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HOUSE RECORD

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Concord, N.H.

Wednesday, April 15, 2015

No. 34

HOUSE JOURNAL No. 12 (Cont.)

Wednesday, April 1, 2015

Rep. Chandler moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 13

Wednesday, April 15, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. God of healing, we remember before You today the tragic events of the Boston marathon two years ago. We grieve for the lives cut short, the lives permanently altered by disability, and the lives poisoned by fear. We give You thanks for the courage and compassion shown by so many people on that day: the first responders, medics, police, race officials and many ordinary citizens who ignored the danger and did all they could to help. We give You thanks for the care and support that has continued through the weeks, months, and years of healing: for the doctors, surgeons, nurses, and therapists; for the families, friends, neighbors, and strangers; for the victims themselves who refused to give in; for all who have helped bring wholeness to injured bodies, minds and spirits. Eternal God, give us strength to deal with the assaults and horrors of an imperfect world; empower us to remain brave in the face of terrorist acts, to focus on the wonder of a humanity that will not be vanquished, a humanity that cares for those in need, and lifts up those who are downhearted. Teach us and use us, O God of hope, to heal ourselves and to restore Your world; for You created it and called it good. Amen.

Representative Catherine Cheney, member from Dover, led the Pledge of Allegiance.

Karen Liot Hill of Lebanon led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Comtois, Cote, DeSimone, Francese, Froburg, Gallagher, Phyllis Katsakiores, Russell Ober, Pantelakos, Phillips, Priestley, Russell, Sanders, Tholl and Wheeler, the day, illness.

Reps. Azarian, Beaudoin, Borden, Bradley, Andrew Christie, Flanders, Goulette, Halstead, Introne, Thomas Katsiantonis, Douglas Long, McClarren, Myler, Nelson, William O'Brien, Ohm, Rokas, Marjorie Smith, Stevens, Treleaven and White, the day, important business.

Reps. Rebecca Brown, DeLemus, LeBreche, Sanborn and Wright, the day, illness in the family.

INTRODUCTION OF GUESTS

Dennis Ruprecht Jr., and Joe D'Angelo, students at Woodsville High School, Pages for the day.

Lynn Lucas, and Denise Mahr, guests of Rep. Cook. Richard Danforth, guest of Rep. Shaw. Zoe Hill, daughter of the singer, guest of Rep. Almy. Steven DiFranco, Fred and Louise Braman, Tony and Kathy Izgar, husband and guests of Rep. DiFranco. Fourth graders from Jaffrey School, guests of Reps. Ames, Ley, and Sterling.

COMMUNICATION

In a letter received on April 18, 2015

To whom it may concern,

I am sorry to say that do to the new work schedule, I would only be able to be in Concord every other month. Therefore I would not be able to dedicate the amount of time that is needed to properly represent my constituents of district 20 Seabrook/Hampton Falls. Therefore I will have to resign my position as NH State Representative.

Sincerely,

Representative Dennis Sweeney

The Speaker accepted the resignation, with regret.

MOTION TO VACATE

Rep. James Belanger moved that the House vacate the reference of **SB 30-FN-L**, permitting counties with unincorporated areas to establish tax increment financing districts, to the Committee on Municipal and County Government.

Motion adopted.

The Speaker referred **SB 30-FN-L** to the Committee on Finance.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 22, relative to certain changes in the law governing the therapeutic use of cannabis, removed by Rep. Kotowski. Consent Calendar adopted.

SB 11, recodifying the Uniform Interstate Family Support Act. **OUGHT TO PASS.**

Rep. Debra L. DeSimone for Children and Family Law. This bill recodifies RSA 546-B based on the 2008 amendments to the Uniform Interstate Family Support Act. This bill is a request of the department of health and human services. The committee agreed that this bill positively enhances the ability of New Hampshire to remain consistent with other states and countries with child support and other family matters. Vote 12-0.

SB 103, relative to guardian ad litem reports and relative to the definition of incapacity for purposes of filing a guardianship petition. **OUGHT TO PASS.**

Rep. Daniel C. Itse for Children and Family Law. This bill clarifies two issues of law. First, it ensures that all parties to a divorce case have access to guardian ad litem reports and recommendations unless the court finds that this disclosure is not in the child's best interest. Second, it defines the date of submission of evidence in petitions regarding incapacity in probate court as the receipt if mailed, or the court's date stamp if hand-delivered. Vote 12-0.

SB 71, relative to the administration of glucagon injections for children in schools. **OUGHT TO PASS.**

Rep. John L. Balcom for Education. This bill allows glucagon injections to be provided by certain school employees. The bill further identifies storage, training, administration and liability issues associated with glucagon injections in schools. Vote 21-0.

SB 151-FN, requiring inclusion of home educated pupils in the definition of average daily membership in attendance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick M. Ladd for Education. This bill provides that if a home-schooled pupil enrolls at a high school and in a school board approved "academic" course that his or her attendance shall count as an additional 0.15 in the calculation formula for the school's ADMA for each academic course taken. As amended, the bill does not include an ADMA count calculation for a home-schooled student's participation in a co-curricular activity. Due to the self-contained nature of elementary classrooms and differing middle school/JHS instructional models, the committee believes that the additional ADMA count calculation is appropriate only in the high school grades where well-defined and approved/accredited academic courses are comparable and contribute to a high school diploma throughout the state. In summary, this bill provides ADMA funding to high schools for all enrolled students in relation to student attendance and offers choice and enrichment opportunity to home-schooled pupils. Vote 19-0.

Amendment (1263h)

Amend RSA 198:38, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) For the purpose of calculating ADMA, each pupil who is home educated in compliance with RSA 193-A and who is enrolled in a school board approved public high school academic course shall count as an additional 0.15 pupil for each such academic course taken in a public high school. In this subparagraph, "public high school" shall have the same meaning as "high school" as defined in RSA 194:23.

Referred to the Committee on Finance.

