62, relative to temporary layoffs of certain seasonal workers and establishing a commission to study school bus driver background checks.
Ought to Pass with Amendment, Vote 5-0. Senator Morse for the committee.

Commerce
February 19, 2019
2019-0584s
08/04

Amendment to SB 62

Amend the bill by replacing section 1 with the following:

1 Seasonal Workers; Exempt from Work Search Requirements for Unemployment. Amend RSA 282-A:31, I(d)(4) to read as follows:

(4) If availability is limited to part-time work, the claim for unemployment benefits is based on wages earned in part-time work[-] ; **and**

(5) If the individual furnishes evidence satisfactory to the commissioner that such individual has a definite date for returning to work which is within 9 weeks of the last day of work, such person shall be exempt from the work search, requirements in subparagraph (d).

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

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

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 99-FN, relative to gainful employment and partial disability in workers' compensation.
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, Fuller Clark, Morgan, Sherman, Soucy.

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

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

SB 224-FN, relative to insurance coverage for pediatric autoimmune neuropsychiatric disorders.
Ought to Pass with Amendment, Vote 5-0. Senator Cavanaugh for the committee.

Commerce
February 19, 2019
2019-0590s
10/04

Amendment to SB 224-FN

Amend RSA 415:6-x as inserted by section 1 of the bill by replacing it with the following:

415:6-x Coverage for Treatment for Pediatric Autoimmune Neuropsychiatric Disorders. Each insurer that issues or renews any individual policy, plan, or contract of accident or health insurance providing benefits for medical or hospital expenses shall provide to persons covered by such insurance who are residents of this state coverage for the costs of treatment for pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome, including the use of intravenous immunoglobulin therapy if ordered by a physician. The coverage under this section shall not be excluded due to a diagnosis of autoimmune encephalopathy or autoimmune encephalitis. Benefits provided under this section shall not be subject to any greater co-payment, deductible, or coinsurance than any other similar benefits provided by the insurer.

Amend RSA 415:18-bb as inserted by section 2 of the bill by replacing it with the following:

415:18-bb Coverage for Pediatric Autoimmune Neuropsychiatric Disorders. Each insurer that issues or renews any policy of group or blanket accident or health insurance providing benefits for medical or hospital expenses shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for the costs of treatment for pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric

syndrome, including the use of intravenous immunoglobulin therapy if ordered by a physician. The coverage under this section shall not be excluded due to a diagnosis of autoimmune encephalopathy or autoimmune encephalitis. Benefits provided under this section shall not be subject to any greater co-payment, deductible, or coinsurance than any other similar benefits provided by the insurer.

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 248-FN, increasing the age for sales and possession of tobacco products.
Re-refer to Committee, Vote 5-0. Senator French for the committee.

Recess. Out of recess.

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

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

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

The following Senators voted No: Bradley, Watters, Hennessey, Kahn, Fuller Clark, Sherman.

Roll Call, Yeas: 18 - Nays: 6. Adopted.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 140, relative to the rulemaking authority of the state board of education.
Ought to Pass with Amendment, Vote 5-0. Senator Kahn for the committee.

Education and Workforce Development

February 21, 2019

2019-0647s

06/04

Amendment to SB 140

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

AN ACT relative to credit for alternative, extended learning, and work-based programs.

Amend the bill by replacing section 1 with the following:

1 Substantive Content of an Adequate Education; Alternative Programs. RSA 193-E:2-a, V(b) is repealed and reenacted to read as follows:

(b) Each local school board shall determine whether to grant academic credit for alternative, extended learning, and work-based programs.

2019-0647s

AMENDED ANALYSIS

This bill authorizes local school boards to grant academic credit for alternative, extended learning, and work-based programs.

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

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

SB 141, establishing a committee to study violence against school personnel.
Ought to Pass with Amendment, Vote 5-0. Senator Morgan for the committee.

Education and Workforce Development

February 21, 2019

2019-0646s

05/04

Amendment to SB 141

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

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

Amend the bill by replacing section 5 with the following:

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

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

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

SB 198, relative to review of job candidate applications by school board members.
Inexpedient to Legislate, Vote 5-0. Senator Ward for the committee.

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

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

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

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

Roll Call, Yeas: 16 - Nays: 8. Adopted.

SB 247-FN-A, establishing a sunny day fund in the department of business and economic affairs.
Ought to Pass with Amendment, Vote 4-1. Senator Starr for the committee.

Education and Workforce Development
February 21, 2019
2019-0648s
04/06

Amendment to SB 247-FN-A

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

AN ACT establishing a sunny day fund and grant program.

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

1 New Subparagraph; Application of Receipts; Sunny Day Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

(344) Moneys credited to the sunny day fund established in RSA 12-O:21-a.

2 General Fund Surplus Account; Transfer to Sunny Day Fund. On July 1, 2019, the state treasurer shall transfer the sum of \$15,000,000 from the general fund surplus account to the sunny day fund established in RSA 12-O:21-a.

3 New Section; Department of Business and Economic Affairs; Sunny Day Fund. Amend RSA 12-O by inserting after section 21 the following new section:

12-O:21-a Sunny Day Fund Established.

I. There is hereby established in the office of the state treasurer a fund to be known as the sunny day fund, which shall be kept distinct and separate from all other funds. The commissioner shall administer the fund. The fund shall be nonlapsing and continually appropriated to the commissioner for the purpose of obtaining and disbursing grants for research and development, including any preliminary funding necessary to obtain grant funding, supporting the infrastructure necessary to address critical gaps in the state's ability to attract research and development projects, increasing commercialization of new technologies, leveraging federal funds, and supporting business development and expansion. Grants may be from federal, private, or other sources.

II. The New Hampshire Research and Industry Council ("council"), with the support of the New Hampshire Established Program to Stimulate Competitive Research (NH EPSCoR), shall administer the grant program application and approval process in consultation with the commissioner, manage the annual investment portfolio, and evaluate investment performance. An organization may apply for funding under this section pursuant to the procedures established by the council. The council shall assign preference to grant applications that:

- (a) Increase New Hampshire's competitiveness through innovation.
- (b) Attract talent to New Hampshire.
- (c) Target existing industrial-cluster strength, potential growth, and research capacity.
- (d) Target areas of strategic priority as determined by NH EPSCoR and the department

of business and economic affairs.

- (e) Qualify for available matching funds from federal, private, or other sources.

III. Beginning July 1, 2021, and annually thereafter, the council shall conduct a survey of all organizations which receive grants under this section to evaluate the return on investment from the state's funding support and to permit the general court to consider legislation for continued funding. The council shall, no sooner than 18 months after the effective date of this section, develop and distribute a survey instrument to all organizations that have received grant funding under this section. The survey shall, at a minimum, collect the following information for each organization that receives grant funds under this section:

- (a) Number of grants obtained.
- (b) Total funding from grants and other investments.
- (c) Amount of federal funds obtained.
- (d) Number of employees.
- (e) Number of jobs created as a result of funding received under this section.
- (f) Number of licensing agreements secured.
- (g) Number of patents filed.

IV. An organization shall submit the completed survey to the council within 6 weeks of receipt. The council shall collect the completed surveys and submit them to the commissioner of the department of business and economic affairs. Any organization which fails to timely submit a completed survey shall not be eligible to obtain additional funding under this section.

V. Administrative costs shall not exceed 8 percent of annual fund expenditures.

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

2019-0648s

AMENDED ANALYSIS

This bill establishes the sunny day fund and grant program in the department of business and economic affairs to obtain and disburse grants for research and development, support the infrastructure necessary to address critical gaps in the state's ability to attract research and development projects, increase commercialization of new technologies, leverage federal funds, and support business development and expansion. The bill transfers funds from the general fund surplus account to fund the program.

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 265-FN-L, relative to maintaining stabilization grants at the current level.
Ought to Pass with Amendment, Vote 5-0. Senator Dietsch for the committee.

Education and Workforce Development

February 21, 2019

2019-0659s

05/04

Amendment to SB 265-FN-LOCAL

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

1 Cost of Opportunity for an Adequate Education; Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, ~~[and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year thereafter]~~ **92 percent for fiscal year 2018, 88 percent for fiscal year 2019, and 100 percent for fiscal year 2020 and each fiscal year thereafter.** No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMA is zero.

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

2019-0659s

AMENDED ANALYSIS

This bill provides that, beginning in 2020, the education stabilization grant to a municipality shall be equal to the municipality's 2012 education stabilization grant.

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

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

Senator Feltes moved to Lay on the Table SB 265-FN-L. Adopted.

SB 276-FN-A, relative to career readiness credentials for high school students.
Ought to Pass with Amendment, Vote 5-0. Senator Dietsch for the committee.

Education and Workforce Development

February 21, 2019

2019-0661s

06/05

Amendment to SB 276-FN-A

Amend RSA 188-E:10-b, VI(b) as inserted by section 6 of the bill by replacing it with the following:

(b) The annual report shall include the progress of the department of education and the career and technical education centers toward:

Amend RSA 188-E:2, IX as inserted by section 4 of the bill by replacing it with the following:

IX. "Work-based learning" means an educational strategy that offers students an opportunity to reinforce and deepen their classroom learning, explore future career fields, and demonstrate their skills in an authentic setting supported by educators and trained workplace mentors.

Amend RSA 188-E:10-b, VI(b)(3) as inserted by section 6 of the bill by replacing it with the following:

(3) Establishing annual reporting metrics for school district dual and concurrent course enrollment by class level and extended learning enrollment as defined in rules of the department of education.

Amend the bill by inserting after section 6 the following and renumbering the original sections 7 through 9 to read as 8 through 10, respectively:

7 Dual and Concurrent Enrollment Program; Program Established. Amend RSA 188-E:26 to read as follows:

188-E:26 Program Established. There is established a dual and concurrent enrollment program in the department of education. Participation in the program shall be offered to high school and career technical education center students in grades ~~[11 and]~~ **10 through** 12. The program shall provide opportunities for qualified New Hampshire high school students to gain access and support for dual and concurrent enrollment in STEM (science, technology, engineering, and mathematics) and STEM-related courses that are fundamental for success in postsecondary education and to meet New Hampshire's emerging workforce needs.

Amend RSA 188-E:27, III as inserted by section 8 of the bill by replacing it with the following:

III.(a) The state shall pay ~~[up to \$250]~~ **the current rate of concurrent enrollment tuition, which is established at \$150 per course,** to the CCSNH institution where a high school or career and technical education student successfully completes ~~[an approved]~~ **the concurrent enrollment** course ~~[and the CCSNH shall accept such amount as full payment for course tuition].~~

(b) The state shall pay the current rate of dual enrollment tuition, which is established at 1/2 the regular cost of the course to the CCSNH institution where a high school or career and technical education student successfully completes a dual enrollment course and the CCSNH shall accept such amount as full payment for course tuition.

