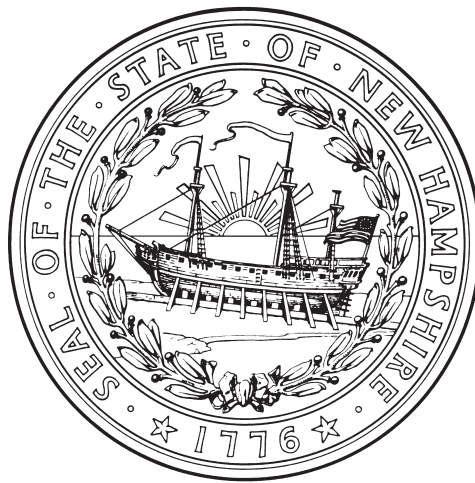


March 21, 2019
Nos. 8-9

STATE OF NEW HAMPSHIRE

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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MARCH 14, 2019 SESSION
COMMENCEMENT – MARCH 21, 2019 SESSION**

SENATE JOURNAL 8 *(continued)*

March 14, 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 128, (New Title) establishing a committee to study veterans property tax credits and exemptions.

HB 140, establishing a commission to study the licensing of drivers from foreign countries.

HB 150-FN, (New Title) relative to statements of financial interests filed by state officials.

HB 155, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

HB 156, establishing a commission to study the establishment of a state department of energy.

HB 166, relative to funding energy efficiency programs.

HB 183, (New Title) establishing a committee to study the applications of microgrids in New Hampshire and changes in law necessary to allow for microgrids in electrical supply.

HB 186, establishing a state minimum wage and providing for adjustments to the minimum wage.

HB 198, (New Title) clarifying the prohibition against the use of mobile electronic devices while driving.

HB 252, establishing a committee to study certain labor statutes.

HB 286-LOCAL, relative to free inspection of records under the right-to-know law.

HB 291, establishing a committee to study certain findings and other initiatives regarding end-of-life care.

HB 391, relative to permits for vehicle registration.

HB 396-FN-LOCAL, relative to delay or denial of records under the right-to-know law.

HB 406, relative to reporting and investigation of serious injuries and death in the workplace.

HB 446, relative to initiating amendments and corrections to birth records.

HB 472-FN, relative to special number plates for certain veterans.

HB 496, (New Title) establishing a committee to identify the requirements needed to commit New Hampshire to a goal of at least 50 percent renewable energy for electricity by 2040.

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

HB 592, relative to OHRV operation and license.

HB 597-FN, relative to sales of beverages and wine hosted by other licensees.

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

HB 621-FN, (New Title) establishing the state commission on aging.

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

HB 692-FN, relative to dental care for Medicaid recipients.

HB 736, reestablishing the commission to study environmentally-triggered chronic illness.

HCR 5, requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in *Citizens United v. Federal Election Commission*.

INTRODUCTION OF LEGISLATION

Senator Feltes offered the following Resolution:

RESOLVED, That in accordance with the list in the possession of the Senate Clerk, the following legislation shall be by this Resolution read a first and second time by the therein listed title and referred to the therein designated committee. Adopted.

First and Second Reading and Referral

HB 105-FN, relative to domicile residency, voter registration, and investigation of voter verification letters. (Election Law and Municipal Affairs)

HB 106, relative to the terms "resident," "inhabitant," "residence," and "residency." (Election Law and Municipal Affairs)

HB 119, relative to training requirements for electrologists. (Executive Departments and Administration)

HB 123, relative to emergency response plans in schools. (Education and Workforce Development)

HB 130-LOCAL, relative to property tax relief for totally and permanently disabled veterans. (Election Law and Municipal Affairs)

HB 148, relative to electric bicycles. (Transportation)

HB 153, relative to circumstances under which police officer disciplinary records shall be public documents. (Judiciary)

HB 154, prohibiting non-disparagement clauses in settlement agreements involving a governmental unit. (Judiciary)

HB 167, allowing the town of Kingston to hold a bonfire event in 2019. (Election Law and Municipal Affairs)

HB 174, relative to alternative treatment center licenses. (Executive Departments and Administration)

HB 196, relative to proof of residency for fish and game purposes. (Executive Departments and Administration)

HB 223, relative to night work. (Commerce)

HB 226, relative to the renomination of teachers. (Education and Workforce Development)

HB 237, establishing the New Hampshire rare disease advisory council. (Health and Human Services)

HB 239, relative to requirements for supervision for licensure of certain mental health and drug counselors. (Executive Departments and Administration)

HB 256-FN, establishing reciprocity for notaries in abutting states. (Judiciary)

HB 258, establishing a committee to study teacher preparation and education programs (Education and Workforce Development)

HB 278, relative to the New Hampshire insurance department's annual hearing requirement. (Commerce)

HB 283, relative to the age rabbits can be transferred. (Energy and Natural Resources)

HB 301-FN-LOCAL, relative to funeral and burial or cremation expenses for assisted persons. (Election Law and Municipal Affairs)

HB 310, relative to the membership of the wellness and primary prevention council. (Health and Human Services)

HB 315, relative to the Interstate Voter Registration Crosscheck Program. (Election Law and Municipal Affairs)

HB 335, relative to therapeutic cannabis dispensary locations. (Executive Departments and Administration)

HB 338, relative to rebates under the law governing unfair insurance practices. (Commerce)

HB 345, relative to certification of devices for the electronic counting of ballots. (Election Law and Municipal Affairs)

HB 350, relative to licensed prescribers of medical marijuana. (Health and Human Services)

HB 359, relative to warning labels on prescription drugs containing opiates. (Health and Human Services)

HB 364, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use and permitting qualifying patients and designated caregivers to donate excess cannabis to other qualifying patients. (Health and Human Services)

HB 369-FN, relative to the controlled drug prescription health and safety program. (Health and Human Services)

HB 381, repealing requirements for transfer of appropriations in Carroll county. (Election Law and Municipal Affairs)

HB 382, relative to private practice by the Carroll county attorney. (Judiciary)

HB 383, relative to the prohibition on unlawful discrimination in public and nonpublic schools. (Education and Workforce Development)