SB 166, relative to facilitated individualized education program meetings. **OUGHT TO PASS.**

Rep. James L. Grenier for Education. Regular IEP team meetings are informal procedures and during these meetings actions or discussions leading to decisions are recorded. A facilitated IEP meeting has a trained facilitator assisting in meeting procedure. IDEA and RSA 186-C: 23 demand confidentiality and preclude record keeping during these meetings. This bill will remove facilitated IEP meetings from the list of formal alternative dispute resolution in RSA 186-C. If passed, these informal meetings will no longer be restricted as a formal alternate dispute resolution and will be given the flexibility to better serve the students, parents and facilitated IEP teams. Vote 21-0.

SB 194-FN, relative to epinephrine administration policies in postsecondary educational institutions. **OUGHT TO PASS.**

Rep. Robert J. Elliott for Education. This bill permits post secondary institutions to establish guidelines for the administration of epinephrine by designated trainees, establishes requirements for the storage of epinephrine on campus and limits civil liability for certain individuals who administer an emergency injection of epinephrine. This is a medication for the toxic effects to individuals who are allergic to certain foods or insects, causing difficult breathing, sometimes be fatal. Vote 21-0.

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ralph G. Boehm for Education. This bill establishes an Achieving a Better Life Experience Savings Account Program (ABLE) as established by an act by Congress in 2014. This is a savings program similar to a 529 plan, but contributions are not just for education, but for the helping individuals with disabilities throughout their life. This bill also establishes a commission that will adopt rules to ensure that the state's ABLE program complies with section 529A of the Internal Revenue Code. The federal ABLE Act amended Section 529 of the Internal Revenue Code to create tax-free savings accounts for individuals with disabilities. It aims to ease financial strains faced by individuals with disabilities by making tax-free savings accounts available to cover qualified expenses such as education, housing and transportation. This would supplement, but not supplant, benefits provided through private insurances, the supplemental security income program, the beneficiary's employment and other sources. An ABLE account could fund a variety of essential expenses for individuals, including medical and dental care, education, community based supports, employment training, assistive technology, housing and transportation. The ABLE Act provides individuals with disabilities the same types of flexible savings tools that all other Americans have through college savings accounts, health savings accounts and individual retirement accounts. There are no state monies used in this program. Vote 19-0.

Amendment (1222h)

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

1 New Chapter; Achieving a Better Life Experience (ABLE) Savings Account Program. Amend RSA by inserting after chapter 195-I the following new chapter:

CHAPTER 195-J

ACHIEVING A BETTER LIFE EXPERIENCE (ABLE) SAVINGS ACCOUNT PROGRAM

195-J:1 Definitions. In this chapter:

I. "Achieving a Better Life Experience Act of 2014" means the federal Achieving a Better Life Experience (ABLE) Act of 2014 which allows individuals with disabilities to establish tax-free 529-A savings accounts to save for medical, housing, transportation, employment training, education and other quality of life expenses.

II. "Commission" means the New Hampshire Achieving a Better Life Experience (ABLE) savings account program advisory commission.

III. "Savings plan" means any plan administered as the New Hampshire ABLE savings account program.

195-J:2 Achieving a Better Life Experience (ABLE) Savings Account Program.

I. The commission shall establish, implement, and administer a qualified ABLE savings account program as established in the Achieving a Better Life Experience Act of 2014, in accordance with provisions of section 529A of the United States Internal Revenue Code of 1986, as amended, and may enter into such contracts as the commission deems necessary to achieve this purpose, subject to the approval of the governor and council.

II. The commission shall adopt rules relative to the administration, management, promotion, and marketing of the qualified ABLE program and ensure that the qualified ABLE program complies with section 529A of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the qualified ABLE program.

195-J:3 Advisory Commission Established; Reports.

I.(a) There is established the New Hampshire Achieving a Better Life Experience (ABLE) savings account program advisory commission which shall ensure the proper administration and management of the savings plan. The advisory commission shall ensure that the savings plan complies with the requirements of section 529A of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the savings plan. The commission shall consist of the following members:

- (1) The state treasurer, or designee.
- (2) One member of the house of representatives, appointed by the speaker of the house of representatives.
- (3) One member of the senate, appointed by the senate president.
- (4) The governor, or designee.
- (5) The attorney general, or designee.
- (6) The commissioner of the department of health and human services, or designee.
- (7) One public member, who shall have business experience, appointed by the governor.
- (8) One member representing the Governor's Commission on Disability, appointed by the commission.
- (9) One member of representing the New Hampshire Council on Developmental Disabilities, appointed by the council.
- (10) One member representing Granite State Independent Living, appointed by Granite State Independent Living.
- (11) One member representing the New Hampshire Bar Association, appointed by the association.

(b) Except for the members appointed under subparagraphs (a)(1)-(4), members shall be appointed for 2-year terms.

II. Members of the commission shall serve without compensation, except that legislative members shall receive mileage at the legislative rate.

III. The commission shall keep written records of all its proceedings.

IV. No member of the commission shall have any personal interest in the gains or profits of any investment made by the commission; nor shall any member of the commission, directly or indirectly, for such member or as an agent, in any manner use the same except to make such current and necessary payments as are authorized by the commission; nor shall any member of the commission become an endorser or surety, or in any manner an obligor, for money loaned to or borrowed from the commission.

V. Members of the commission shall be held harmless from either criminal or civil liability for any decisions made or services rendered under the provisions of this chapter.

VI.(a) The state treasurer shall make quarterly reports regarding the status of the savings plan to the commission.

(b)(1) At least annually, the commission shall issue to each participant, a statement which shall include the participant's beginning balance, contributions, and earnings credited to their account during the previous fiscal year.

(2) At least annually, the commission shall make a report regarding the status of the savings program to each participant in the savings plan and to the state library.

195-J:4 ABLE Savings Plan.

I.(a) The commission shall, as needed, issue requests for proposals to evaluate and determine the vehicle for investments of the savings plan and its administration.