Amend the bill by replacing section 9 with the following:

9 Department of Education; Appropriation. The sum of \$500,000 for the fiscal year ending June 30, 2020 is hereby appropriated to the department of education for costs associated with career assessment, transcript development, curricular sequencing guides, adoption of national standards, and reporting. Costs eligible for payment or reimbursement from this sum may be incurred by the department of education or local school districts. This appropriation is in addition to any other funds appropriated to the department of education. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

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

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, Fuller Clark, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

SB 278-FN-A, establishing the education administration efficiency fund and making an appropriation therefor. Inexpedient to Legislate, Vote 5-0. Senator Dietsch for the committee.

Recess. Out of recess.

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

SB 280-FN-L, relative to the cost of an adequate education.
Inexpedient to Legislate, Vote 4-1. Senator Kahn for the committee.

Recess. Out of recess.

Senator Watters moved to Lay on the Table SB280-FN-L.

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

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

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

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

SB 302-FN, relative to suspension and expulsion of pupils.
Re-refer to Committee, Vote 4-1. Senator Dietsch for the committee.

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

SB 309-FN-L, relative to stabilization grants for education.
Ought to Pass with Amendment, Vote 5-0. Senator Dietsch for the committee.

Education and Workforce Development

February 21, 2019

2019-0655s

06/04

Amendment to SB 309-FN-LOCAL

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

1 Cost of Opportunity for an Adequate Education; Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, ~~[and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year thereafter]~~ **92 percent for fiscal year 2018, 88 percent for fiscal year 2019, and 100 percent for fiscal year 2020 and each fiscal year thereafter.** No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMA is zero.

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

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

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

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 23-L, relative to a town establishing a minimum age to purchase a product.

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

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

SB 47, relative to inspectors of election.

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

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

SB 68, relative to the centralized voter registration database.

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

Without objection, Senator Cavanaugh moved the question. Adopted.

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, Fuller Clark, Morgan, Sherman, Soucy.

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

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

SB 105-FN, relative to contributions to inaugural committees.

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

Senator Birdsell offered a Floor Amendment.

Sen. Birdsell, Dist 19

Sen. Gray, Dist 6

March 7, 2019

2019-0886s

05/04

Floor Amendment to SB 105-FN

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

1 Inaugural Treasurer; Reporting Requirement. Amend RSA 664:13-a, II to read as follows:

II. No person shall make any expenditure or make or receive any contribution or receipt, in kind or otherwise, for a gubernatorial inauguration except by or through the inaugural treasurer. **No person shall make a contribution for a gubernatorial inauguration in excess of \$10,000.**

2 Inaugural Treasurer; Reporting Requirement. Amend RSA 664:13-a, IV to read as follows:

IV. The inaugural treasurer shall file an itemized statement of receipts and expenditures with the secretary of state in like manner and detail as prescribed in RSA 664:6 on March 10 and July 10 following the inauguration. **Expenditures totaling more than \$1,000 from the inaugural treasurer to the**

governor-elect or his or her immediate family shall contain back-up receipts. The report filed on March 10 shall be for the period ending on February 28 and the report filed on July 10 shall be for the period beginning on March 1 and ending on June 30. After the July 10 filing, reports shall continue to be filed every 6 months under RSA 664:6, V on the same dates required for state elections until a zero balance is achieved. If a report is sent by certified mail on or before the day it is due, the mailing shall constitute receipt by the secretary of state.

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 Feltes, seconded by Senator Giuda.

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

The following Senators voted No: Starr, Reagan.

Roll Call, Yeas: 22 - Nays: 2. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

ENERGY AND NATURAL RESOURCES

SB 24, relative to New Hampshire's regional greenhouse gas initiative 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 Third Reading.

SB 77-FN, relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases.

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

Energy and Natural Resources

February 21, 2019

2019-0660s

05/04

Amendment to SB 77-FN

Amend RSA 644:8, IV(c) as inserted by section 1 of the bill by replacing it with the following:

[(b)] (c) If a person convicted of any offense of cruelty to animals appeals any part of the conviction to the superior court or a higher court, and any confiscated animal remains in the custody of the arresting officer, the arresting officer's agency, or the arresting officer's agency's designee pending disposition of the appeal, in order for the appellant to maintain a future interest in the animal, the trial or appellate court may require the appellant to post a bond or other security in an amount not exceeding \$2,000 for each animal in custody for costs expected to be incurred for the board and care of the animal during the appeal. Such bond or security shall be posted to the court within 14 days. Upon the posting of funds, the arresting officer or arresting officer's agency having custody of any animals, or the arresting officer's agency's designee, may immediately begin to draw from those funds for payment of the actual costs incurred in keeping and caring for the animal or animals from the date of conviction until the final disposition of the appeal. If such bond or security is not paid within 14 days after the trial court orders the bond or security to be posted, the animals shall be forfeited to the arresting officer, the arresting officer's agency, or the arresting officer's agency's designee. If the conviction is affirmed on appeal, the costs incurred for the board and care of the animal, from the date the animal or animals were originally confiscated, shall be paid to the custodian from the posted security and the balance, if any, returned to the person who posted it. A court shall order the return of any unused bond or security upon a court approved agreement of the parties, a finding of not guilty, or the reversal of a conviction, unless it is a reversal with remand for further proceeding. For the purposes of this section, the term "unused" means the excess portion of the financial surety that was not consumed in the actual costs of animal care.

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 160, allowing swimming at non-motorized boat launches.
Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Energy and Natural Resources
February 21, 2019
2019-0654s
04/10

Amendment to SB 160

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

AN ACT relative to swimming and non-motorized boating at public boat access areas.

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

1 Swimming and Non-motorized Boating at Public Boat Access Areas. The fish and game department shall select 5 public boat access areas and shall permit at such areas swimming and boat access for non-motorized cartop watercraft such as canoes, kayaks, rowboats, sailboats, inflatable boats, paddle boards, or other watercraft that are hand portable to the water's edge and are able to be launched with or without a developed boat launch area. In selecting the 5 public boat access areas, the department shall choose low impact and low utilization access areas. The purpose shall be to determine if swimming and cartop non-motorized boating can safely utilize a public boat access area while limiting the impact to grant funding.

2 Report. The executive director of fish and game shall inform the senate president, speaker of the house of representatives, and the governor of the status of the swimming and non-motorized boating access permitted under section 1 of this act no later than November 1, 2022.

3 Repeal. Section 1 of this act, relative to swimming and non-motorized boating access at public boat access areas, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect November 1, 2024.

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

2019-0654s

AMENDED ANALYSIS

This bill authorizes the fish and game department to temporarily permit swimming and non-motorized boat access at certain public boat access areas.

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 161, relative to the definition of pet vendor.
Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Energy and Natural Resources
February 21, 2019
2019-0657s
01/04

Amendment to SB 161

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

AN ACT relative to the definition of pet vendor, the transfer of animals, and establishing the position of accounting clerk in the department of agriculture, markets, and food.

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

1 Definition of Pet Vendor. Amend RSA 437:1, IV to read as follows:

IV. "Pet vendor" means any person, firm, corporation, or other entity ~~[engaged in the business of transferring]~~ **that transfers 20 or more dogs, 20 or more cats, 30 or more ferrets, or 50 or more birds**, live animals or birds customarily used as household pets to the public, with or without a fee or donation required, and whether or not a physical facility is owned by the licensee in New Hampshire ~~[, when transfer to the final owner occurs within New Hampshire]~~ **between July 1 and June 30 of each year. Pet vendor also means**

any person, firm, corporation, or other entity that transfers amphibians, reptiles, fish, or small mammals customarily used as household pets to the public in quantities set in rules adopted by the department, with or without a fee or donation required, and whether or not a physical facility is owned by the licensee in New Hampshire between July 1 and June 30 of each year. Nothing in this paragraph shall be construed to alter or affect the municipal zoning regulations that a pet vendor shall conform with under RSA 437:3.

2 Exemptions; Commercial Kennel Deleted. Amend RSA 437:7 to read as follows:

437:7 Exceptions. The license provisions of this subdivision shall not apply to breeders of dogs that do not meet the definition of ~~[commercial kennel]~~ **pet vendor** in RSA 437:1, veterinarians, or the transfer of livestock or poultry.

3 New Paragraph; Health Certificates for Dogs, Cats, and Ferrets. Amend RSA 437:8 by inserting after paragraph V the following new paragraph:

VI. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual without first being protected against infectious diseases using a vaccine approved by the state veterinarian. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual unless accompanied by an official health certificate issued by a licensed veterinarian. No transfer shall occur unless the transferred animal is accompanied by a health certificate issued within the prior 14 days. The certificate shall be in triplicate, one copy of which shall be retained by the signing veterinarian, one copy of which shall be for the licensee's records, and one copy of which shall be given to the transferee upon transfer as provided in paragraph III. If an official health certificate is produced, it shall be prima facie evidence of transfer. The signing veterinarian shall provide a copy of the health certificate to the department of agriculture, markets, and food upon request.

4 Department of Agriculture, Markets, and Food; Appropriation for Position. There is hereby established an accounting clerk I position at the department of agriculture, markets, and food for the purposes of implementing section 1 of this act. The sum of \$100,000 for the fiscal year ending June 30, 2020, and the sum of \$84,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the department of agriculture, markets, and food to fund the position established in this section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

5 Repeal. RSA 437:1, II, relative to the definition of commercial kennel, is repealed.

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

2019-0657s

AMENDED ANALYSIS

This bill:

I. Repeals the definition of commercial kennel and revises the definition of pet vendor.

II. Authorizes the department of agriculture, markets, and food to make rules relative to the number of amphibians, reptiles, fish, or small mammals a person may sell and qualify as a pet vendor.

III. Establishes a position of accounting clerk in the department of agriculture, markets, and food and makes an appropriation therefor.

IV. Requires dogs, cats, and ferrets offered for transfer to be accompanied by a health certificate.

Without objection, Senator Feltes moved the question. Adopted.

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 163, relative to permits for operation of solid waste management facilities.