HB 384, relative to access to historic burial sites on state-owned land. (Election Law and Municipal Affairs)

HB 398, relative to New Hampshire MasoniCare. (Executive Departments and Administration)

HB 402, relative to required notice of mortgage funding at a construction jobsite. (Commerce)

HB 418-FN, relative to the limitations on part-time employment under the New Hampshire retirement system. (Executive Departments and Administration)

HB 420, relative to naming buildings and other construction built using public funds. (Transportation)

HB 452, establishing a commission on the first-in-the-nation presidential primary. (Election Law and Municipal Affairs)

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

HB 463-FN, relative to licensure of pharmacist assistants. (Executive Departments and Administration)

HB 476-FN, replacing the milk producers emergency relief fund with the dairy premium fund. (Energy and Natural Resources)

HB 479-FN, relative to eligibility for the low and moderate income homeowners property tax relief. (Election Law and Municipal Affairs)

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

HB 487-FN, establishing a registry for the deaf, hard of hearing, and deaf/blind in the department of health and human services. (Executive Departments and Administration)

HB 488-FN, requiring interpreters for the deaf and hard of hearing at the state house campus. (Executive Departments and Administration)

HB 490, 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. (Health and Human Services)

HB 491, relative to questioning and detaining suspects. (Judiciary)

HB 504, relative to election-related amendments to the United States Constitution. (Election Law and Municipal Affairs)

HB 511-FN, relative to vaping. (Commerce)

HB 518-FN, repealing certain statutes concerning reimbursement of cost of care by inmates. (Judiciary)

HB 528-FN, relative to insurance reimbursement for emergency medical services. (Commerce)

HB 531, relative to the delivery of absentee ballots cast by elderly or disabled citizens. (Election Law and Municipal Affairs)

HB 544, relative to the governance of the Manchester school district. (Election Law and Municipal Affairs)

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

HB 556, allowing municipalities to process absentee ballots prior to election day. (Election Law and Municipal Affairs)

HB 567, relative to using the Atlantic Time Zone in New Hampshire. (Executive Departments and Administration)

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. (Education and Workforce Development)

HB 572, proclaiming the second Saturday in June as Pollyanna of Littleton New Hampshire Recognition Day. (Executive Departments and Administration)

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

HB 588, relative to presidential nominations. (Election Law and Municipal Affairs)

HB 589, relative to signs for New Hampshire liquor and wine manufacturers. (Commerce)

HB 593, relative to updating official voter checklists. (Election Law and Municipal Affairs)

HB 595-FN, relative to the administration of the tobacco tax. (Ways and Means)

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

HB 606, relative to certain insurance licensing statutes. (Commerce)

HB 607, relative to life and health insurance. (Commerce)

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

HB 611-FN, allowing voters to vote by absentee ballot. (Election Law and Municipal Affairs)

HB 627, relative to rulemaking by the board of pharmacy on compounding. (Executive Departments and Administration)

HB 631, establishing a deaf child's bill of rights and an advisory council on the education of deaf children. (Education and Workforce Development)

HB 634, establishing a commission to study the licensure of individuals who forage for wild mushrooms for sale to others. (Executive Departments and Administration)

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

HB 642, defining specialty cider. (Commerce)

HB 649-FN, relative to consumer credit corrections, consumer credit protection from fraud, and consumer credit regulatory reform. (Commerce)

HB 650, establishing a committee to study the economic challenges of employed persons serving in the New Hampshire legislature. (Executive Departments and Administration)

HB 651, allowing the use of campaign funds for child care expenses. (Election Law and Municipal Affairs)

HB 652, relative to suicide prevention. (Education and Workforce Development)

HB 675-FN, relative to the purchase of service credit in the state retirement system. (Executive Departments and Administration)

HB 689-FN-A, establishing a student career and college investment program and making an appropriation therefor. (Education and Workforce Development)

HB 701-FN, relative to bow and arrow licenses for certain disabled veterans. (Executive Departments and Administration)

HB 706-FN-A, establishing an independent redistricting commission. (Election Law and Municipal Affairs)
HB 719-FN-A, establishing the position of school nurse coordinator in the department of education and making an appropriation therefor. (Education and Workforce Development)
HB 725-FN, relative to certain standards for managed care organizations. (Commerce)
HB 726-FN, establishing a secure forensic psychiatric hospital advisory council. (Health and Human Services)

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 453, making changes to the membership of the state house bicentennial commission, declaring June 2 - June 8 as New Hampshire State House Bicentennial Week, and declaring June 6 as New Hampshire Legislators' Homecoming Day.

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

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

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

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 9

March 21, 2019

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

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

Let us pray.

God, we give you thanks for giving us another day. We use this moment to be reminded of your presence as you tap the resources needed by the members of the New Hampshire Senate to do their work as well as it can be done. May they be led by a spirit of wisdom, justice and peace in the decisions they make; may they be spared from any tensions that might tear the people's legislature apart, and from worries that might wear them out. All this day may they do their best to find solutions to pressing issues facing our state. Please hasten the day when justice and love shall dwell in the hearts of all people and rule the affairs of the nations of earth. May all that is done this day be to serve the people of New Hampshire so that we might all prosper in life, liberty, and the pursuit of happiness. Amen.

Senator Ward led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

Senator Sherman introduced students from the North Hampton School visiting in the gallery.

PRESIDENT SOUCY: It's my pleasure today to recognize James Dean, Jr. on his appointment as the 20th president of the University of New Hampshire. For more than thirty years, President Dean has worked in public higher education, most recently at the University of North Carolina, Chapel Hill. New Hampshire is fortunate to have President Dean's expertise at the helm of UNH, and we are grateful to have him with us in the chamber today so that we may present a resolution. And I'd ask Senator Fuller Clark if she would join me.

Let me read the resolution. It's a resolution honoring James W. Dean Jr., Ph.D., on his appointment as President of the University of New Hampshire.