(b) The commission shall consider and, if appropriate, give preference to proposals best meeting the following criteria:

- (1) Ability to administer financial programs with individual account maintenance and reporting.
- (2) Ability to develop and administer an investment program of a nature similar to the objectives of the ABLE savings plan.
- (3) Ability to augment the ABLE savings plan with other programs or informational services considered beneficial by the commission.

(c) The final selection of the vehicle for investments and its administration shall be made by the commission.

II. The commission shall determine and make recommendations regarding the use of personnel in the treasurer's office with costs for such administrative support to be funded from the savings plan.

III. The savings plan shall be on a "cash only" basis, and shall include provisions for automatic deductions.

IV. The savings plan shall be established in such form as shall be determined by the commission and may be established as a trust to be declared by the state treasurer. The savings plan or such trust may be divided into multiple investment portfolios. If so divided, and if distinct records are maintained for any such portfolio and the assets associated with any such portfolio are accounted for separately from the other assets of the trust, then the debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with respect to a particular portfolio shall be enforceable against the assets of such portfolio only, and not against the assets of the trust generally.

195-J:5 Funds Exempt From Interest and Dividends Tax. Income and distributions from any qualified ABLE program as defined in the Internal Revenue Code of 1986, as amended, shall be exempt from the interest and dividends tax pursuant to RSA 77:4-e, provided that distributions from the plan which are subject to federal income tax shall be subject to the interest and dividends tax pursuant to RSA 77 on the accrued income portion of the savings plan distribution.

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

AMENDED ANALYSIS

This bill establishes the New Hampshire Achieving a Better Life Experience (ABLE) savings account program.

Referred to the Committee on Finance.

SB 148, relative to the shellfish inspection program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen Darrow for Environment and Agriculture. This bill has been brought forward by request of the department of health and human services. The purpose of the bill is to bring New Hampshire statutes into compliance with federal regulations. Passage of the bill will enable New Hampshire commercial shellfish harvesters to do business with out of state customers. The amendment corrects a minor grammatical error. Vote 15-0.

Amendment (1226h)

Amend RSA 143:22 as inserted by section 1 of the bill by replacing it with the following:

143:22 Certificate Required; Labeling; Records. No person~~[-firm, or corporation]~~ **or facility** shall ~~[operate an establishment for the processing]~~ **process** or ~~[packing of]~~ **pack** shellfish either shucked or in the shell until ~~[he has been granted]~~ a certificate **has been granted** by the department of health and human services. A certificate shall be issued to any ~~[establishment]~~ **facility** which has complied with the rules of the commissioner of the department of health and human services relative thereto. All certificates issued under this section shall expire on ~~[December]~~ **March** 31 next following the date of issuance. All containers of shellfish shall bear identification in accordance with rules adopted by the commissioner of the department of health and human services. An accurate daily record shall be kept by all ~~[establishments]~~ **facilities** listing the ~~[names]~~ **name** and ~~[addresses]~~ **location** of ~~[all persons from whom lots of shellfish are received, the location of the source of each lot, and the names and addresses of all persons to whom lots are shipped or sold]~~ **the dealer, the date and time of the activity that the record reflects, the signature or initials of the person performing the operation, and the identity of the product and the production code.** ~~[Such]~~ **Processing and other information shall be entered on records at the time that it is observed.** All records shall be ~~[kept on file for 60 days and]~~ **retained at the facility for at least one year after the date the records were prepared in the case of refrigerated products and for at least 2 years after the date the records were prepared in the case of frozen products. Records that relate to the general adequacy of equipment or processes being used by a processor, including the results of scientific studies and evaluations shall be retained at the facility for at least 2 years after their applicability to the product being produced at the facility.** All records shall be open to inspection ~~[at any time during business hours]~~ by agents of the department **at any time.**

SB 21, relative to the board of mental health practice. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B. Schmidt for Executive Departments and Administration. This bill, as amended by ED&A, sets the quorum requirement of the board at four members. The committee disagreed with the bill as amended by the senate, which had reduced the quorum requirement to three, which might have created a situation where the public members could have outnumbered the mental health practitioners present at a meeting of the board. Vote 13-0.

Amendment (0973h)

Amend the bill by replacing section 1 with the following:

1 Mental Health Practice; Board Quorum. Amend RSA 330-A:9, I to read as follows:

I. The board shall hold regular annual meetings. Other meetings of the board shall be held at such times and upon such notice as the rules of the board provide. ~~[Five]~~ **Four** members shall constitute a quorum.

SB 33, relative to continuing education requirements for mental health practitioners on suicide prevention. **OUGHT TO PASS.**

Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill establishes a new education requirement of at least three hours biennially on suicide prevention for licensure renewal by the board of mental health. The committee heard testimony from a wide range of mental health providers, public safety officials and citizens whose families had been impacted by suicide that this is a serious mental health issue and that it is critically important for mental health professionals to be able to detect early warning signs. Members of the ED&A committee were in full agreement that this is a public policy issue worthy of addressing and the majority believes the inclusion of the education requirements on suicide prevention will help to address the matter. Vote 11-2.

SB 43, relative to the care and custody of female prisoners. **OUGHT TO PASS.**

Rep. Mark L. Proulx for Executive Departments and Administration. This is a house keeping bill that was requested by the department of corrections. This bill just changes the name from the state prison for women to the New Hampshire correctional facility for women. Vote 13-0.

SB 65, adding a judicial branch employee member to the deferred compensation commission. **OUGHT TO PASS.** Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill adds a nonclassified judicial branch employee with knowledge of defined contribution plans to the public employees deferred compensation commission. Vote 13-0.

SB 104-FN, relative to licensure of research organizations by the pharmacy board. **OUGHT TO PASS.** Rep. Peter B. Schmidt for Executive Departments and Administration. This bill enables the further development of a high-tech research sector in NH by permitting, in this case, research into drug products, disease and drug diagnostics, and/or drug manufacturing technologies in our state, under the aegis of the NH pharmacy board. Necessary and appropriate definitions and restrictions are contained in the bill to allow the pharmacy board to exercise effective oversight and control, while also providing the opportunity for enhancing and expanding the NH economy. Vote 15-0.