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

Energy and Natural Resources

February 21, 2019

2019-0658s

10/04

Amendment to SB 163

Amend RSA 149-M:9, VIII as inserted by section 1 of the bill by replacing it with the following:

VIII. The department shall act upon each permit application within [a reasonable period of time] ***the time periods specified in rules adopted under RSA 149-M:7. For permits requiring a public hearing under rules adopted under RSA 149-M:7, once the department determines that an application is complete, in no case shall the department take longer than 180 days to issue or deny the permit. For permits that do not require a public hearing under rules adopted under RSA 149-M:7, once the department determines that the application is complete, in no case shall the department take longer than 120 days to issue or deny the permit.*** Prior to such action, the department shall provide notice of the application by publication in at least one newspaper of general circulation in the community and an opportunity for hearing to interested persons. The applicant shall notify abutters of the public hearing in writing by certified mail, return receipt requested. The requirement of public notice and hearing shall apply at the discretion of the department to facilities or activities that will have an insignificant effect on environmental quality as defined by rule under RSA 149-M:7. ***The department may extend the time periods for review provided for in this section upon written agreement of the applicant.***

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

2 Rulemaking; Solid Waste Permits; Time Frames. Amend RSA 149-M:7, III to read as follows:

III. Administration of a permit system, including the terms, ~~and~~ conditions, ***and time frames*** under which the department shall issue, modify, suspend, revoke, deny, approve, or transfer permits required by this chapter.

2019-0658s

AMENDED ANALYSIS

This bill requires the department of environmental services to act upon a permit application no later than 180 days after the application is deemed complete.

This bill also specifies the rulemaking authority of the department of environmental services regarding solid waste permits.

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

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

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

SB 164, establishing a committee to study the long-term sustainability of the drinking and groundwater trust fund.

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

Energy and Natural Resources

February 21, 2019

2019-0653s

06/04

Amendment to SB 164

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

AN ACT establishing a committee to study unprotected drinking water sources and estimating the costs of protecting such sources.

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

1 Committee Established. There is established a committee to study unprotected drinking water sources and estimating the costs of protecting such sources.

2 Membership and Compensation.

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

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

(b) Four members of the house of representatives, 2 appointed by the speaker of the house of representatives and 2 appointed by the house minority leader.

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

III. The committee shall solicit advice and testimony from the following organizations, entities, and individuals and any other individual or organization with information relevant to the committee's study:

- (a) The state treasurer.
- (b) Representatives of the department of environmental services.
- (c) Representatives of a state or regional land trust.
- (d) Representatives of the New Hampshire Water Works Association.
- (e) Representatives of the New Hampshire Association of Conservation Commissions.
- (f) Members of the public who have business experience related to the creation and/or delivery of clean and safe drinking water.
- (g) Members of the public who represent citizens receiving their drinking water from private wells.
- (h) A municipal official from a municipality without a public drinking water system.
- (i) Any other stakeholders, nonprofit organizations, and other parties with an interest in the purpose of the water supply land protection grant program.

3 Duties. The committee shall:

- I. Study the extent to which water supply land is unprotected from contamination.
- II. Survey all New Hampshire municipalities to determine and catalogue all known unprotected drinking water sources as outlined in the Drinking Water Land Protection Plan for New Hampshire Progress Report dated November 7, 2017.
- III. Work with the department of environmental services to estimate to potential costs of protecting all unprotected sources identified in paragraph II.

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

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

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

2019-0653s

AMENDED ANALYSIS

This bill establishes a committee to study unprotected drinking water sources and estimating the costs of protecting such sources.

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 167-FN, establishing a clean energy resource procurement commission.
Ought to Pass with Amendment, Vote 5-0. Senator Feltes for the committee.

Energy and Natural Resources
February 21, 2019
2019-0662s
06/05

Amendment to SB 167-FN

Amend RSA 374-F:9, II(n) as inserted by section 2 of the bill by replacing it with the following:

- (n) A representative of Unitil, appointed by its president.
- (o) A representative of Liberty Utilities, appointed by its president.

(p) A representative of the renewable energy development industry, appointed by the governor.

(q) A representative of the renewable energy development industry, appointed by the president of the senate.

(r) A representative of the renewable energy development industry, appointed by the speaker of the house of representatives.

(s) A representative of the Conservation Law Foundation, appointed by the foundation.

Amend RSA 374-F:9, IV through VI as inserted by section 2 of the bill by replacing it with the following:

IV. The first meeting of the commission shall be called by the senate member and shall be held within 30 days of the effective date of this section. The members of the commission shall elect a chairperson from among the members at the first meeting. Eleven members of the commission shall constitute a quorum.

V. The commission shall make a final report, on or before October 1, 2020, to the speaker of the house of representatives, the president of the senate, the governor, and the chairperson of the public utilities commission. The reports shall describe the activities and findings of the commission and any recommendations for either 1) proposed legislation, or 2) direction to the public utilities commission to initiate a proceeding with the utilities and stakeholders to determine a competitive process and time line to secure clean energy generation resources for New Hampshire ratepayers.

VI. The commission shall have a budget of \$100,000 in order to hire technical and consulting support. The public utilities commission is authorized to contract for such services on behalf of the commission and to undertake an assessment for the same.

Amend the bill by replacing section 4 with the following and renumbering the original section 4 to read as 5:

4 Assessment of Costs. Amend RSA 374-F:8 to read as follows:

374-F:8 Participation in Regional Activities. The commission shall advocate for New Hampshire interests before the Federal Energy Regulatory Commission and other regional and federal bodies. The commission shall participate in the activities of the New England Conference of Public Utility Commissioners, the National Association of Regulatory Utility Commissioners, and the New England States Committee on Electricity, or other similar organizations, and work with the New England Independent System Operator and NEPOOL to advance the interests of New Hampshire with respect to wholesale electric issues, including policy goals relating to fuel diversity, renewable energy, and energy efficiency, and to assure nondiscriminatory open access to a safe, adequate, and reliable transmission system at just and reasonable prices. The commission shall advocate against proposed regional or federal rules or policies that are inconsistent with the policies, rules, or laws of New Hampshire. In its participation in regional activities, the commission shall consider how other states' policies will impact New Hampshire rates and work to prevent or minimize any rate impact the commission determines to be unjust or unreasonable. ***The commission shall directly assess gas and electric distribution utilities the costs and expenses of fulfilling its duties under this paragraph, including the costs and expenses of assistants hired by the commission, based on the annual revenues of the utilities in the same manner as issued in assessing the annual operating expenses of the commission, or as appropriate and equitable on a case by case basis. Such costs and expenses shall not include any part of the salaries of the commissioners or of employees of the commission, or the commission's membership fees for the New England Conference of Public Utility Commissioners and the National Association of Regulatory Utility Commissioners. The commission may make and the utilities shall pay such assessments monthly, quarterly, or annually at the commission's election.***

Amend paragraph I as inserted by section 5 of the bill by replacing it with the following:

I. Section 3 of the bill shall take effect October 1, 2020.

2019-0662s

AMENDED ANALYSIS

This bill:

I. Establishes a commission to investigate the cost-effective procurement of renewable energy generation resources.

II. Authorizes the public utilities commission to fund expenses of the commission pursuant to RSA 374-F:3, VI.

III. Authorizes the public utilities commission to directly assess gas and electric distribution utilities costs incurred under RSA 374-F:8.

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

Senator Feltes offered a Floor Amendment.

Sen. Feltes, Dist 15

March 1, 2019

2019-0737s

06/04

Floor Amendment to SB 167-FN

Amend RSA 374-F:9, II(n) as inserted by section 2 of the bill by replacing it with the following:

(n) A representative of Unitil, appointed by its president.

(o) A representative of Liberty Utilities, appointed by its president.

(p) A representative of the renewable energy development industry, appointed by the governor.

(q) A representative of the renewable energy development industry, appointed by the president of the senate.

(r) A representative of the renewable energy development industry, appointed by the speaker of the house of representatives.

(s) A representative of the Conservation Law Foundation, appointed by the foundation.

Amend RSA 374-F:9, IV through VI as inserted by section 2 of the bill by replacing them with the following:

IV. The first meeting of the commission shall be called by the senate member and shall be held within 30 days of the effective date of this section. The members of the commission shall elect a chairperson from among the members at the first meeting. Eleven members of the commission shall constitute a quorum.

V. The commission shall make a final report, on or before October 1, 2020, to the speaker of the house of representatives, the president of the senate, the governor, and the chairperson of the public utilities commission. The reports shall describe the activities and findings of the commission and any recommendations for either 1) proposed legislation, or 2) direction to the public utilities commission to initiate a proceeding with the utilities and stakeholders to determine a competitive process and time line to secure clean energy generation resources for New Hampshire ratepayers.

VI. The commission shall have a budget of \$100,000 in order to hire technical and consulting support. The public utilities commission is authorized to contract for such services on behalf of the commission and to undertake an assessment for the same.

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

4 Assessment of Costs. Amend RSA 374-F:8 to read as follows:

374-F:8 Participation in Regional Activities. The commission shall advocate for New Hampshire interests before the Federal Energy Regulatory Commission and other regional and federal bodies. The commission shall participate in the activities of the New England Conference of Public Utility Commissioners, the National Association of Regulatory Utility Commissioners, and the New England States Committee on Electricity, or other similar organizations, and work with the New England Independent System Operator and NEPOOL to advance the interests of New Hampshire with respect to wholesale electric issues, including policy goals relating to fuel diversity, renewable energy, and energy efficiency, and to assure nondiscriminatory open access to a safe, adequate, and reliable transmission system at just and reasonable prices. The commission shall advocate against proposed regional or federal rules or policies that are inconsistent with the policies, rules, or laws of New Hampshire. In its participation in regional activities, the commission shall consider how other states' policies will impact New Hampshire rates and work to prevent or minimize any rate impact the commission determines to be unjust or unreasonable. ***The commission shall directly assess gas and electric distribution utilities the costs and expenses of fulfilling its duties under this paragraph, including the costs and expenses of assistants hired by the commission, based on the annual revenues of the utilities in the same manner as issued in assessing the annual operating expenses of the commission, or as appropriate and equitable on a case by case basis. Such costs and expenses shall not include any part of the salaries of the commissioners or of employees of the commission, or the commission's membership fees for the New England Conference of Public Utility Commissioners and the National Association of Regulatory Utility Commissioners. The commission may make and the utilities shall pay such assessments monthly, quarterly, or annually at the commission's election.***

5 Effective Date.

I. Section 3 of this act shall take effect October 1, 2020.

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

2019-0737s

AMENDED ANALYSIS

This bill:

I. Establishes a commission to investigate the cost-effective procurement of renewable energy generation resources.

II. Authorizes the public utilities commission to fund expenses of the commission.

III. Authorizes the public utilities commission to directly assess gas and electric distribution utilities costs incurred.

Recess. Out of recess.

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

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

SB 207, relative to rules adopted by the department of environmental services pursuant to the 2014 report of the coastal risks and hazards commission.