WHEREAS, after a national search that concluded with a unanimous vote of the University System board of trustees, James W. Dean Jr. was appointed the 20th president of the University of New Hampshire; and

WHEREAS, President Dean has risen through the ranks of academic leadership in public higher education over the past 30 years, most recently serving as executive vice chancellor and provost [of] the University of North Carolina Chapel Hill; and

WHEREAS, as provost, President Dean led a number of efforts to support student success, worked to enhance retention and graduation rates, and reorganized resources to better prepare students for life and success after college; and

WHEREAS, the Senate recognizes and respects the importance of President Dean's leadership in preparing New Hampshire's future workforce and in deepening the University's strong tradition of innovative instruction, research, and service; and

WHEREAS, the Senate welcomes President Dean's vision...between the university, the state [of New Hampshire], and New Hampshire's business and nonprofit communities which will strengthen the state's quality of life and drive our economy;

Now, therefore, be it resolved that the New Hampshire Senate congratulates Dr. James W. Dean Jr. on his appointment as President of the University of New Hampshire, welcomes him and his wife, Jan, to the Granite State, and anticipates a deepening of the University's relationship to the state and her people.

(The Chair recognized Senator Fuller Clark.)

SENATOR FULLER CLARK: So, as everyone here knows, I represent District 21, which includes the town of Durham; and so, I have the great honor and pleasure of bringing James Dean before you this morning; and I have to tell you that in our brief encounters over the last six months, that my admiration and respect for him grows every single day.

He, as you heard, has spent more than thirty years of higher education experience to UNH, he's bringing that, and he has impeccable credentials which reveal a respected leader who earned promotions across three universities along with an appointment as a program director at the National Science Foundation. And I left this printout from the fall university at UNH on your desks, so you can read more deeply about him. It went on to say, however, "But if you really want to know who the new UNH President is, it comes down to this: Jim Dean is a family guy." And I'm thrilled that we have him here now embracing the University of New Hampshire, its faculty, its staff, and its students as part of his extended family. And he has reached out immediately, particularly to the students to find out what their concerns and their issues are. He's been on a learning curve for the last six months. I hope he's going to share with us a little bit about what you've learned.

He's very personable; he is anxious to meet everyone face to face. He said one of the reasons he wanted to come to New Hampshire was because he liked the small, intimate size where he would have a chance to really get to know people throughout the state at all different age groups, all different professions, all different backgrounds. And already he has been traveling throughout the state, and I know speaking to many chambers of commerce, and speaking to a lot of other organizations so that they have a chance to get to know him, and for him to get to know more about the state.

I was very impressed by the fact that he continues now to refer to the University of New Hampshire as a public research university; and it's adding that word "research," which many of us know but many don't know that the University of New Hampshire in all of its configurations has an outstanding record in having received grants to pursue research in so many different areas and to lead in those areas. And I would say that already he's beginning to change the image of how the University of New Hampshire is being perceived both within the state and throughout New England and throughout the rest of the country.

He has, as he said, it says here, and I've seen it, "...committed to being accessible to students..." And one of the things I was most impressed by, he hadn't been here very long, but this fall he sent an email to every student on the Durham campus reminding them of their responsibility to vote and explaining to them the process that they needed to undertake in order to be able to vote. I'm not sure I know of any other university president who took that initiative; and for those of us who are here, as a result of the votes of the citizens and the students of this state, we much appreciated that call to responsibility.

He has also been "praised for his openness, his congeniality, his warmth, and his compassion, and for his commitment to helping students from diverse backgrounds, especially first-generation and low-income students." And clearly, we do need a leader at the university level who is committed to that kind of outreach and promotion.

So, I just want, on behalf of the entire Senate, to welcome you and to thank you so much for having chosen the University of New Hampshire as your next career step, and we are thrilled to have you here today.

PRESIDENT JAMES DEAN, JR.: Thank you so much, everyone— does everyone continue to stand? Is that how it works? Okay, then I'll be brief! Thank you all very much: Senator Soucy, Senator Fuller Clark; all the Senators and everyone who is responsible for this.

You know as I was standing there listening to an embarrassingly long recital of things about me, I was just thinking I wish my mom and dad could have been here. They would have been very happy to hear that; they both passed away, but I'm thinking about them right now. So, I'm, of course, honored and grateful by this special resolution, and especially coming from a set of such dedicated public servants as yourself. So, whatever my service is, pales in comparison to what you have done and what you continue to do for the citizens and for the state of New Hampshire. And it is indeed my privilege to serve as the president of the University of New Hampshire.

Of course, we at the University are proud of what we're already doing to be supportive of the state and its citizens, and to contribute to the quality of life here in New Hampshire. But I will say, also, that we wake up every day trying to think of how we can do more, and that's one of the reasons we want to continue to engage with you so that we can better understand what are the needs of the state; and this is the background for one of our four strategic priorities, which we simply call Embrace New Hampshire, which is to try and have strong and productive relationships with elected leaders such as yourselves, with the business community—who, obviously, are really important to the quality of life in the state— and also to the K-12 system, and particularly in our case, the secondary schools. So, you'll be seeing a lot more engagement with each of those communities over the next couple of years.

As Senator Fuller Clark said, I have, indeed, made it to, I can't say every corner of New Hampshire, but many of the corners of New Hampshire. No matter what I say there's always some town I haven't been to yet, and I'll keep trying. But one of the things that really strikes me in my travels is that the state is indeed fortunate to have so many people who want to make a difference and who want to make things better. And of course, there's disagreements about how to do that and what the priorities are, but that's democracy, and I'm just happy to see it here; and I think you are making a difference. I will say that as I meet the citizens around the state, whatever part of the state that they're in, and whatever their role is, each one I meet gives me additional determination to make sure that our University, that your University, the University of New Hampshire is doing everything we can to make this state better, and to enhance the quality of life for all of its citizens.

So, I promised you I would be brief, and I'm going to try and fulfill that promise. So, let me just end by saying I'm deeply, deeply grateful for this honor, and that you would take the time to have me here today. I've already been working with many of you; I look forward to working with all of you. Thank you very much.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: I would ask the Senate to recognize Jack Dervin, it seems we have another visitor from North Carolina. He is from Durham, North Carolina, in the council of his grandfather who came here today to our Senate to observe representative democracy in action. Welcome to the New Hampshire Senate!