Referred to the Committee on Ways and Means.

SB 161, relative to the wellness and primary prevention council. **OUGHT TO PASS WITH AMENDMENT.** Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill makes certain changes to the membership and duties of the wellness and primary prevention council, an entity created to address prevention and early intervention for at-risk youth and their families. The bill provides a mechanism for the council to develop standards of quality for participating family resource centers, the entities that provide direct service to at-risk youth and their families. These standards of quality will help to ensure uniformity in the provision of services by the family resource centers. The legislation also changes the composition of the council due to the fact that some of the original participating agencies are no longer in existence. Vote 12-2.

Amendment (1179h)

Amend the introductory paragraph of RSA 126-M:3, I as inserted by section 3 of the bill by replacing it with the following:

I. There is hereby established a wellness and primary prevention council which shall consist of 18 members as follows:

Amend RSA 126-M:4, II-a as inserted by section 5 of the bill by replacing it with the following:

II-a. Developing standards of quality to be met to receive the designation as a family resource center of quality. An advisory group shall assist the council in assessing compliance with the standards of quality. The advisory group shall consist of council members and professionals in delivery of services associated with family resource centers. Final decisions of compliance with the criteria set forth by the council and the designation of family resource centers of quality shall be made by the council, in conjunction with the department of health and human services.

SB 250, relative to the jurisdiction and voting procedures of the executive branch ethics committee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill provides for certain changes to allow the executive branch ethics committee to more effectively fulfill its duties. First, it allows the committee to accept and consider complaints filed against executive branch employees for up to 180 days after the day the official resigns, retires or otherwise leaves his/her position. Currently, once an employee separates from office the ethics committee is unable to pursue any complaint filed against him/her. In addition, the bill changes the requirement for a supermajority for some votes to a simple majority. This was necessitated by the fact that it is at times difficult to meet that threshold. The ED&A committee amendment adds an explicit quorum requirement for all votes taken by the committee. After hearing all of the evidence on this subject, ED&A unanimously recommends passage. Vote 13-0.

Amendment (1134h)

Amend the bill by replacing section 2 with the following:

2 Duties of the Executive Branch Ethics Committee. Amend RSA 21-G:30, II to read as follows:

II. A quorum of 4 members shall be required for all actions of the committee. All actions of the committee shall require an affirmative vote of 4 or more members of the committee before becoming effective, except that a vote to summarily dismiss a complaint shall be ***by unanimous vote of all members present***, and a vote ~~[to dismiss a complaint after only an internal review and no investigation shall be by an affirmative vote of no less than 5 members of the committee and a vote]~~ pursuant to RSA 21-G:31, VII shall require only a majority of the members present and voting. The committee shall request to meet with the legislative ethics committee established under RSA 14-B at least twice yearly to facilitate uniformity in the interpretation of statutory provisions.

SB 259-FN-L, relative to place of assembly licenses. **OUGHT TO PASS.**

Rep. Peter B. Schmidt for Executive Departments and Administration. This bill addresses a gap in the statutes with regard to places of assembly that come about seasonally when bodies of water freeze over, permitting people to gather out on the ice. The question of jurisdiction over such places of assembly required clarification, which this bill provides, namely, the commissioner of safety, or designee. Vote 13-0.

SB 70, relative to the processing of lobster tails. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe Duarte for Fish and Game and Marine Resources. This is a good bill for local businessmen. The amendment includes the words "shell on" to clarify lobster tails shall have shell attached. Vote 11-0.

Amendment (1206h)

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

1 Lobster; Legal Length. Amend RSA 211:27, I to read as follows:

I. No person may transport, buy, sell, give away, or expose for sale, or possess for any purpose, any lobster less than the minimum legal length alive or dead, cooked or uncooked, measuring from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell. The minimum legal length shall be determined in rules adopted by the executive director under RSA 211:62. ***This paragraph shall not apply to uncooked shell-on lobster tails processed onshore in a New Hampshire facility permitted under RSA 211:38-a or a similar facility outside of New Hampshire.***

2 Mutilated Lobsters; Exception. Amend RSA 211:30 to read as follows:

211:30 Mutilated Lobsters. The possession of lobsters, or parts thereof, alive or dead, cooked or uncooked, mutilated in such manner as to make accurate measurements as prescribed in this chapter impossible, shall be prima facie evidence that they are not of required legal length. Provided that this section shall not apply to:

I. Hotels, restaurants, or individuals having in possession chopped lobster meat as provided in RSA 211:28 or lobster processed under a lobster tail permit in accordance with RSA 211:38-a.

II. Uncooked shell-on lobster tails processed outside of New Hampshire and offered for sale in this state.

3 Lobster Tail Permit; Processing. Amend RSA 211:38-a, I to read as follows:

I. Any person who is licensed to engage in the wholesale trade of marine species in accordance with RSA 211:49-c may engage in the processing of lobster tails after procuring from the executive director a lobster tail permit. The lobster tail permit authorizes the licensee to remove a lobster tail from a legal sized lobster, as defined in RSA 211:27, I and II, and process that ***shell-on*** whole and intact lobster tail. No lobster greater than the maximum legal length as described in RSA 211:27, III shall be used for lobster tail processing. Processing shall only be conducted at the one location or place of business which is listed on the lobster tail permit. All containers in which ***shell-on*** lobster tails are packed to be sold, shipped, or transported must be clearly labeled with the name, address, and permit number of the packer along with a description of the product. ~~[The processing and possession of these lobster tails shall be permitted only for distribution outside New Hampshire.]~~

AMENDED ANALYSIS

This bill allows the processing of uncooked shell-on lobster tails for sale in New Hampshire.

SB 182, relative to the sale of freshwater fishing bait. **OUGHT TO PASS.**

Rep. Douglas B. Long for Fish and Game and Marine Resources. This bill allows the sale of aquatic invertebrates by licensed dealers. This would help prevent the spread of aquatic diseases, by dealers being mandated. Vote 12-0.