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

Energy and Natural Resources

February 21, 2019

2019-0652s

10/04

Amendment to SB 207

Amend RSA 483-B:22, II as inserted by section 1 of the bill by replacing it with the following:

II. Notwithstanding any law to the contrary, any rule adopted by the commissioner of the department of environmental services that establishes any requirement based on the report identified in paragraph I may incorporate the report "as updated" without reference to a specific date. Efforts designed with a previous report identified in paragraph I shall not be required by the department to adapt their designs to accommodate the findings of the updated report but may do so as practicable. The department shall maintain a link to the most recent version of the report on its web page so the public will be able to easily discern which version of the report applies.

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 285-FN, establishing a coastal resilience and economic development program.

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

Energy and Natural Resources

February 21, 2019

2019-0663s

05/06

Amendment to SB 285-FN

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

1 Findings. It is the policy of the state of New Hampshire to support municipalities in the coastal and Great Bay Estuary region to prepare for sea-level rise, storm surge, and flooding from extreme precipitation.

2 New Section; Climate Emergency Municipal Unification. Amend RSA 31 by inserting after section 9-c the following new section:

31:9-d Climate Emergency Municipality Unification.

I. As a result of sea-level rise, storm surge, and flooding from extreme precipitation events, or in anticipation of such events as projected by the Coastal Risk and Hazards Commission final report, “Preparing New Hampshire for Projected Storm Surge, Sea-Level Rise, and Extreme Precipitation,” and subsequent science and technical advisory panel reports under RSA 483-B:22, a municipality may declare a climate emergency and engage in planning for municipality cooperation and for municipal unification. Municipal unification may include the creation of a new municipality incorporating the existing boundaries of such municipalities and the creation of a new, unified governing body. Municipal unification shall be ratified by the adoption of legislation by the general court. During this process a municipality may declare certain lands as no longer inhabitable or served by municipal resources and the abandonment of public roadways.

II. Any municipality may adopt unification by following the procedures in this section.

III. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition under RSA 39:3.

IV. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

V. If a majority of those voting on the question vote “yes,” the municipality may unify, subject to the provisions of paragraphs I and VII.

VI. If the question is not approved, the question may later be voted on according to the provisions of paragraph III or IV, whichever applies.

VII. The local governing body of any municipality that has unified may consider rescinding its action in the manner described in paragraph III or IV, whichever applies.

3 New Section; Joint Municipal Development and Revitalization Districts. Amend RSA 162-K by inserting after section 15 the following new section:

162-K:16 Joint Municipal Development and Revitalization Districts. Municipalities may jointly establish a municipal development and revitalization district that may include land within one or both municipalities using the procedures in this chapter. In such districts, if a business moves from one municipality into another in a shared district due to sea-level rise, storm surge, or flooding from extreme precipitation, the municipality of origin may retain benefit from property tax assessment on said business, as determined by the agreement establishing the district. Municipalities may jointly establish projects for the purpose of addressing sea-level rise, storm surge, and flooding from extreme precipitation events or projected events and establish a common bonding authority under RSA 33.

4 New Subdivision; Coastal Resilience and Cultural and Historic Reserve Districts. Amend RSA 12-A by inserting after section 67 the following new subdivision:

Coastal Resilience and Cultural and Historic Reserve Districts

12-A:68 Coastal Resilience and Cultural and Historic Reserve Districts. Municipalities, regional planning commissions, the coastal resilience and cultural and historic reserve district commission, and state agencies may identify lands suitable and eligible as a reserve of sufficient elevation and distance from tidal and riverine waters for historic properties and other historic and cultural resources including historic burying grounds. The acquisition of land and the acquisition, removal, restoration, and placement of such resources by municipalities, the coastal resilience and cultural and historic reserve district commission, and state agencies may be funded by municipal funding, including bonding, private and non-profit donations, funding from the land and community heritage investment trust program established RSA 227-M:7, the conservation number plate fund established in RSA 261:97-b, and funding from the state and federal government. Such districts may be established as a municipal or regional development and revitalization district. An existing local historic district, as defined in RSA 674:45-50 may, upon recommendation by a municipal governing body, be designated by the coastal resilience and cultural and historic reserve district commission as a coastal resilience and cultural and historic reserve district.

12-A:69 Coastal Resilience and Cultural and Historic Reserve District Fund. There is established a nonlapsing fund to be known as the coastal resilience and cultural and historic reserve district fund in the department

of natural and cultural resources. The fund shall be used for assessing historic resource vulnerability, for implementing adaptation measures that protect endangered cultural and historic resources, for the acquisition of land and the acquisition, removal, restoration, and placement of historic properties and other historic and cultural resources including historic burying grounds in danger of flooding from tidal and riverine waters when other adaptation measures are insufficient. The fund shall be managed by the coastal resilience and cultural and historic reserve district commission established in RSA 12-A:70.

12-A:70 Commission Established.

I. The coastal resilience and cultural and historic reserve district commission is established. The members of the commission shall be as follows:

- (a) One representative of the Rockingham planning commission, selected by its director.
- (b) One representative of the Strafford regional planning commission, selected by its director.
- (c) One representative of each town or city that borders the tidal waters of the Great Bay Estuary or Atlantic Ocean, appointed by that town or city's governing body.
- (d) Two members of the senate, appointed by the senate president.
- (e) Three members of the house of representatives, appointed by the speaker of the house.
- (f) One member of the New Hampshire Municipal Association, appointed by its president.
- (g) A representative of the division of historic resources, appointed by its director.
- (h) Three representatives of non-profits museums, historic properties, and historic associations in the seacoast and Great Bay Estuary regions, appointed by the governor.
- (i) A representative of Historic New England, appointed by its president.
- (j) A representative of the New Hampshire Old Graveyard Association, appointed by its president.
- (k) A representative of the Southeastern Land Trust, appointed by its president.
- (l) One representative of each local historic district in each municipality that borders the Great Bay or Atlantic Ocean, appointed by that district.

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

III. The commission shall:

- (a) Identify suitable and eligible lands for the district.
- (b) Adopt rules, procedures, and agreements, in consultation with municipalities, regional planning commissions, and state agencies for the creation and management of the districts.
- (c) Solicit funding for and manage the coastal resilience and cultural and historic reserve district commission fund.
- (d) Develop policies on assessing the vulnerability of cultural and historic resources, the implementation of adaptation measures to improve resilience, and governing the acquisition and removal of properties to the district and the ongoing stewardship of such properties.
- (e) Develop cooperative agreements with municipalities, local historic districts, regional planning commissions, and others, in the establishment of any related municipal or regional development revitalization district incorporating the coastal resilience and cultural and historic reserve district commission.
- (f) Recommend any changes to state statutes, rules, and practices and, in consultation with municipalities, changes to local ordinances necessary for coastal resilience and cultural and historic reserve districts established.

IV. The terms of the elected members of the commission shall be coterminous with their terms in office; the terms of all other appointed members shall be 3 years. In the event of a vacancy, a new member shall be appointed for the unexpired term in the same manner as the original appointment.

V. The first meeting of the commission shall be called by the first-named senate member and shall be held within 90 days of the effective date of this section. The members of the commission shall elect a chairperson from among the members at the first meeting. Fifteen members of the commission shall constitute a quorum.

5 New Section; Regional Planning Commissions; Coastal Resilience Fund; Climate Resilience Cooperative Agreements. Amend RSA 36 by inserting after section 53 the following new section:

36:53-a Coastal Resilience Fund; Climate Resilience Cooperative Agreements.

I. The Strafford regional planning commission and the Rockingham planning commission either separately or jointly with participating municipalities may create climate resilience cooperative agreements forming an authority to plan for an address sea-level rise, storm surge, and flooding from extreme precipitation events or in anticipation of such events as projected by the Coastal risk and Hazards Commission final report "Preparing New Hampshire for Projected Storm Surge, Sea-Level Rise, and Extreme Precipitation," and subsequent science and technical advisory panel reports under RSA 483-B:22.

II. Municipalities participating in a climate resilience cooperative agreement shall approve such agreement by a simple majority vote of the legislative body.

III. An authority formed by a climate resilience cooperative agreement may establish a coastal resilience fund, to be funded by contributions from participating parties or by bonds, to plan for and address current and future regional needs for projects such as, but not limited to, road projects, shared municipal facilities including wastewater treatment and wastewater systems, and other coastal mitigation and protection projects. If solid waste systems are proposed, such projects shall be governed by the provisions of RSA 53-B. If wastewater and waste treatment systems are proposed, such projects shall be governed by the provisions of RSA 485. For the purposes of the coastal resilience fund, the agreement may establish a common bonding authority under RSA 33.

IV. The climate resilience cooperative agreement will establish a governing authority and process to oversee the coastal resilience fund.

(a) For an agreement formed by one regional planning commission, the fund governing authority shall be composed of the regional planning commission director, an elected official of a participating municipality selected from among the participating municipalities, and the chair of the county delegation.

(b) For an agreement formed by both regional planning commissions, the fund governing authority shall be composed of both regional planning commission directors, an elected official of a participating municipality from both Rockingham and Strafford counties, each elected by the participating municipalities in such county and the chairs of the Rockingham and Strafford county delegations.

V. The business affairs and actions of a climate resilience cooperative agreement authority shall be conducted and governed pursuant to the terms, conditions, and provisions of its agreement. The agreement shall include, but not be limited to, the following:

(a) A list of municipalities included in the coastal resilience and historic reserve district.

(b) Except as provided otherwise by law, the powers, duties, and authorities of the climate resilience cooperative agreement authority.

(c) Provisions for the sharing of planning, construction, operating, maintenance, and closing costs of any facilities.

(d) A description of proposed activities and projects.

(e) The terms by which other municipalities may be admitted to the agreement.

(f) The terms by which a municipality may withdraw from the agreement before or after debt has been incurred.

(g) The method by which the agreement may be amended including conditions under which an amendment may be approved by the governing or legislative bodies of member municipalities.

(h) The procedure for dissolution of the agreement before or after debt has been incurred.

(i) Provisions for varied levels of participation by member municipalities in multiple projects, if available.

(j) The procedure for the preparation and adoption of the annual budget, including the apportionment of agreement expenses and a schedule of payments and other procedures relative to governing the agreement's fiscal affairs.

(k) The remedies and penalties which the climate resilience cooperative agreement authority may assert against a member which defaults in its obligations to the agreement, if any.

(l) Procedures to receive and disburse funds for any climate resilience cooperative agreement authority purpose.

(m) Procedures to incur temporary debt in anticipation of revenue to be received.

(n) Procedures to assess member municipalities for expenses of the climate resilience cooperative agreement authority.

(o) Power to receive any grants or gifts for the purposes of the climate resilience cooperative agreement authority.

(p) Procedures to engage legal counsel, accountants, engineers, contractors, consultants, agents, and other advisors.