INTRODUCTION OF PAGES

Senator Kahn introduced Hannah Landry from Keene High School and Evangeline Perrotta from Monadnock Regional High School, serving as Senate Pages for the day.

SPECIAL ORDER

Without objection, the following bill is special ordered to Thursday, March 28, 2019. Adopted.

FINANCE

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

CONSENT CALENDAR REPORTS REMOVED

COMMERCE

SB 42, by Senator Bradley

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 to Third Reading.

COMMERCE

SB 20, relative to notification requirements for employees, workplace inspections, and the youth employment law. Ought to Pass with Amendment, Vote 5-0. Senator Cavanaugh for the committee.

This bill amends certain workplace notification; amends certain provisions of the youth employment law; amends the requirements for employer retention of hour and wage records; and establishes prima facie evidence of a violation of the youth employment laws. The amendment to this bill clarifies the hours and circumstances of employment for youth, thus preventing any possible abuses or violations of the law.

Commerce

March 12, 2019

2019-0993s

04/10

Amendment to SB 20

Amend the bill by replacing section 1 with the following:

1 Protective Legislation; Day of Rest. Amend RSA 275:33 to read as follows:

275:33 Day of Rest. No employer shall operate any such business on Sunday unless he or she has posted ~~[and made available to employees]~~ ***in a conspicuous place on the premises*** a schedule containing a list of employees who are required or allowed to work on Sunday and designating the day of rest for each. No employee shall be required ***or allowed*** to work on the day of rest designated for him or her. ***Any employer who violates this section shall be fined \$50.***

Amend the bill by deleting section 2 and renumbering the original sections 3-11 to read as 2-10, respectively.

Amend the bill by replacing section 4 with the following:

4 Youth Employment Law; Prohibitions. Amend RSA 276-A:4, VI to read as follows:

VI.(a) In any employer's predetermined designated work week during which school is in session for 5 days, no youth 16 or 17 years of age who is duly enrolled in school shall ***be permitted to*** work more than 6 consecutive days or more than 30 hours during that work week.

(b) In any employer's predetermined designated work week during which school is in session ~~[for]~~ ***from one to*** 4 days, no youth 16 or 17 years of age who is duly enrolled in school shall ***be permitted to*** work more than 6 consecutive days or more than 40-1/4 hours in that work week.

~~[(c) In any employer's predetermined designated work week during which school is in session for more than one but less than 4 days, no youth 16 or 17 years of age who is duly enrolled in school shall work more than 6 consecutive days or more than 48 hours in that work week.]~~

Amend the bill by replacing section 6 with the following:

6 Youth Employment Law; Notice of Hours. Amend RSA 276-A:20 to read as follows:

276-A:20 Notice of Hours. Every employer shall post ~~[and make available to all employed youths a]~~ ***in a conspicuous place where youths are employed a printed*** notice stating the hours of work, the time allowed for dinner or other meals, and the maximum number of hours any youth is permitted to work in any one day.

SB 64, relative to antifraud plans maintained by insurance companies.

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

This bill requires that insurance companies submit their written anti fraud plan to the commissioner of the Department of Insurance, upon request. By changing current law from mandatory to request the Insurance Department is no longer burdened with having to process and store these plans. Although it would no longer be mandatory for these companies to submit their plans, the companies still must create them and if needed, the Insurance department can request an anti fraud plan from a company.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 138, relative to the degree granting authority of Signum University.

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

This bill will authorize Signum University to grant degrees in this state. Signum is a new, nonprofit, and independent university with an innovative and completely online structure. They currently have one credit bearing program which is a Master's of Arts in Language and Literature and have been given approval by the NH Higher Education Commission.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 69, relative to short-term rentals.

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

Over the last several years municipalities have been struggling with how to accommodate the increase of short-term rentals into the life of their communities. This bill would define, and enable towns to license and regulate, short-term rentals. The prime sponsor and stake holders requested more time to amend some of the language in the bill in order to accommodate agreed upon suggestions.

SB 101, relative to procedures for county audits and recodifying provisions for performance and forensic audits. Ought to Pass with Amendment, Vote 5-0. Senator Birdsell for the committee.

This bill as amended clarifies procedures for county audits and recodifies the authority of a county convention to authorize a performance audit and a forensic audit and pay for them from a contingency fund. Additionally, the legislation makes clear that the county convention will receive a copy of the audit and the management representation letter with suggestions for compliance.

Election Law and Municipal Affairs

March 13, 2019

2019-1048s

10/04

Amendment to SB 101

Amend the bill by replacing section 1 with the following:

1 County Audits. Amend RSA 28:3-a to read as follows:

28:3-a County Audits. In the event that an audit is required or requested by resolution by either the board of commissioners or the county convention, the commissioners, with the approval of the executive committee of the county convention, shall engage the services of a certified public accountant qualified in municipal and county finances for the purpose of conducting an audit of the county books of ~~[account]~~ **records**. The performance and scope of the audit shall be in accordance with generally-accepted auditing ~~[practice]~~ **standards**. The audit shall include an examination for conformance with state and federal laws and regulations relating to county finances, including rules adopted by the commissioner of revenue administration pursuant to RSA 541-A, and shall also include an examination of any subject of county finances that may be requested either by the commissioners, by the county convention, or by the treasurer. The audit shall be completed within ~~[90]~~ **120** days following the close of the **books of the** county fiscal year. The commissioners shall cause the report of the auditor, together with the customary management **representation** letter and ~~[auditee]~~ **management** responses, to be published with or supplementary to the annual reports of the county officers, **with a copy forwarded to the department of revenue administration. Upon completion of a county audit under this section, the county convention shall review the audit, management representation letter, and management responses for compliance with the criteria described in this section and may suggest alternative or additional measures for use in subsequent audits.**

HEALTH AND HUMAN SERVICES

SB 32, reestablishing the commission to study greater transparency in pharmaceutical costs and drug rebate programs.