SB 183, allowing the fish and game department to offer lifetime hunting and fishing licenses for newborns. **OUGHT TO PASS.**

Rep. James A. Spillane for Fish and Game and Marine Resources. This bill is a very positive one, which invests in the future of hunting and fishing in the state while also allowing families to invest in the future of their children. Vote 11-0.

SB 222-FN, relative to harassment of hunting, fishing, or trapping. **OUGHT TO PASS.**

Rep. James C. Webb for Fish and Game and Marine Resources. The fish and game committee heard testimony that there are some problems related to hunters being harassed via banging of pans and with today's technology, UAVs and drones may be used to harass hunters who have a right to be hunting where they are hunting and or fishing. Vote 12-0.

SB 23, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary C. Freitas for Health, Human Services and Elderly Affairs. This bill allows advanced psychiatric nurse practitioners the authority to request to the probate court that patients be admitted on a non-emergency involuntary hospitalization to a designated receiving facility. This bill also allows advanced psychiatric nurse practitioners the ability to petition the probate court that a guardian's ward be admitted to a state institution for treatment. Vote 19-0.

Amendment (1123h)

Amend the bill by replacing section 4 with the following:

4 Admission to State Institutions; Advanced Practice Registered Nurses Added. Amend RSA 464-A:25, I(a) (6) to read as follows:

(6) A guardian may not admit a ward to a state institution for more than 60 days for any single admission or more than 90 days in any 12-month period upon certification of a physician or psychiatrist, **or an advanced practice registered nurse, as defined in RSA 135-C:2, II-a** without filing a petition requesting approval of the probate court.

SB 49, relative to clinical eligibility determination for long-term care. **OUGHT TO PASS WITH AMENDMENT.** Rep. Donald L. LeBrun for Health, Human Services and Elderly Affairs. The bill allows skilled professional medical personnel employed by, or designated to act on behalf of the department to determine clinical eligibility. The clinical eligibility determination shall be based upon the assessment tool approved by the department, or by an individual with equivalent training designated by the department. The department shall train all persons performing the assessment to use the assessment tool. Vote 19-0.

Amendment (1185h)

Amend RSA 151-E:3, II as inserted by section 2 of the bill by replacing it with the following:

II. ~~[A person is eligible for services under the medicaid waiver if the person has been determined clinically eligible under RSA 151-E:3, I(a), and financially eligible pursuant to rules adopted by the commissioner under RSA 541-A].~~ **Skilled professional medical personnel employed by or designated to act on behalf of the department shall determine clinical eligibility in accordance with the criteria in subparagraph I(a). The clinical eligibility determination shall be based upon an assessment tool, approved by the department, performed by skilled professional medical personnel employed by the department, or by an individual with equivalent training designated by the department. The department shall train all persons performing the assessment to use the assessment tool. For the purposes of this section, "skilled professional medical personnel" shall have the same meaning as in 42 C.F.R., section 432.50(d)(1)(ii).**

SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and health care quality issues. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles E. McMahon for Health, Human Services and Elderly Affairs. While the legislature has responded with statute to address infectious disease outbreaks in hospitals and other licensed health care facilities, recent events have highlighted possible gaps in infection control regulation, oversight and reporting in health care settings not currently licensed, or actively monitored by the department of health and human services. The focus of this time-limited commission would be to review and assess the existing framework of health care services across these delivery systems and to identify barriers to timely and effective response to, and prevention of infectious outbreaks. Vote 19-0.

Amendment (1227h)

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

AN ACT establishing a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

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

1 Statement of Intent.

I. The general court recognizes that:

(a) New Hampshire is committed to improving patient safety and promoting better health care quality outcomes for its citizens.

(b) New Hampshire and its regulatory agencies are committed to working in partnership with health care providers across all health care delivery settings to identify improvement in the oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues.

II. Therefore, the general court hereby establishes a commission to study oversight, regulation, and reporting of patient safety concerns as it relates to infectious disease prevention and control issues to achieve a better understanding of the landscape of credentialing and regulatory oversight of independent or private, unlicensed and/or unaffiliated health care settings with a goal of better-informed policy decision making regarding patient safety concerns related to infectious disease control issues and a determination of the need for future remedial legislation. This commission is not intended to duplicate the work of the health care quality assurance commission under RSA 151-G but to work in collaboration regarding health care infectious disease prevention and control quality issues.

2 New Subdivision; Commission to Study Oversight, Regulation, and Reporting of Patient Safety and Infectious Disease Prevention and Control Issues. Amend RSA 126-A by inserting after section 67 the following new subdivision:

Commission to Study Oversight, Regulation, and Reporting of Patient Safety
and Infectious Disease Prevention and Control Issues

126-A:68 Commission to Study Oversight, Regulation, and Reporting of Patient Safety and Infectious Disease Prevention and Control Issues Established.

I. There is established a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

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

- (a) One member of the senate, appointed by the president of the senate.
- (b) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The director of the division of public health services, department of health and human services, or designee.
- (d) The bureau chief for the bureau of health facilities administration, department of health and human services, or designee.
- (e) A representative of the New Hampshire board of dental examiners, appointed by the board.
- (f) A representative of the New Hampshire board of medicine, appointed by the board.
- (g) A representative from the New Hampshire board of nursing, appointed by the board.
- (h) A representative from the New Hampshire board of pharmacy, appointed by the board.
- (i) A representative from the New Hampshire board of podiatry, appointed by the board.
- (j) A representative from the New Hampshire Foundation for Healthy Communities, appointed by the foundation.
- (k) A representative from the New Hampshire Hospital Association, appointed by the association.
- (l) A physician from the New Hampshire Medical Society, appointed by the society.
- (m) A dentist from the New Hampshire Dental Society, appointed by the society.
- (n) A representative from the New Hampshire Ambulatory Surgery Center Association, appointed by the association.
- (o) A representative from the New Hampshire Infection Control and Epidemiology Professionals, appointed by that organization.
- (p) A representative of a nursing home facility, appointed by the New Hampshire Health Care Association.
- (q) Two public members, at least one of whom shall be an independent office-based health care practitioner, appointed by the governor.
- (r) An APRN, appointed by the New Hampshire Nurse Practitioner Association.