(q) Procedures for entering into contracts with any person consistent with the climate resilience cooperative agreement authority.

(r) Enact bylaws and regulations relative to project management.

(s) Procedures for establishing payments to the authority from participating municipalities.

(t) Procedures for funding the coastal resilience fund, including authorization of bonding or incurring any debt, by the participating municipalities.

VI. The one year limitation on regional planning commissions' debt obligations under RSA 36:49 shall not apply to the bonding authority under this section.

6 Purpose of Bonds or Notes; Coastal Resilience and Economic Development Program Included. Amend RSA 33:3 to read as follows:

33:3 Purpose of Issue of Bonds or Notes. A municipality or county may issue its bonds or notes for the acquisition of land, for economic development, for planning relative to public facilities, for the construction, reconstruction, alteration, and enlargement or purchase of public buildings, for other public works or improvements, or for the financing of improvements, of a permanent nature including broadband infrastructure as defined in RSA 38:38, I(e), to serve any location within a municipality unserved by broadband as defined in RSA 38:38, I(c) for the purchase of departmental equipment of a lasting character, ~~and~~ for the payment of judgments **and including projects in the joint municipal development and revitalization districts established in RSA 162-K:16 and the coastal resilience and cultural and historic reserve districts established in RSA 12-A:68.** The issuance of such bonds or notes shall include, but not be limited to, public-private partnerships involving capital improvements, loans, financing, and guarantees. The public benefit in any public-private partnership must outweigh any benefit accruing to a private party. Bonds or notes for the purposes of economic development may be issued only after the governing body of the municipality or county has held hearings and presented the public benefit findings to the public and after such issuance has been approved by the legislative body. A municipality or county shall not issue bonds or notes to provide for the payment of expenses for current maintenance and operation except as otherwise specifically provided by law.

7 New Subdivision; Coastal Risk and Hazards Preparedness. Amend RSA 228 by inserting after section 115 the following new subdivision:

Coastal Risk and Hazards Preparedness

228:116 Coastal Risk and Hazards Preparedness. If abandonment of any state highway is considered because of sea-level rise, storm surge, and extreme precipitation events, or in anticipation of such events as projected by the Coastal Risk and Hazards Commission final report, "Preparing New Hampshire for Projected Storm Surge, Sea-Level Rise, and Extreme Precipitation," and subsequent science and technical advisory panel reports under RSA 483-B:22, the department of transportation shall coordinate procedures with affected communities, the Rockingham planning commission, the Strafford regional planning commission, the department of business and economic affairs, and with business, real estate, tourism, and other affected economic interests. The process shall also consider mitigation policies and potential funding for owners of affected properties served by such roadways and projected impacts to the environment and natural and cultural resources. The final approval for such projects shall be through the general court, and any funding shall be included in the ten-year highway plan.

8 New Subparagraph; 10-Year Transportation Improvement Program. Amend RSA 240:3, VI by inserting after subparagraph (e) the following new subparagraph:

(f) For any project located in the coastal and Great Bay regions of the state, the project shall reference as guidance for all potentially affected activities in said regions the requirements regarding coastal resilience and economic development in RSA 483-B:22.

9 New Subparagraph; Coastal Resilience and Cultural and Historic Reserve District Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

(344) Moneys deposited in the coastal resilience and cultural and historic reserve district fund established in RSA 12-A:69.

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

2019-0663s

AMENDED ANALYSIS

This bill:

I. Allows municipalities to unify as a result of a climate change emergency.

II. Allows municipalities to create municipal development and revitalization districts as a result of a climate change emergency.

III. Creates coastal resilience and cultural and historic reserve districts.

IV. Creates a coastal resilience and cultural and historic reserve district fund.

V. Creates a coastal resilience and cultural and historic reserve commission.

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).

FINANCE

SB 81-FN-A, authorizing the department of health and human services to hire certain personnel and making an appropriation therefor.

Ought to Pass, Vote 3-1. 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.

SB 82-FN, relative to school food and nutrition programs.

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

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

SB 172, relative to transfers within the judicial branch.

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

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

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, Vote 6-0. Senator Kahn for the committee.

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

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

Ought to Pass with Amendment, Vote 5-1. Senator Giuda for the committee.

Senate Finance

February 20, 2019

2019-0621s

10/08

Amendment to SB 238-FN

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

1 Department of Safety; General Provisions; Rulemaking Authority; Commissioner of Safety. Amend RSA 21-P:14, III(gg) to read as follows:

(gg) Exemption from municipal permit fees for certain ~~[disabled]~~ veterans, as authorized by RSA 261:157, ***RSA 261:157-a***, and 261:159; and for nonprofit organizations, as authorized by RSA 261:158.

2 Certificates of Title and Registration of Vehicles; Municipal Permits for Registration; Local Option Exemption for Certain Other Veterans. Amend RSA 261:157-a to read as follows:

261:157-a ***Local Option***; Exemption for ~~[Prisoners of Wars]~~ ***Certain Other Veterans***. The legislative body of a city or town may adopt an ordinance waiving the fee to be charged for a permit to register one motor vehicle owned by any person who ~~[was captured and incarcerated for 30 days or more while serving in a qualifying war or armed conflict as defined in RSA 72:28, V, and who was honorably discharged, provided the person has provided the city or town clerk with satisfactory proof of these circumstances:]~~:

I. Is a former prisoner of war and was captured and incarcerated while serving in a qualifying war or armed conflict as defined in RSA 72:28, V, or while serving in military operations in Iraq and Afghanistan, and who was honorably discharged, provided that such person has furnished the city or town clerk with satisfactory proof of these circumstances;

II. Was awarded the Purple Heart medal and who was honorably discharged or is still on active duty, provided that such person has furnished the city or town clerk with satisfactory proof of these circumstances; or

III. Survived Pearl Harbor and was honorably discharged, provided that such person has furnished the city or town clerk with satisfactory proof of these circumstances.

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

2019-0621s

AMENDED ANALYSIS

This bill grants authority to the legislative body of cities and towns to waive the fee for a municipal permit to register a motor vehicle owned by any veteran who is a former prisoner of war, was awarded the Purple Heart medal, or survived Pearl Harbor.

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 5-1. Senator Reagan 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 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, Fuller Clark, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

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

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 4-2. Senator Kahn for the committee.

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

SB 310-FN-A-L, relative to casino gambling.

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

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

A roll call was requested by Senator Fuller Clark, seconded by Senator Giuda.

The following Senators voted Yes: Starr, Bradley, Hennessey, Gray, Ward, Dietsch, Chandley, Levesque, Rosenwald, Feltes, Reagan, Fuller Clark, Sherman.

The following Senators voted No: Giuda, Watters, French, Kahn, Carson, Cavanaugh, Birdsell, D'Allesandro, Morse, Morgan, Soucy.

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

Senator D'Allesandro moved to Lay on the Table SB 310-FN-A-L. Adopted.

Recess. Out of recess.

MOTION OF RECONSIDERATION

Senator Feltes, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 310-FN-A-LOCAL, relative to casino gambling.: Lay on the Table. Adopted.

MOTION OF RECONSIDERATION

Senator Feltes, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 310-FN-A-LOCAL, relative to casino gambling.: Inexpedient to Legislate. Adopted.

Senator D'Allesandro moved to Lay on the Table SB 310-FN-A-L.

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

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

The following Senators voted No: Giuda, Cavanaugh.

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

HEALTH AND HUMAN SERVICES

SB 86, establishing a commission to study programs for serving individuals with certain developmental and mental health disabilities.

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

Health and Human Services

February 15, 2019

2019-0607s

04/08

Amendment to SB 86

Amend RSA 171-A:34, II(a)(1) as inserted by section 1 of the bill by replacing it with the following:

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

Amend RSA 171-A:34, II(a) as inserted by section 1 of the bill by inserting after subparagraph (11) the following new subparagraphs:

- (12) A representative of the New Hampshire council on developmental disabilities, appointed by the council.

- (13) A representative of the Brain Injury Association of New Hampshire, appointed by the association.

Amend RSA 171-A:34, V as inserted by section 1 of the bill by replacing it with the following:

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

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

Senator Sherman offered a Floor Amendment.

Sen. Sherman, Dist 24
March 1, 2019
2019-0739s
01/04

Floor Amendment to SB 86

Amend RSA 171-A:34, II(a) as inserted by section 1 of the bill by inserting after subparagraph (13) the following new subparagraph:

(14) A representative of the New Hampshire Medical Society, appointed by the society.

Amend RSA 171-A:34, V as inserted by section 1 of the bill by replacing it with the following:

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

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

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

SB 88-FN, relative to registry identification cards under the use of cannabis for therapeutic purposes law. Ought to Pass with Amendment, Vote 4-0. Senator Bradley for the committee.

Health and Human Services
February 20, 2019
2019-0606s
05/06

Amendment to SB 88-FN

Amend the bill by deleting section 3 and renumbering the original sections 4-8 to read as 3-7, respectively.

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

2019-0606s

AMENDED ANALYSIS

This bill makes certain changes in the use of cannabis for therapeutic purposes law, including eliminating the time frame for a provider-patient relationship.

Senator Feltes moved to the divide the question on the Committee Amendment: Lines 1 and 2; and 4.

The Chair ruled the question divisible.

Recess. Out of recess.

INTRODUCTION OF GUESTS

Senator Feltes introduced Concord residents Christopher and his son Ryan, visiting in the gallery.

The question is on the adoption of the Committee Amendment lines 1 and 2. Adopted.

The question is on the adoption of the Committee Amendment line 4.

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

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

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

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

Senator Gray moved to the divide the question on Ought to Pass as Amended.

The Chair ruled the question divisible.

Recess. Out of recess.

The question is on the adoption of Ought to Pass with Amendment: Sections 6 and 7.

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

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

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

Roll Call, Yeas: 16 - Nays: 8. Adopted.

The question is on the adoption of Ought to Pass with Amendment: Sections 1-5 and 7. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

SB 119, directing hospitals to develop an operational plan for the care of patients with dementia. Ought to Pass with Amendment, Vote 4-0. Senator Sherman for the committee.

Health and Human Services

February 20, 2019

2019-0610s

04/08

Amendment to SB 119

Amend the introductory paragraph of RSA 151:2-h, I as inserted by section 1 of the bill by replacing it with the following:

I. Every facility licensed as a hospital under RSA 151:2, I(a) shall, not later than January 1, 2023, complete and implement an operational plan for the recognition and management of patients with dementia or delirium in acute-care settings. The plan shall address the following recommendations:

Amend RSA 151:2-h, I as inserted by section 1 of the bill by replacing it with the following:

I. Every facility licensed as a hospital under RSA 151:2, I(a) shall, not later than January 1, 2021, complete and implement an operational plan for the recognition and management of patients with dementia or delirium in acute-care settings. The plan shall address the following recommendations:

- (a) Recognition of dementia and/or delirium.
- (b) Cognitive assessment.
- (c) Management and treatment in all relevant departments.
- (d) Development of a dementia-friendly environment.
- (e) Transfer or discharge procedures.
- (f) An annual hospital self-assessment.