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

The committee has closely followed legislation in the House which addresses the issue areas that are covered by the commission. The House is considering HB 656, which would establish a study commission that is very similar in scope to the one proposed in SB 32. For these reasons, the committee determined that this legislation is no longer necessary.

SB 33, relative to the therapeutic use of cannabis.

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

This legislation will allow the department of health and human services to collect certain data concerning the therapeutic cannabis program. This data will be used to assess patient outcomes as well as what kind of cannabis is effective for certain conditions. Currently, the department can only use data to create the annual therapeutic cannabis program report. SB 33 as amended specifies that this data must be released in compliance with HIPAA standards. Additionally, no identifying information on patients may be used.

Health and Human Services
March 13, 2019
2019-1040s
01/04

Amendment to SB 33

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

2 New Paragraph; Use of Cannabis for Therapeutic Purposes; Annual Data Report. Amend RSA 126-X:10 by inserting after paragraph V the following new paragraph:

VI. Notwithstanding any other provision of law, data collected under this chapter, including de-identified or aggregate data contained in the confidential registry database, may be released, with the approval of the commissioner or designee, to individuals or entities for the purposes of public health, health care operations, or research if such release is consistent with all applicable HIPAA standards.

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

2019-1040s

AMENDED ANALYSIS

This bill authorizes the department of health and human services to collect certain data regarding the therapeutic use of cannabis.

SB 179, relative to pharmacist administration of vaccines.

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

This legislation modifies the authority of pharmacists and pharmacist interns to administer the vaccines listed in the recommended adult immunization schedule by the Centers for Disease Control and Prevention to persons 18 and older. Since the NH statewide vaccine registry is not currently operational, the committee feels that re-referral is the appropriate course of action at this time.

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

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

This legislation ensures that child care is covered as a preventative and protective service that is available to grandparents who are the primary caretakers of a child. There was widespread support for this legislation at the public hearing. With the ongoing substance abuse crisis in our state, more grandparents are looking after children. SB 261 will ensure that they have the resources to care for these children and still be in a financially stable position.

JUDICIARY

SB 126, relative to competency evaluations for certain court proceedings.

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

This bill is a request of the Department of Health and Human Services and makes minor changes to the procedure for determining a defendant's competency to stand trial and replaces references to "examiner" with "with qualified psychiatrist or psychologist" and "involuntary commitment" with "involuntary admission." The Committee amended the bill to clarify the language and to remove the section regarding court orders, which may have caused unintended consequences.

Senate Judiciary
March 12, 2019
2019-0978s
04/10

Amendment to SB 126

Amend RSA 135:17-a, IV as inserted by section 2 of the bill by replacing it with the following:

IV. If following the hearing, the court determines that the defendant has regained competency, **within 60 days** the court shall docket the matter **and set a date** for trial. If the court finds that the defendant has not regained competency, the case against the defendant shall be dismissed without prejudice.

Amend the bill by deleting section 4 and renumbering the original sections 5-6 to read as 4-5, respectively.

SB 128, relative to the court accreditation commission.

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

This bill reduces the membership of the New Hampshire court accreditation commission and provides that one member shall be a circuit court justice. Enacting this change will reflect the fact that the probate and district courts have been consolidated within the circuit court.

SB 129, relative to misdemeanor cases filed in superior court.

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

This bill is at the request of the Judicial Branch and adds a third exception to the presumption governing unclassified misdemeanors for a misdemeanor charge filed directly in superior court. Even though these misdemeanors are typically of a more serious nature, current statute automatically enters them as a class B offense in superior court. Enacting this bill will remove the onerous work of requiring prosecutors to file for changing them to a class A, while still allowing them the option to file them as a class B offense.

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

Recess. Out of recess.

REGULAR CALENDAR

President Pro Tempore Fuller Clark presiding.

COMMERCE

SB 10, establishing the state minimum hourly rate based on whether an employer offers paid sick days to an employee.

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

Commerce

March 12, 2019

2019-0998s

04/05

Amendment to SB 10

Amend the bill by replacing section 1 with the following:

1 Minimum Hourly Rate. Amend the introductory paragraph of RSA 279:21 to read as follows:

279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than that set forth in the federal minimum wage law, as amended ***or the following, whichever is higher:***

From January 1, 2020 to December 31, 2021, \$10 per hour.

From January 1, 2022 and thereafter, \$11 per hour if an employer offers at least 10 paid sick days to an employee, or \$12 per hour if an employer does not offer at least 10 paid sick days to an employee.

In this section, "paid sick day" means a paid absence from an employee's duties for personal medical reasons.

Tipped employees of a restaurant, hotel, motel, inn or cabin, or ballroom who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than ~~[45 percent of the applicable minimum wage]~~ ***\$4 per hour***. If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal ~~[the minimum wage]~~ ***\$12 per hour*** for all hours worked, the employer shall pay the employee the difference to guarantee the ~~[applicable minimum wage]~~ ***\$12 hourly rate***.

Tipped employees who are licensed as secondary game operators pursuant to RSA 287-D and who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than \$7.25 per hour. If such an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal \$12 per hour for all hours worked, the employer shall pay the employee the difference to guarantee the \$12 hourly rate.

The limitations imposed hereby shall be subject to the following exceptions:

2019-0998s

AMENDED ANALYSIS

This bill sets the minimum hourly rate paid to employees based on whether or not the employer offers paid sick days to an employee. The bill also amends the minimum hourly rate for tipped employees.

INTRODUCTION OF GUESTS

Senator Rosenwald introduced students of Life-OP program of Nashua visiting on the Senate floor.

The question is on the adoption of the Committee Amendment.

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

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

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

Roll Call, Yeas: 14 - Nays: 10. 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 Soucy, seconded by Senator Birdsell.

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

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

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

Recess. Out of recess.

President Soucy presiding.

SB 63, relative to sharing of insurer rebates with enrollees.

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

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

March 20, 2019

2019-1209s

01/05

Floor Amendment to SB 63

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

2 Repeal. RSA 415-A:7, relative to sharing of insurer rebates with enrollees, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect July 1, 2024.

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

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

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

SB 98, clarifying the New Hampshire trust code.

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

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

SB 145, relative to the organization of alternative treatment centers.