III. The commission shall be an administratively attached agency, under RSA 21-G:10, to the department of health and human services.

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

V. The commission's study shall include, but not be limited to:

- (a) Conducting an assessment of the existing framework for the oversight, regulation, and reporting of patient safety concerns related to infectious disease prevention and control issues among health care delivery settings, focused on, but not limited to, private, unlicensed, and/or unaffiliated health care settings, to help coordinate response to any arising infectious disease prevention and control concerns.
- (b) Evaluating credentialing and regulatory oversight to determine unforeseen or hidden gaps which may pose barriers to timely and effective public health response to infectious disease prevention and control concerns in health care settings.
- (c) Reviewing coordination of interagency communication relating to any infectious disease prevention and control concern across health care delivery settings including, but not limited to, private, unlicensed, and/or unaffiliated health care settings.
- (d) Discussing potential deficits and areas for improvement in the current framework of regulatory oversight with a goal to identify recommended solutions, both legislative and non-legislative.

VI. 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 60 days of the effective date of this section. Eleven members of the commission shall constitute a quorum.

VII. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairperson of the health and human services oversight committee established under RSA 126-A:13, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015.

AMENDED ANALYSIS

This bill establishes a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

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

SB 108-FN, relative to health care associated infections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald L. LeBrun for Health, Human Services and Elderly Affairs. This bill clarifies that any hospital pursuant to RSA 151:22 shall maintain a program capable of identifying and tracking infections for the purpose of reporting statistics. The bill adds end-stage renal dialysis centers, nursing and other residential care facilities and assisted living facilities and ambulatory surgical facilities as required. Vote 17-0.

Amendment (1223h)

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

1 Health Care Associated Infections; Facilities Added. Amend RSA 151:33 through RSA 151:35 to read as follows:

151:33 Hospitals, ***End-Stage Renal Dialysis Centers, Nursing and Other Residential Care Facilities, Assisted Living Residences***, and Ambulatory Surgical Facilities Required to Report.

I. Any hospital licensed pursuant to this chapter shall maintain a program capable of identifying and tracking infections for the purpose of reporting under this section. ***Nothing in this section shall be construed to mandate or require influenza vaccination for health care personnel and patients/residents.*** Such program shall have the capacity to identify the following elements:

(a) The specific infectious agents or toxins and site of each infection;

(b) The clinical department or unit within the facility where the patient first became infected or was first diagnosed; and

(c) The patient's diagnoses at time of admission and any relevant specific surgical, medical, or diagnostic procedure performed during the current admission.

II.(a) Hospitals shall initially identify, track, and report infections to include:

(1) Central line related bloodstream infections;

(2) ~~[Ventilator-associated pneumonia]~~ ***Catheter associated urinary tract infections***; and

(3) Surgical wound infections.

(b) Hospitals shall also initially identify, track, and report process measures including:

(1) Adherence rates of central line insertion practices;

(2) Surgical antimicrobial prophylaxis; and

(3) Coverage rates of influenza vaccination for health care personnel and patients/residents.

II-a. Any ambulatory surgical facility licensed pursuant to this chapter shall maintain a program capable of identifying and tracing infections for the purpose of reporting under this section. Such program shall have the capacity to identify the following elements:

(a) Surgical wound infections.

(b) Surgical antimicrobial prophylaxis.

(c) Coverage rates of influenza vaccination for health care personnel.

II-b. Any end-stage renal dialysis center licensed pursuant to this chapter shall maintain a program capable of identifying and tracking infections for the purpose of reporting under this section. Such program shall have the capacity to identify the following elements:

(a) Positive blood culture.

(b) Vascular access site infection.

(c) Intravenous antimicrobial start time.

(d) Coverage rates of influenza vaccination for health care personnel.

II-c. Any nursing and residential care facility licensed pursuant to this chapter, or any assisted living residence licensed under RSA 161-J shall maintain a program capable of identifying and tracking the coverage rates of influenza vaccination for health care personnel and patients/residents.

III. Subsequent to the initial requirements identified in ~~[paragraph]~~ ***paragraphs II, II-a, or II-b***, the department shall, from time to time, require the tracking and reporting of other types of infections~~[-including urinary tract infections]~~ when reporting protocols are identified by the department, that occur in hospitals, ***end-stage renal dialysis centers***, and ambulatory surgical facilities in consultation with technical advisors who are regionally or nationally-recognized experts in the prevention, identification, and control of ~~[hospital]~~ ***health care associated*** infections and the reporting of performance data. ~~[The department shall make progress reports every 6 months to the oversight committee on health and human services, established in RSA 126-A:13, concerning the development of reporting protocols for tracking of urinary tract infections and shall notify the oversight committee on health and human services when the tracking of urinary tract infections has commenced.]~~

IV. The commissioner of the department shall adopt rules, pursuant to RSA 541-A, for hospital, ***end-stage renal dialysis center, nursing and residential care facility, assisted living residence***, and ambulatory surgical facility identification, tracking, and reporting of infections ***and/or coverage rates of influenza vaccinations as required in this section*** which shall be consistent with the recommendations of recognized centers of expertise in the identification and prevention of infections including, but not limited to the National Health Care Safety Network and the Healthcare Infection Control Practices Advisory Committee of the Centers for Disease Control and Prevention or its successor, the Joint Commission on the Accreditation of Healthcare Organizations, the Centers for Medicare and Medicaid Services, the Hospital Quality Alliance, the National Quality Forum, and the New Hampshire health care quality assurance commission under RSA 151-G.