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

Senator Sherman offered a Floor Amendment.

Sen. Sherman, Dist 24

March 1, 2019

2019-0738s

01/04

Floor Amendment to SB 119

Amend RSA 151:2-h, I as inserted by section 1 of the bill by replacing it with the following:

I. Every facility licensed as a hospital under RSA 151:2, I(a) shall, not later than January 1, 2023, complete and implement an operational plan for the recognition and management of patients with dementia or delirium in acute-care settings. The plan shall address the following recommendations:

- (a) Recognition of dementia and/or delirium.
- (b) Cognitive assessment.

- (c) Management and treatment in all relevant departments.
- (d) Development of a dementia-friendly environment.
- (e) Transfer or discharge procedures.
- (f) An annual hospital self-assessment.
- (g) Education and training of clinical and non-clinical staff.

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

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

SB 176, establishing a committee to study mental health and human service business process alignment and information system interoperability.

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

Health and Human Services

February 21, 2019

2019-0635s

10/04

Amendment to SB 176

Amend the bill by replacing sections 5 and 6 with the following:

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

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

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

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

SB 259-FN, expanding eligibility for the Medicaid for employed adults with disabilities (MEAD) program.

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

Health and Human Services

February 21, 2019

2019-0634s

05/04

Amendment to SB 259-FN

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

AN ACT expanding eligibility for Medicaid for employed adults with disabilities age 65 and over.

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

1 Department of Health and Human Services; State Plan Amendment; Medicaid for Older Employed Adults with Disabilities (MOAD) Work Incentive Program. On or before January 15, 2020, the commissioner of the department of health and human services shall apply to the Centers for Medicare and Medicaid Services for an amendment to the state Medicaid plan pursuant to 442 C.F.R. section 430.12 to allow working persons with disabilities who are age 65 and older to receive medical assistance pursuant to 42 U.S.C. section 1396a(a)(10)(A)(ii)(XIII) and as permitted under the Balanced Budget Act of 1997, to be known as Medicaid for Older Employed Adults with Disabilities (MOAD). The state plan amendment shall be used to create a program similar to the state's Medicaid for Employed Adults with Disabilities (MEAD) program, established pursuant to RSA 167:3-i, which is currently limited to individuals between 18 and 64 years of age. Program eligibility under the state plan amendment shall be structured to provide the broadest range of Medicaid coverage consistent with federal eligibility criteria, and to utilize available income and asset disregards so that, to the extent possible, persons eligible for the MEAD program shall also be eligible for the MOAD program when they reach age 65.

2 New Paragraph; Definitions; MOAD Program. Amend RSA 167:6 by inserting after paragraph IX the following new paragraph:

IX-a. A person with a disability age 65 and older who is eligible to participate in the work incentive program, known as Medicaid for employed older adults with disabilities (MOAD), shall be eligible for medical assistance as medically needy or categorically needy but not to exclude Medicare coverage. The department of health and human services shall establish a sliding fee scale for participants to contribute to the cost of such medical assistance. Participants in the MOAD program shall be employed at the time of enrollment, and may remain enrolled during temporary unemployment for medical reasons or other good cause.

3 New Section; MOAD Work Incentive Program. Amend RSA 167 by inserting after section 3-l the following new section:

167:3-m MOAD Work Incentive Program.

I. Pursuant to section 1902(a)(10)(A)(ii)(XIII) of the Social Security Act, 42 U.S.C. section 1396a(a)(10)(A)(ii)(XIII), the department of health and human services shall establish and administer a work incentive program, known as Medicaid for employed older adults with disabilities (MOAD). The purpose of the program shall be to ensure the availability of long-term supports to workers age 65 and older with disabilities who are medically eligible for Medicaid, enabling them to maximize their employment potential and financial independence and prevent impoverishment and dependence upon cash assistance programs.

II. In addition to the requirements of RSA 167:6, IX-a, the MOAD program shall:

(a) Exclude from consideration resources accumulated from earnings, including interest earned by the resource, by a MOAD-eligible individual beginning on or after the date of eligibility through the period of MOAD eligibility and kept in a separate account from other resources, when determining future eligibility for other medical assistance programs.

(b) Provide continued eligibility during periods of temporary unemployment provided that the individual is unable to work for medical reasons but is likely to return to work, or the individual becomes unemployed for other good cause and is actively seeking employment.

(c) Define employment for eligibility purposes in a manner that permits a self-employed individual to earn less than the federal minimum wage.

(d) Permit individuals who are eligible for home and community-based care waiver services and who qualify for a special income limit, to receive medical assistance through the MOAD program, if they so choose.

(e) Provide notice and an opportunity for a fair hearing in the event of any adverse action affecting eligibility for or enrollment in the MOAD program.

(f) Establish oversight and enforcement procedures to prevent fraud and to assure that participants are consistently engaging in gainful employment.

III. Pursuant to section 1902(a)(10)(A)(ii)(XIII) of the Social Security Act, 42 U.S.C. section 1396a(a)(10)(A)(ii)(XIII), individuals shall be eligible for MOAD if their income does not exceed 250 percent of the federal poverty level, and they meet all criteria for receiving benefits under the Supplemental Security Income (SSI) program.

4 New Paragraph; Rulemaking; MOAD Program. Amend RSA 167:3-c by inserting after paragraph XII the following new paragraph:

XII-a. Administration of the MOAD work incentive program established pursuant to RSA 167:6, IX-a and RSA 167:3-m.

5 Applicability. Sections 2-4 of this act shall take effect on the date that the commissioner of the department of health and human services certifies to the secretary of state and the director of the office of legislative services that the state plan amendment submitted under section 1 of this act has been approved by the Centers for Medicare and Medicaid Services.

6 Effective Date.

I. Sections 2-4 of this act shall take effect as provided in section 5 of this act.

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

2019-0634s

AMENDED ANALYSIS

This bill expands eligibility for Medicaid for employed adults with disabilities age 65 and over.

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 289-FN, relative to health and human services.

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

Health and Human Services

February 21, 2019

2019-0637s

05/01

Amendment to SB 289-FN

Amend the bill by replacing section 4 with the following:

4 Services for the Developmentally Disabled; Definition of Area Agency. Amend RSA 171-A:2, I-b to read as follows:

I-b. "Area agency" means an entity established as a nonprofit corporation in the state of New Hampshire which is established by rules adopted by the commissioner to provide *and/or coordinate* services to developmentally disabled persons in the area.

Amend the bill by replacing section 12 with the following:

12 Regulation of Pharmacies; Dealing in or Possessing Prescription Drugs. Amend RSA 318:42, VII to read as follows:

VII. The dispensing of noncontrolled prescription drugs [~~by registered nurses in clinics operated by or under contract with the department of health and human services~~] *at a clinic by a licensed health professional legally authorized to administer immunizations or dispense medications*, or by [~~such~~] *registered* nurses in clinics of nonprofit family planning agencies under contract with the department of health and human services, provided that:

(a) The drugs are dispensed under a written protocol established by a licensed physician, *physician assistant*, or by an advanced practice registered nurse, [~~and approved by the department of health and human services~~] which provides for responsible supervision over the activities in question and mentions the name of each [~~registered nurse~~] *health care provider* for whom the physician, *physician assistant*, or advanced practice registered nurse is assuming supervisory responsibility. A written *and signed* copy of the protocol showing the date it was approved [~~by the department of health and human services~~] shall be kept at the clinic at all times and shall be made available during any inspection conducted under RSA 318:8.

(b) The drugs appear on *the current vaccine schedule recommended by the federal advisory committee on immunization practices or* the current formulary approved pursuant to RSA 326-B.

(c) The drugs are dispensed *or administered* only to bona fide clients of the clinic for their personal needs pursuant to written eligibility criteria established by [~~the department of health and human services~~] *the licensed physician, physician assistant, or advanced practice registered nurse who established the written and signed protocol*.

(d) [~~The clinic, except for clinics operated directly by the department of health and human services, possesses a current limited retail drug distributor's license under RSA 318:51-b.~~] *Nothing in this section shall be construed to negate any authority of the board of pharmacy pursuant to RSA 318:8.*

(e) [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 the Committee on Finance (Rule 4-5).

JUDICIARY

SB 34, relative to the applicability of certain DWI prohibitions.

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

Senate Judiciary
February 20, 2019
2019-0611s
11/08

Amendment to SB 34

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Alcohol or Drug Impairment; Definitions. Amend RSA 265-A:1 by inserting after paragraph V the following new paragraph:

VI. "Drive," or "attempt to drive," or "actual physical control" shall not include:

- (a) Sleeping, resting, or sheltering in place in a vehicle parked in any place where parking is permitted;
- (b) Lacking intent to control the vehicle in a manner which could pose a danger to the public; or
- (c) Controlling an inoperable vehicle.

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 89-FN, relative to the penalties for violation of privacy.
Inexpedient to Legislate, Vote 4-0. Senator Hennessey for the committee.

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

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

The following Senators voted Yes: Hennessey, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, Reagan, D'Allesandro, Fuller Clark.

The following Senators voted No: Starr, Giuda, Bradley, Watters, Gray, French, Ward, Dietsch, Kahn, Carson, Birdsell, Morse, Morgan, Sherman, Soucy.

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

Senator Bradley moved Rerefer to Committee.

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

SB 90-FN, relative to certain disclosures by health care provider facilities.
Re-refer to Committee, Vote 5-0. Senator Chandley for the committee.

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

SB 130-FN, establishing positions within the cold case homicide unit.
Ought to Pass with Amendment, Vote 5-0. Senator Chandley for the committee.

Senate Judiciary
February 21, 2019
2019-0630s
04/10

Amendment to SB 130-FN

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

AN ACT establishing positions in the department of justice and the department of safety to work in the cold case homicide unit.

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

1 Cold Case Homicide Unit; Positions Established.

I. There are hereby established within the department of justice for the biennium ending June 30, 2021, 2 full-time, unclassified attorney positions who shall be assigned to the department's cold case homicide unit established in RSA 21-M:8-m to work exclusively on unsolved murders in the state. The salary for each of

these positions shall be determined after assessment and review of the appropriate temporary salary grade in RSA 94:1-a, I(c) which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. The department of justice shall fund these positions from the department's biennial operating budget.