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

Commerce

March 13, 2019

2019-1004s

11/05

Amendment to SB 145

Amend the bill by replacing section 3 with the following:

3 Public Health; Requirements for Alternative Treatment Centers. Amend RSA 126-X:8, I to read as follows:

I. An alternative treatment center [~~shall~~] **may** be operated on a **for-profit or** not-for-profit basis for the benefit of its patients. An alternative treatment center need not be recognized as a tax-exempt organization by the Internal Revenue Service.

Amend RSA 126-X:8, XXIV as inserted by section 4 of the bill by replacing it with the following:

XXIV. Any alternative treatment center choosing to convert or merge pursuant to this section shall obtain an independent fair market valuation of its total assets as of June 30, 2019. The valuation of the total assets of such alternative treatment center, if positive, shall be distributed to one or more charitable organizations solely for charitable purposes. The director of charitable trusts shall receive a copy of the valuation and may file any objection relating thereto with the court within 60 days. Except as set forth in this section and notwithstanding any other law to the contrary, no portion of the assets of such alternative treatment center after the conversion or merger, as applicable, shall be deemed to be charitable assets.

The question is on the adoption of the Committee Amendment.

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

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

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

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

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

SB 150, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies. Inexpedient to Legislate, Vote 3-2. Senator Cavanaugh 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 Birdsell.

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

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

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

EDUCATION AND WORKFORCE DEVELOPMENT

SB 137, relative to the certification of school nurses.

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

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

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 46, relative to qualifications of the inspectors of election.

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

Election Law and Municipal Affairs

March 13, 2019

2019-1042s

11/01

Amendment to SB 46

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

1 Cities and Wards; Wards. Amend RSA 44:4 to read as follows:

44:4 Wards. Each ward into which a city may be divided by law, or in pursuance of law, shall be a town for the purpose of the election of governor, councilor, state senator, representative to the general court, all

county officers, senator and representative in congress, and electors of president and vice-president of the United States, and in all matters relating to jurors. ***A ward shall not be considered a town for purposes of determining qualifications of inspectors of election pursuant to RSA 658:3.***

2 Pre-Election Procedure; Inspectors of Election; Qualifications. Amend RSA 658:3 to read as follows:

658:3 Qualifications. The inspectors of election shall be registered to vote [at the polling place] ***in the city or town*** where they serve, ***provided that persons registered to vote in a city ward may serve as inspectors of election in a different ward of the same city.***

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

2019-1042s

AMENDED ANALYSIS

This bill requires that inspectors of election be registered to vote in the city or town where they serve, and allows persons registered to vote in one city ward to serve as inspectors of election in a different ward of the same city.

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

Senator Giuda moved to Lay on the Table SB 46. Failed.

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

A roll call was requested by Senator Birdsell.

Senator Giuda moved to Lay on the Table SB 46.

Recess. Out of recess.

Senator Birdsell withdrew her request for a roll call.

Senator Giuda withdrew the motion to Lay on the Table on SB 46.

SPECIAL ORDER

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

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 46, relative to qualifications of the inspectors of election.

SB 66, relative to political contributions by candidates for certain offices.

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

Election Law and Municipal Affairs

March 13, 2019

2019-1046s

11/01

Amendment to SB 66

Amend the bill by replacing section 1 with the following:

1 New Section; Prohibited Political Contributions by Certain ***Current*** Candidates for Office. Amend RSA 664 by inserting after section 4-b the following new section:

664:4-c Prohibited Political Contributions by Certain ***Current*** Candidates for Office. Any candidate for the office of secretary of state, state treasurer, or any other office elected by a joint session of the general court, is prohibited from making contributions to any political committee, political party, political committee of a political party, political advocacy organization, ***candidate committee***, or candidate for state representative, speaker of the house of representatives, or state senator.

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 102, requiring disclosure of federal income tax returns by presidential and vice-presidential candidates. Inexpedient to Legislate, Vote 4-1. Senator Gray 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: Starr, Giuda, Bradley, Watters, Gray, French, Ward, Chandley, Carson, Reagan, Birdsell, D'Allesandro, Morse, Morgan, Sherman.

The following Senators voted No: Hennessey, Dietsch, Kahn, Levesque, Rosenwald, Feltes, Cavanaugh, Fuller Clark, Soucy.

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

ENERGY AND NATURAL RESOURCES

SB 206, excluding the cost of lobbying and political activity from the rates of public utilities.
Ought to Pass, Vote 4-0. Senator Feltes 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 Hennessey.

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.

Recess. Out of recess.

FINANCE

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

Senator Gray offered a Floor Amendment.

Sen. Gray, Dist 6
March 20, 2019
2019-1210s
01/04

Floor Amendment to SB 88-FN

Amend paragraph II as inserted by section 6 of the bill by replacing it with the following:

II. RSA 126-X:4, II(b), relative to a photograph of the applicant's face.

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 Giuda, seconded by Senator Birdsell.

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

Roll Call, Yeas: 17 - Nays: 7. Adopted, bill ordered to Third Reading.

SB 130-FN, establishing positions in the department of justice and the department of safety to work in the cold case homicide unit.

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

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

Senator Feltes moved to Lay on the Table SB 130-FN. Adopted.

SB 161, 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.

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

Senator Reagan moved to Lay on the Table SB 161. Adopted.

MOTION OF RECONSIDERATION

Senator Giuda, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 161, 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.: Lay on the Table. Adopted.

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

Senator Feltes moved to Lay on the Table SB 161. Adopted.

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

Ought to Pass, Vote 5-0. Senator D'Allesandro for the committee.

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

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

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

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

Senator Feltes moved to Lay on the Table SB 230-FN. Adopted.

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

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

Senate Finance

March 12, 2019

2019-0997s

05/06

Amendment to SB 246-FN

Amend RSA 170-E:29-a, VII(b) as inserted by section 2 of the bill by replacing it with the following:

(b) The fee for a *residential* child care employment eligibility card shall be \$50, and the card shall be valid for 5 years from the date of issuance, *or a prorated amount of \$10 per year from the most recently completed criminal background check*. The fee for a replacement card shall be \$15.