V. Each hospital, ***end-stage renal dialysis center, nursing and residential care facility, assisted living residence***, and ambulatory surgical facility shall regularly report to the department hospital, ***end-***

stage renal dialysis center, nursing and residential care facility, assisted living residence, and ambulatory surgical facility acquired infections and the infection data it has collected **and/or coverage rates of influenza vaccinations as required in this section**. Such reporting shall be done in the manner directed by the department in accordance with rules adopted pursuant to RSA 541-A. The commissioner shall establish data collection and analytical methodologies that meet accepted standards for validity and reliability. In no case shall the frequency of reporting be required to be more frequently than once every 3 months, and reports shall be submitted not more than 60 days after the close of the reporting period.

151:34 Statewide Database Required.

I. The department shall [establish] **maintain** a statewide database of all reported infection information **and/or coverage rates of influenza vaccinations as required in RSA 151:33** for the purpose of monitoring quality improvement and infection control activities in hospitals, **end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences**, and ambulatory surgical facilities. The database shall be organized so that consumers, hospitals, **end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences**, ambulatory surgical facilities, health care professionals, purchasers, and payers may compare individual hospital, **end-stage renal dialysis center, nursing and other residential care facility, assisted living residence**, and ambulatory surgical facility experience with that of other individual hospitals, **end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences**, and ambulatory surgical facilities as well as regional and statewide averages and, where available, national data.

II.(a) Subject to subparagraph [(e)] **(b)**, on or before August 1 of each year, provided that the data collection and analytical methodologies meet accepted standards for validity and reliability, the commissioner shall report on the department's web site infection rates [both exclusive and inclusive of adjustments for potential differences in risk factors] for each reporting hospital, **end-stage renal dialysis center, nursing and other residential care facility, assisted living facility**, and ambulatory surgical facility, an analysis of trends in the prevention and control of infection rates **and coverage rates of influenza vaccinations as required in RSA 151:33** in hospitals, **end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences**, and ambulatory surgical facilities across the state, regional and, if available, national comparisons for the purpose of comparing individual hospital, **end-stage renal dialysis center, nursing and other residential care facility, assisted living facility**, and ambulatory surgical facility performance, and a narrative describing lessons for safety and quality improvement that can be learned from leadership hospitals and programs.

[(b)] The commissioner shall consult with technical advisors who have regionally or nationally acknowledged expertise in the prevention and control of infections and infectious diseases in order to develop the adjustment for potential differences in risk factors to be used for public reporting.

[(c)(1)] **(b)** [Within 180 days of the effective date of this section, the] **The** department shall [establish] **maintain** an infection reporting system capable of receiving electronically transmitted reports from hospitals, **end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences**, and ambulatory surgical facilities. [Whether or not the department has established such a reporting system, hospitals,] **End-stage renal dialysis centers, nursing and other residential care facilities, and assisted living residences** [, and ambulatory surgical facilities] shall begin to submit reports as required by this section within 6 months of the effective date of this section.

[(2)] The first 6 months of data submission under this section shall be considered the "pilot phase" of the statewide infection reporting system. The purpose of the pilot phase is to ensure, by various means, the completeness and accuracy of infection reporting by hospitals.

[(3)] No later than 60 days after the conclusion of the pilot phase, the commissioner shall issue a report to hospitals and to the oversight committee on health and human services assessing the overall accuracy of the data submitted in the pilot phase and provide guidance for improving the accuracy of infection reporting.

[(4)] After the pilot phase is completed, all data submitted under this section and compiled in the statewide infection database established under this section and all public reports derived therefrom shall include hospital and ambulatory surgical facility identifiers.

[(5)] The first public report required pursuant to subparagraph (4) shall be made not later than 7 months after the completion date of the pilot phase.]

III. To assure the accuracy of the self-reported hospital, **end-stage renal dialysis center**, and ambulatory surgical facility infection data and to assure that public reporting fairly reflects what actually is occurring in each hospital, **end-stage renal dialysis center**, and ambulatory surgical facility, the department shall [make a quarterly report to the oversight committee on health and human services on its infection rate data. If the commissioner is not satisfied with the overall accuracy of the data submitted, the commissioner shall] validate the results and the methodology used to collect and analyze the data. [The commissioner shall notify the oversight committee on health and human services relative to the validation of such data. After notifica-

tion to the oversight committee, the commissioner may release such information to the public.] If[, however,] the commissioner concludes that he or she is unable to adequately validate the data, the commissioner shall notify the oversight committee on health and human services of that fact and the reasons therefor and, in that case, the commissioner shall not be required to include hospital, **end-stage renal dialysis center, nursing and other residential care facility, assisted living residence**, and ambulatory surgical facility identifiers in the information released to the public.

IV. In addition to the department's reporting responsibilities under this section, the department shall beginning in 2012 make a biennial report to the oversight committee on health and human services and the house and senate ways and means committees on or before August 1, regarding the health care associated infections program costs, the amount of federal funding received for the program, and the amount of fees paid by hospitals, **end-stage renal dialysis centers**, and ambulatory surgical centers to support the program.

151:35 Limitation. Notwithstanding any provision of law to the contrary, hospitals, **end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences**, or ambulatory surgical facilities may provide, and the department may collect under this subdivision, any data or patient identifiers as set forth in the protocols and specifications published and periodically amended by the National Healthcare Safety Network; provided that an individual patient's name, street address, city or town, telephone number, and social security number shall not be included in any data collected.

2 Health Care Associated Infections; Payments. Amend the section heading and paragraph I of RSA 151:36 to read as follows:

151:36 Payment by Hospitals, **End-Stage Renal Dialysis Centers**, and Ambulatory Surgical Centers.

I. The department shall assess a fee to hospitals, **end-stage renal dialysis centers**, and ambulatory surgical centers that are required to report under RSA 151:33 to support the program's approved operating budget.

(a) The hospitals' portion shall be proportional to the number of measures reported by all hospitals in the state.

(b) The ambulatory surgical centers' portion shall be proportional to the total number of measures reported by ambulatory surgical centers in the state.