II. There are hereby established within the department of safety, division of state police, for the biennium ending June 30, 2021, 2 full-time, classified state police positions who shall be assigned to the department of justice, cold case homicide unit established in RSA 21-M:8-m to work exclusively on unsolved murders in the state. One position shall be established at the rank of sergeant and one position established shall be at the rank of trooper first class. The compensation for each position shall be determined pursuant to RSA 21-I and the collective bargaining agreement. The department of safety shall fund these positions from the department's biennial operating budget.

2 Repeal. Section 1 of this act, relative to positions established in the cold case homicide unit, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect June 30, 2021.

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

2019-0630s

AMENDED ANALYSIS

This bill establishes 2 attorney positions in the department of justice and 2 state trooper positions in the department of safety who shall be assigned to the cold case homicide unit. The positions are established and funded for the 2020 and 2021 fiscal years.

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 237-FN, relative to the office of cost containment.

Ought to Pass, Vote 4-1. Senator Levesque 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 296-FN, relative to live medical testimony in courts.

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

Senate Judiciary

February 21, 2019

2019-0649s

06/01

Amendment to SB 296-FN

Amend subparagraph I(a) of section 1 of the bill by replacing it with the following:

(a) In the trial of lawsuits alleging bodily injury, requiring live testimony from licensed health care providers adds significantly to the cost of litigation for all parties.

Amend subparagraphs I(c)-(d) as inserted by section 1 of the bill by replacing them with the following:

(c) Requiring live medical testimony burdens licensed health care providers by taking them away from their medical practices for hours or even days at a time, reducing their ability to provide needed attention and care to their patients.

(d) Requiring live medical testimony can strain the provider-patient relationship, possibly affecting the quality of care. Many licensed health care providers refuse to give testimony; some refuse to treat patients for whom later testimony might be needed.

Amend RSA 516:29-c, I as inserted by section 2 of the bill by replacing it with the following:

I. Except as provided in paragraph V, in any civil proceeding before a court, commission, or agency, records or reports of licensed health care providers relating to medical, dental, or hospital services, prescrip-

tions, or orthopedic appliances rendered to or prescribed for an injured person, reports of any medical or dental examination of such injured person, and itemized bills reflecting the amounts charged for such services, prescriptions, or appliances, which are subscribed and sworn to under the penalties of perjury by the licensed health care provider, authorized agent of the hospital or health maintenance organization rendering such services, or the pharmacist or retailer of orthopedic appliances, shall be admissible, as evidence of:

(a) The reasonable necessity of such services, treatments, or appliances and the fair and reasonable charges for such services;

(b) The diagnosis and prognosis of the licensed health care provider;

(c) The opinion of such licensed health care provider as to the proximate cause of the diagnosed condition; and

(d) The opinion of such licensed health care provider as to disability or incapacity, if any, proximately resulting from the diagnosed condition.

Amend RSA 516:29-c, III as inserted by section 2 of the bill by replacing it with the following:

III. Nothing in this section shall be construed to limit the right of any party to the action or proceeding to summon, at his or her own expense, such licensed health care provider, pharmacist, retailer of orthopedic appliances, or agent of such hospital or health maintenance organization, or the records of such licensed health care provider, hospital, or health maintenance organization, for the purpose of cross-examination with respect to such record, report, or bill, or to rebut the contents thereof, or for any other purpose, nor to limit the right of any party to the action or proceeding to summon any other person to testify in respect to such record, report, or bill, or for any other purpose.

Amend RSA 516:29-c, VI(a) as inserted by section 2 of the bill by replacing it with the following:

(a) "Licensed health care provider" shall include any person who is licensed to practice as such under the laws of the jurisdiction within which such services were rendered, and shall include, but not be limited to medical doctors, chiropractists, chiropractors, dentists, nurse practitioners, optometrists, osteopaths, physician assistants, physical therapists, podiatrists, psychologists, and other medical personnel.

2019-0649s

AMENDED ANALYSIS

This bill permits certain medical and dental records and reports to be admissible in civil proceedings as evidence of the necessity of and charges for certain medical and dental services, the diagnosis and prognosis of a licensed health care provider, and certain opinions of licensed health care providers.

Without objection, Senator Morse moved the question. Adopted.

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

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 Birdsell, seconded by Senator Giuda.

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

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

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

SB 297-FN, extending the deadline for arraignments.

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

Senate Judiciary
February 20, 2019

2019-0612s

04/05

Amendment to SB 297-FN

Amend the bill by replacing section 1 with the following:

1 Release or Detention; Place and Time of Detention. Amend RSA 594:20-a, I to read as follows:

I. When a person is arrested with or without a warrant he or she may be committed to a county correctional facility, to a police station or other place provided for the detention of offenders, or otherwise detained in custody[; ~~provided, however, that he or she~~]. **The person** shall be taken **to appear** before a circuit court, or a superior court in the case of felony complaints and misdemeanors and violation level charges that are directly related to those felonies, without unreasonable delay, [~~but not exceeding 24 hours,~~] **to answer for the offense. All persons shall appear no later than 24 hours after arrest, or no later than 36 hours after arrest if arrested between 8:00 a.m. and 1:00 p.m. and the person's attorney is unable to attend an arraignment on the same day, Saturdays, Sundays, and holidays excepted[; ~~to answer for the offense~~].**

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 313-FN, establishing a citizen's right-to-know appeals commission and a right-to-know law ombudsman and making an appropriation therefor.

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

Senate Judiciary
February 21, 2019
2019-0651s
01/10

Amendment to SB 313-FN

Amend the bill by replacing all after section 4 with the following:

5 Right-to-Know; Violation. Amend RSA 91-A:7 to read as follows:

91-A:7 Violation.

[~~I.~~] Any person aggrieved by a violation of this chapter may petition the superior court for injunctive relief. In order to satisfy the purposes of this chapter, the courts shall give proceedings under this chapter high priority on the court calendar. Such a petitioner may appear with or without counsel. The petition shall be deemed sufficient if it states facts constituting a violation of this chapter, and may be filed by the petitioner or his or her counsel with the clerk of court **or any justice thereof. Thereupon the clerk of court or any justice shall order service by copy of the petition on the person or persons charged. Subject to objection by either party, all documents filed with the petition and any response thereto shall be considered as evidence by the court. All documents submitted shall be provided to the opposing party prior to a hearing on the merits. When any justice shall find that time probably is of the essence, he or she may order notice by any reasonable means, and he or she shall have authority to issue an order ex parte when he or she shall reasonably deem such an order necessary to insure compliance with the provisions of this chapter.**

[~~II. In lieu of the procedure under paragraph I, an aggrieved person may file a complaint with the ombudsman under RSA 91-A:7-b and in accordance with RSA 91-A:7-c.~~

[~~III. A person's decision to petition the superior court forecloses the ability to file a complaint with the ombudsman pursuant to RSA 91-A:7-c.~~

[~~IV. A person's decision to file a complaint with the ombudsman forecloses the ability to petition the superior court until the ombudsman issues a final ruling or the deadline for such a ruling has passed.~~]

6 Repeal. RSA 91-A:7-a through 91-A:7-e, relative to the citizen's right-to-know commission, office of the ombudsman, complaint process, appeal and enforcement, and rulemaking, is repealed.

7 Effective Date.

I. Sections 1 and 4 of this act and, RSA 91-A:7-a and RSA 91-A:7-e as inserted by section 3 of this act shall take effect July 1, 2019.

II. Sections 5 and 6 of this act shall take effect July 1, 2024.

III. The remainder of this act shall take effect April 1, 2020.

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

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

TRANSPORTATION

SB 221, establishing a commission to study highway fund revenue for hybrid and electric vehicles. Ought to Pass with Amendment, Vote 4-0. Senator Ward for the committee.

Senate Transportation
February 20, 2019
2019-0604s
06/05

Amendment to SB 221

Amend RSA 260:34-b, II(f) through (m) as inserted by section 1 of the bill by replacing them with the following:

(f) The commissioner of the department of environmental services, or designee.

(g) One representative of the Business and Industry Association of New Hampshire, appointed by the association.

(h) One representative of the New Hampshire Automobile Dealers Association, appointed by the association.

(i) One member representing the environmental community, appointed by governor.

(j) One member of the New Hampshire City and Town Clerks Association, appointed by the association.

(k) One representative of the New Hampshire Municipal Association, appointed by the association.

(l) One representative of AAA Northern New England, appointed by the association.

(m) One representative of the road building industry, appointed by the Associated General Contractors of America, New Hampshire chapter.

(n) One representative of the trucking industry, appointed by the New Hampshire Motor Transport Association.

(o) One representative of Drive Electric NH, appointed by the coalition.

(p) One representative of the American Council of Engineering Companies of New Hampshire, appointed by the council.

Amend RSA 260:34-b, V as inserted by section 1 of the bill by replacing it with the following:

V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum. The commission shall submit a report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2020.

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

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

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

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

WAYS AND MEANS

SB 41-FN, relative to historical racing.

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

Senate Ways and Means
February 21, 2019
2019-0628s
08/10

Amendment to SB 41-FN

Amend RSA 284:15-e, II as inserted by section 5 of the bill by replacing it with the following:

II. Any person who holds a game operator employer license under RSA 287-D may accept wagers on historic horse races.

Amend RSA 284:22-b, I(b)(1) and (2) as inserted by section 6 of the bill by replacing it with the following:

(1) Any person who holds a license under RSA 284; or

(2) Any individual, association, partnership, joint venture, corporation, or other organization or other entity which holds a game operator employer license under RSA 287-D and meets the requirements of RSA 284:15.

Amend RSA 284:22-b, II as inserted by section 6 of the bill by replacing it with the following:

II. A licensee under this chapter or a game operator employer licensed under RSA 287-D may sell pari-mutuel pools on historic horse races provided such sales are within the enclosure of the facility at which the licensee holds its licensed activities.

Amend the bill by inserting after section 6 the following and renumbering the original section 7 to read as 8:

7 Pari-Mutuel Pools; Monetary Commission; References Corrected. Amend RSA 284:22 to read as follows:

284:22 Pari-Mutuel Pools. During the calendar years of 1941-2029, a licensee under this chapter may sell pari-mutuel pools in accordance with this chapter and rules adopted by the lottery commission. Pari-mutuel pools shall be sold within the enclosure of the racetrack where a licensed race or race meet is held or as provided in RSA 284:22-a, and not elsewhere.