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 247-FN-A, establishing a sunny day fund and grant program.

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

Senate Finance

March 12, 2019

2019-0990s

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 \$10,000,000 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.

2019-0990s

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.

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 Sherman, seconded by Senator Giuda.

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

The following Senators voted No: Ward, Morse.

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

Senator Feltes moved to Lay on the Table SB 247-FN-A. Adopted.

SB 259-FN, expanding eligibility for Medicaid for employed adults with disabilities age 65 and over. Ought to Pass, Vote 5-0. Senator Rosenwald for the committee.

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

Senator Feltes moved to Lay on the Table SB 259-FN. Adopted.

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

Senator Kahn offered a Floor Amendment.

Sen. Kahn, Dist 10

March 20, 2019

2019-1189s

06/04

Floor Amendment to SB 276-FN-A

Amend RSA 188-E:10-b, VI(b) as inserted by section 6 of the bill by inserting after subparagraph (4) the following new subparagraph:

(5) Determining whether a funding request is needed to support costs associated with career assessment, transcript development, or other facets necessary to implement career readiness credentials and if so, recommending such a request.

Amend the bill by deleting section 9 and renumbering the original section 10 to read as 9.

2019-1189s

AMENDED ANALYSIS

This bill defines certain terms related to career and technical education programs, creates ways for New Hampshire high school students to earn career ready credentials, adds to the reporting requirement of the advisory council on career and technical education, and permits students in grade 10 to enroll in career and technical education courses.

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 285-FN, establishing a coastal resilience and economic development program. Ought to Pass, Vote 5-0. 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 289-FN, relative to health and human services. Ought to Pass, Vote 5-0. Senator Rosenwald for the committee.

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

Senator Feltes moved to Lay on the Table SB 289-FN. Adopted.

SB 300-FN, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack. Ought to Pass with Amendment, Vote 5-0. Senator D'Allesandro for the committee.

Senate Finance
March 13, 2019
2019-1010s
11/06

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, and upon certification by the commissioner of the department of transportation to the speaker of the house of representatives, the senate president, the fiscal committee of the general court, and the secretary of state that turnpike toll revenues for the most recently completed fiscal year have increased over the previous fiscal year by an amount at least equal to the amount of revenue generated by the exit 11 tolls for the most recently completed fiscal year plus the projected cost to remove the exit 11 toll ramps.

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 309-FN-L, relative to stabilization grants for education.
Ought to Pass, Vote 4-1. Senator Kahn for the committee.

Recess. Out of recess.

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

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

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

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

Senator Feltes moved to Lay on the Table SB 309-FN-L.

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

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

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

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

HEALTH AND HUMAN SERVICES

SB 87, relative to the syringe service programs.
Ought to Pass, Vote 4-0. Senator Gray for the committee.

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

SB 258, relative to telemedicine and telehealth services.
Ought to Pass with Amendment, Vote 4-0. Senator Fuller Clark for the committee.

Health and Human Services
March 13, 2019
2019-1036s
01/06

Amendment to SB 258

Amend RSA 167:4-d, II(d) and (e) as inserted by section 1 of the bill by replacing them with the following:

(d) "Remote patient monitoring" means the use of electronic technology to remotely monitor a patient's health status through the collection and interpretation of clinical data while the patient remains at an originating site. Remote patient monitoring may or may not take place in real time. Remote patient monitoring shall include assessment, observation, education and virtual visits provided by all covered providers including licensed home health care providers.

(e) "Store and forward," as it pertains to telemedicine and as an exception to 42 C.F.R. section 410.78, means the use of asynchronous electronic communications between a patient at an originating site and a health care service provider at a distant site for the purpose of diagnostic and therapeutic assistance in the care of patients. This includes the forwarding and or transfer of stored medical data from the originating site to the distant site through the use of any electronic device that records data in its own storage and forwards its data to the distant site via telecommunication for the purpose of diagnostic and therapeutic assistance.

Amend RSA 167:4-d, III(a) as inserted by section 1 of the bill by replacing it with the following:

III.(a) Coverage under this section shall include the use of telehealth or telemedicine for Medicaid-covered services provided within the scope of practice of a physician or other health care provider as a method of delivery of medical care:

(1) Which is an appropriate application of telehealth services provided by physicians and other health care providers, as determined by the department based on the Centers for Medicare and Medicaid Services regulations, and also including persons providing psychotherapeutic services as provided in He-M 426.08 and 09;

(2) By which telemedicine services for primary care, remote patient monitoring, and substance use disorder services shall only be covered in the event that the patient has already established care at an originating site via face-to-face in-person service; and

(3) By which an individual shall receive medical services from a physician or other health care provider who is an enrolled Medicaid provider without in-person contact with that provider.

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.

MOTION TO REMOVE FROM THE TABLE

Senator D'Allesandro moved to remove SB 310-FN-A-L from the Table.

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

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

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

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

FINANCE

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

The pending motion is Inexpedient to Legislate.

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: Gray, Ward, Dietsch, Kahn, Chandley, Rosenwald, Carson, Feltes, Reagan, Fuller Clark, Sherman.

The following Senators voted No: Starr, Giuda, Bradley, Watters, Hennessey, French, Levesque, Cavanaugh, Birdsell, D'Allesandro, Morse, Morgan, Soucy.

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

Senator D'Allesandro moved Ought to Pass.

Senator D'Allesandro offered a Floor Amendment.

Sen. D'Allesandro, Dist 20
March 20, 2019
2019-1202s
08/04

Floor Amendment to SB 310-FN-A-LOCAL

Amend RSA 284-B:15, I as inserted by section 1 of the bill by replacing it with the following:

I. Upon an award of a gaming license, the authority shall collect an initial license fee of \$40,000,000 for the operation of the category 1 license and a fee of \$20,000,000 for the operation of a category 2 license. Such fees shall be paid to the gaming regulatory fund within 30 days of the award of the license.

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 Sherman, seconded by Senator Birdsell.

The following Senators voted Yes: Starr, Giuda, Bradley, Watters, French, Levesque, Carson, Cavanaugh, Birdsell, D'Allesandro, Morse, Morgan, Soucy.

The following Senators voted No: Hennessey, Gray, Ward, Dietsch, Kahn, Chandley, Rosenwald, Feltes, Reagan, Fuller Clark, Sherman.

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

COMMERCE

SB 42, declaring Old Hampshire Applejack the state spirit of New Hampshire.

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

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

Senator Bradley moved Ought to Pass.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3
March 15, 2019
2019-1082s
08/10

Floor Amendment to SB 42

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

AN ACT declaring applejack the state spirit of New Hampshire.

Amend RSA 3:30 as inserted by section 1 of the bill by replacing it with the following:

3:30 State Spirit. Applejack is hereby designated as the official state spirit of New Hampshire.

2019-1082s

AMENDED ANALYSIS

This bill designates applejack the state spirit of New Hampshire.

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 Kahn, seconded by Senator Dietsch.

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

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

The following Senators were excused: Reagan, Fuller Clark.

Roll Call, Yeas: 10 - Nays: 12. Failed.

Senator Watters moved to Lay on the Table SB 42.

Recess. Out of recess.

The question is on the adoption of the motion to Lay on the Table.

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

The following Senators voted Yes: Hennessey, Dietsch, Kahn, Rosenwald, Feltes, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Watters, Gray, French, Ward, Chandley, Levesque, Carson, Cavanaugh, Birdsell, D'Allesandro, Morse.

The following Senators were excused: Reagan, Fuller Clark.

Roll Call, Yeas: 8 - Nays: 14. Failed.

Senator Watters moved Rerefer to 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, Bradley, Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Morgan, Sherman, Soucy.

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

The following Senators were excused: Reagan, Fuller Clark.

Roll Call, Yeas: 15 - Nays: 7. Adopted.

MOTION TO ADJOURN FROM EARLY SESSION

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

Adopted. Adjournment from the Early Session.

LATE SESSION LIST OF RULE 6-25'S FOR THE DAY

Senator Birdsell: SB 309-FN-L

ANNOUNCEMENTS

(The Chair recognized Senator Birdsell.)

SENATOR BIRDSSELL: Thank you, Madam President. Two things probably pretty quickly. If anyone's interested, I have the Guinness, the dark choc- speaking of spirits- dark chocolate Guinness cake recipe if anyone wants it.

And, last week we recognized two people who are in this year's class of 40 Under Forty, including our illustrious Majority Leader.

But I also wanted to take a moment and recognize two people that many of us in the Senate have worked with on a regular basis. The first is Jane Hirsch, who is the Director of Scheduling and Special Assistant to Governor Sununu. Jane has been involved in public service for many years in New Hampshire and has focused a significant amount of time and energy in helping our veterans. In addition to her work on veterans' issues for the Governor, she also volunteers her time at the VFW Auxiliary as an advisory board member for the children of fallen patriots; an organization that makes sure every child who lost a parent that served in our military has the opportunity to go to college.

The other person I'd like to recognize in this year's 40 Under Forty list is the Governor's Legal Counsel, John Formella. John is not only involved in public service at the state level but is actively involved in his local community in Portsmouth serving on the city Zoning Board of Adjustment. His other volunteer service includes being a board member of McGregor Memorial EMS in Durham, and also a board member of Rosie Riveters, a 501(c)(3) organization that empowers young girls between the ages of four to fourteen to be strong, confident, and competent in the stem fields through hands-on projects and mentorships.

Jane and John have been a pleasure to work with in Concord and are truly deserving, as is our Majority Leader, of the 40 Under Forty. Thank you, Madam President.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Madam President. Just a point of personal privilege. I hate to get up here time after time and talk about the passing of individuals but, indeed, it's important for us to remember what good people did.

A young woman by the name of Cathy Coakley— I don't know if any of you heard that name or remember that name. Cathy worked at UNH. She actually supervised the education of athletes. But Cathy was a great athlete; she was a great athlete at Oyster River High School; she was on the women's basketball championship team. Doctor Sherman, you might have known Cathy. Cathy worked for me when I had my basketball camp and went on to become head basketball coach at Boston College and had a number of basketball jobs. But Cathy was a real sweetheart and did so much for the University to help struggling athletes to get through, and that's a great compliment to her and to the work that she performed. She was kind of like a forerunner in terms of women's recognition in the sport of basketball. She was a good player; turned out to be a good coach. But more important, she was really a good person and gave a lot of herself. She succumbed to cancer; she fought a real, real, real tough battle. And Cathy was just a really special person. I'd see her at the football games when I went down to Durham, and as I said gave a lot to a lot of other people. So, just wanted to remember her for the good things she did. She fought an unbelievable battle; it was a couple of years in the making, but she finally succumbed. And if you want to remember Cathy as just an A #1 sportsperson, a great friend, but most of all a real contributor to the University. Thank you.

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

LATE SESSION

Third Reading and Final Passage

SB 10, establishing the state minimum hourly rate based on whether an employer offers paid sick days to an employee.

SB 20, relative to notification requirements for employees, workplace inspections, and the youth employment law.

SB 33, relative to the therapeutic use of cannabis.

SB 63, relative to sharing of insurer rebates with enrollees.

SB 64, relative to antifraud plans maintained by insurance companies.

SB 66, relative to political contributions by candidates for certain offices.

SB 87, relative to the syringe service programs.

SB 88-FN, relative to registry identification cards under the use of cannabis for therapeutic purposes law.

SB 98, clarifying the New Hampshire trust code.

SB 101, relative to procedures for county audits and recodifying provisions for performance and forensic audits.

SB 126, relative to competency evaluations for certain court proceedings.

SB 128, relative to the court accreditation commission.

SB 129, relative to misdemeanor cases filed in superior court.

SB 137, relative to the certification of school nurses.

SB 138, relative to the degree granting authority of Signum University.

SB 145, relative to the organization of alternative treatment centers.

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

SB 206, excluding the cost of lobbying and political activity from the rates of public utilities.

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

SB 258, relative to telemedicine and telehealth services.

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

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

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

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

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

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.