I. The ~~[lottery]~~ commission on all win, place, and show pari-mutuel pools at tracks or race meets at which running horse races are conducted for public exhibition shall be uniform throughout the state at the rate of 19 percent of each dollar wagered in such pools, and the ~~[lottery]~~ commission on all other pari-mutuel pools at such tracks or race meets shall be at the rate of not less than 26 percent of each dollar wagered in such pools and not more than 27 percent of each dollar wagered in such pools as determined from time to time by the licensee which conducts live running horse races after written notice to the lottery commission and, in the absence of written notice, at the rate of 26 percent of each dollar wagered in such pools. Except as provided in RSA 284:22-a, the amount of the purse at such tracks or race meets at which running horse races are conducted shall be 81/4 percent of each dollar wagered in all pari-mutuel pools, said 81/4 percent to be paid by the licensee out of the ~~[lottery]~~ commission on such pools. In addition to the above ~~[lottery]~~ commission, 1/2 of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage", shall be retained by the licensee, 1/4 paid to the state treasury for the use of the state in accordance with the provisions of RSA 284:2 and 1/4 shall be paid to the lottery commission. The lottery commission shall distribute such breakage to the licensee which paid such breakage to supplement purses of live races conducted by the licensee at the location from which such breakage was paid. Each licensee shall pay the tax provided for in RSA 284:23.

II. The ~~[lottery]~~ commission on all win, place, and show pari-mutuel pools at tracks or race meets at which harness horse races are conducted for public exhibition, including those conducted by agricultural fairs, shall be uniform throughout the state at the rate of 19 percent of each dollar wagered in such pools, and the ~~[lottery]~~ commission on all other pari-mutuel pools at such tracks or race meets shall be at the rate of not less than 25 percent of each dollar wagered in such pools and not more than 26 percent of each dollar wagered in such pools as determined from time to time by the licensee which conducts live harness horse racing after written notice to the lottery commission and, in the absence of such written notice, at the rate of 25 percent of each dollar wagered in such pools. In addition to the above ~~[lottery]~~ commission, 1/2 of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage", shall be retained by the licensee, 1/4 paid to the state treasury for the use of the state in accordance with the provisions of RSA 284:2 and 1/4 shall be paid to the lottery commission. The lottery commission shall distribute such breakage to the licensee which paid such breakage. Each licensee shall pay the tax provided for in RSA 284:23.

III. For the purposes set forth in this section, an “agricultural fair” means an association which provides for and pays premiums of \$5,000 or more, annually, as is determined by the commissioner of agriculture, markets, and food, in accordance with RSA 284:25.

IV. Subject to the provisions of RSA 284:22-a, V, the [lottery] commission on all win, place, and show pari-mutuel pools at tracks or race meets at which simulcast dog races are conducted for public exhibition shall be uniform throughout the state at the rate of 19 percent of each dollar wagered in such pools; and the [lottery] commission on all other pari-mutuel pools at such tracks or race meets shall be at the rate of 27 percent of each dollar wagered in such pools. In addition to the above [lottery] commission, 1/2 of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as “breakage,” shall be retained by the licensee, 1/4 paid to the state treasury for the use of the state and 1/4 shall be paid to the lottery commission. Each licensee shall pay the tax provided for in RSA 284:23.

2019-0628s

AMENDED ANALYSIS

This bill defines and regulates pari-mutuel pools on historic horse racing.

This bill also corrects references to a monetary commission.

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 57-FN, relative to phasing out and repealing the utility property tax.
Inexpedient to Legislate, Vote 3-2. Senator D’Allesandro for the committee.

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

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

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

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

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

SB 190-FN, relative to apportionment of sales under the business profits tax.
Ought to Pass with Amendment, Vote 5-0. Senator D’Allesandro for the committee.

Senate Ways and Means

February 20, 2019

2019-0624s

10/05

Amendment to SB 190-FN

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

II. Section 1 of this act shall take effect January 1, 2021.

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 191-FN, relative to exemptions for the tax on interest and dividends.
Inexpedient to Legislate, Vote 3-2. Senator Dietsch for the committee.

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

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

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

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

The following Senators filed a Declaration of Intent: Bradley.

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

SB 223-FN, increasing the minimum gross business income required for filing a business profits tax return. Re-refer to Committee, Vote 3-2. Senator Dietsch for the committee.

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

SB 244-FN, relative to taxes applicable to certain real estate investment trusts. Re-refer to Committee, Vote 5-0. Senator Feltes for the committee.

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

ENERGY AND NATURAL RESOURCES

SB 76, relative to the prohibition of offshore oil and natural gas exploration. Ought to Pass, Vote 5-0. Senator Fuller Clark for the committee.

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2
Sen. Bradley, Dist 3
March 7, 2019
2019-0880s
08/06

Floor Amendment to SB 76

Amend RSA 146-A:2-a as inserted by section 1 of the bill by replacing it with the following:

146-A:2-a Offshore Oil and Natural Gas Exploration Prohibited.

I. In this section, "development" means any pipeline or other infrastructure that transports oil or natural gas from production facilities located in federal waters or other coastal state waters in the Atlantic Ocean through New Hampshire coastal state waters and any land-based support facilities for offshore oil or natural gas production facilities located in the Atlantic Ocean.

II. Offshore oil or natural gas exploration, development, and production is prohibited in coastal state waters.

III. No tidal or submerged lands in coastal state waters shall be leased for the purposes of oil or natural gas exploration, development, or production.

IV. The department of environmental services shall not:

(a) Issue any permit or other approval for any development associated with offshore drilling for oil and natural gas whether proposed for in coastal state waters or outside of coastal state waters.

(b) Permit, approve or otherwise authorize any oil or natural gas exploration, development, or production in coastal state waters.

(c) Develop, adopt, or endorse any plans for the exploration, development, or production of oil or natural gas in coastal state waters.

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

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

CONSENT CALENDAR REPORTS REMOVED

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

TRANSPORTATION

SB 300-FN, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack. Re-refer to Committee, Vote 5-0. Senator Watters for the committee.

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

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

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

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

Roll Call, Yeas: 8 - Nays: 16. Failed.

MOTION OF RECONSIDERATION

Senator Watters, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 300-FN, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack.: the vote on Rerefer to Committee. Adopted.

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

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

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, Fuller Clark, Morgan, Sherman, Soucy.

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

Senator Watters moved Ought to Pass.

Senator Chandley offered a Floor Amendment.

Sen. Chandley, Dist 11

March 7, 2019

2019-0882s

11/06

Floor Amendment to SB 300-FN

Amend the bill by replacing section 1 with the following:

1 Department of Transportation; Everett Tolls Eliminated. Notwithstanding any law to the contrary, the commissioner of the department of transportation shall eliminate the northbound and southbound ramp tolls for exit 11 on the Everett turnpike in the town of Merrimack upon payment of the proportion of the aggregate principal and interest on bonds issued to finance the New Hampshire turnpike system that was dedicated to improvements on the Merrimack interchanges on the Everett turnpike.

Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Feltes.

Senator Feltes withdrew his request for a roll call.

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 Feltes, 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, Fuller Clark, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

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 Bradley: SB 191-FN

Senator Chandley: SB 191-FN

Senator D'Allesandro: SB191-FN

Senator Dietsch: SB 191-FN

Senator Fuller Clark: SB191-FN
 Senator Hennessey: SB 191-FN
 Senator Morgan: SB 191-FN
 Senator Morse: SB 191-FN
 Senator Rosenwald: SB 191-FN
 Senator Sherman: SB 191-FN
 Senator Watters: SB 191-FN

ANNOUNCEMENTS

(The Chair recognized Senator Chandley.)

SENATOR CHANDLEY: Thank you very much, Madam President. Since I stood in the way of us going home because a bill was pulled from consent, I will try to be as quick as possible here. I would like to extend an invitation to all of my colleagues as well as staff. We all know that we have interests outside of politics, and at this time of year many of us are going to— presidential candidates are appearing in people's homes and it's different functions. But I am hosting someone else at my home next week, and it's Thursday; so this is incentive for us to get through the calendar quickly next week. But I am hosting Meghan Duggan; and if you don't know her name, she was the 2018 Captain of the Women's Ice Hockey Team. Some of you know I am a big fan of ice hockey, and particularly a big supporter of women's ice hockey. So I'm going to be hosting some folks from USA Hockey and Meghan Duggan next Thursday. If you share an interest in Olympic sports in ice hockey, or in women's sports, or in USA Hockey, or you just want to come for the food and drink, please, I will be sending out an email to the staff and my colleagues and I do invite you all. Thank you very much.

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 24, relative to New Hampshire's regional greenhouse gas initiative program.
 SB 34, relative to the applicability of certain DWI prohibitions.
 SB 41-FN, relative to historical racing.
 SB 44, relative to election procedures, delivery of ballots, and assents to candidacy.
 SB 62, relative to temporary layoffs of certain seasonal workers and establishing a commission to study school bus driver background checks.
 SB 68, relative to the centralized voter registration database.
 SB 76, relative to the prohibition of offshore oil and natural gas exploration.
 SB 77-FN, relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases.
 SB 81-FN-A, authorizing the department of health and human services to hire certain personnel and making an appropriation therefor.
 SB 82-FN, relative to school food and nutrition programs.
 SB 86, establishing a commission to study programs for serving individuals with certain developmental and mental health disabilities.
 SB 99-FN, relative to gainful employment and partial disability in workers' compensation.
 SB 105-FN, relative to contributions to inaugural committees.
 SB 110, relative to the investigations by the state fire marshal.
 SB 112, establishing a committee to study procedures governing the hiring and payment of bail bondsmen and bail commissioners.
 SB 119, directing hospitals to develop an operational plan for the care of patients with dementia.
 SB 140, relative to credit for alternative, extended learning, and work-based programs.
 SB 141, establishing a committee to study violence against school personnel.
 SB 160, relative to swimming and non-motorized boating at public boat access areas.
 SB 163, relative to permits for operation of solid waste management facilities.
 SB 164, establishing a committee to study unprotected drinking water sources and estimating the costs of protecting such sources.
 SB 172, relative to transfers within the judicial branch.
 SB 176, establishing a committee to study mental health and human service business process alignment and information system interoperability.

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

SB 190-FN, relative to apportionment of sales under the business profits tax.

SB 201, requiring the department of transportation and the fish and game department to develop a plan for the construction of a ramp, dock, and parking at Great Bay Waters at Hilton Park in Dover.

SB 207, relative to rules adopted by the department of environmental services pursuant to the 2014 report of the coastal risks and hazards commission.

SB 214, relative to transportation projects.

SB 215, relative to learning to drive and commercial motor vehicles designed to transport passengers.

SB 221, establishing a commission to study highway fund revenue for hybrid and electric vehicles.

SB 224-FN, relative to insurance coverage for pediatric autoimmune neuropsychiatric disorders.

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

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.

SB 296-FN, relative to live medical testimony in courts.

SB 297-FN, extending the deadline for arraignments.

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.