(c) The end-stage renal dialysis centers' portion shall be proportional to the total number of measures reported by end-stage renal dialysis centers in the state.

3 New Paragraph; Health Care Associated Infections. Amend RSA 151:36 by inserting after paragraph III the following new paragraph:

III-a. There shall be proportional fee categories based on the range of patient visits annually at an end-stage renal dialysis center, which shall equal the total amount of payment that is required by all end-stage renal dialysis centers. Of that base amount as stated in subparagraph I(c), each end-stage renal dialysis center required to report shall pay a fee based on the appropriate category for that end-stage renal dialysis center.

4 Health Care Associated Infections. Amend RSA 151:36, V to read as follows:

V. There is hereby established the health care associated infections fund. The fund shall be composed of fees collected in accordance with RSA 151:36, I-[HH] **III-a** and shall be used to carry out the provisions of this subdivision. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this subdivision.

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

AMENDED ANALYSIS

This bill makes certain changes to the law governing the reporting of health care associated infections.

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

SB 133-FN, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs. This bill, as amended, improves the public use database file of health insurance and workers compensation medical claims in New Hampshire for the purpose of health care cost transparency while respecting HIPPA and patient privacy concerns. Vote 16-0.

Amendment (1192h)

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

1 New Paragraph; Development of a Comprehensive Health Care Information System. Amend RSA 420-G:11-a by inserting after paragraph II the following new paragraph:

III. The department shall make available to the public a public use data set for purposes of facilitating transparency in health care costs.

2 New Section; Advisory Organizations; Required Activity. Amend RSA 412 by inserting after section 37-a the following new section:

412:37-b Advisory Organizations; Required Activity. The commissioner shall consult with workers' compensation advisory organizations, workers' compensation carriers, and third party administrators or self-insureds

regarding the most effective options for including workers' compensation medical claims data in the New Hampshire comprehensive health information system, as defined under RSA 420-G:11-a. The commissioner shall make a report with recommendations on options for including workers' compensation medical claims data in the New Hampshire comprehensive health information system on or before December 1, 2015 to the speaker of the house of representatives, the president of the senate, the governor, and the chairpersons of the house and senate committees having jurisdiction over health and human services.

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

AMENDED ANALYSIS

This bill requires the insurance commissioner to consult with certain groups and organizations and to make a report by December 2015 to the legislature and the governor with recommendations on options for including workers' compensation data in the New Hampshire comprehensive health information system. Referred to the Committee on Labor, Industrial and Rehabilitative Services.

SB 187, allowing a patient to designate a caregiver upon entry to a medical facility. **OUGHT TO PASS.**

Rep. Lucy M. Weber for Health, Human Services and Elderly Affairs. This bill arises out of an initiative by the American Association of Retired Persons to encourage better aftercare for a hospital patient following their discharge. The bill requires that the patient be given an opportunity to identify a designated caregiver prior to discharge. If the patient chooses to designate a caregiver, the hospital will: 1.) let the caregiver know of the designation; 2.) notify the caregiver of the intent to discharge and the discharge plan; and 3.) shall give the caregiver instruction about all the aftercare needs in the discharge plan. The goal is to ensure better aftercare and fewer re-hospitalizations. Care has been taken to preserve the autonomy of all concerned. The bill was supported by the NH Hospital Association as it clarifies and promotes uniformity as to discharge procedures. Vote 17-0.

SB 200-FN, relative to newborn screening for Krabbe Leukodystrophy. **INEXPEDIENT TO LEGISLATE.**

Rep. Joanne A. Ward for Health, Human Services and Elderly Affairs. Krabbe Leukodystrophy is a terrible genetic disease which is terminal, even if diagnosed and treated. The proposed test for this disease has many false positives. These infants are subjected to lumbar punctures and the agony of waiting for a diagnosis that may never come. In New York over 2 million babies have been tested since 2006 and only 5 were treated, but did not survive. To quote Dr. Harvey Levy of Harvard, "New Hampshire has very wisely established by statute RSA 132:10a the newborn screening advisory committee to consider additions to newborn screening. Every proposed addition until now has been considered by this committee in the light of medical, scientific and ethical evidence for the best interests of the citizens of New Hampshire. The newborn screening advisory committee, after such consideration, would then present its recommendations and the evidence for it to the commissioner of the department of health and human services. I would hope that the legislature would see fit to follow this procedure for the proposed addition of krabbe disease." Vote 17-2.

SB 12, relative to jurisdiction over surrogacy cases under RSA 168-B. **OUGHT TO PASS.**

Rep. Joseph M. Hagan for Judiciary. RSA 168-B passed last biennium clarified and confirmed the parental rights of intended parent(s) resulting from assisted reproduction and that the gestational carrier has no parental rights when all parties participate in gestational carrier agreements. Unfortunately, jurisdiction was assigned to the superior and the probate court. This bill would give exclusive jurisdiction to the probate court where the expertise for such matters reside. Vote 16-0.

SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank H. Heffron for Judiciary. This bill makes several technical corrections to the laws relative to the judicial council, which, among other things, provides general information and makes recommendations to the general court and the judicial system on matters pertaining to the administration of justice and administers the indigent defense delivery system. The bill makes some changes concerning membership of the council; for example, the number of members appointed by the judicial branch administrative council is reduced from 5 to 4. It makes changes in terminology to reflect current practice, e.g., the current statute refers to the judiciary and family law committee, and this bill changes that to judiciary committee. The bill also provides that the council shall provide legal and guardian ad litem services in child protection cases, which it has in fact been doing for some time. Another overdue change is the repeal of RSA 604-A:5, limiting the compensation of appointed counsel. It contained limits so low that the supreme court ruled it unconstitutional several years ago. The changes in this bill are recommended by the council as the result of a performance audit by the legislative budget assistant and received solid bipartisan support in the judiciary committee. Vote 16-1.

Amendment (1242h)

Amend RSA 494:2 as inserted by section 2 of the bill by replacing it with the following:

494:2 Appointment and Tenure of Office. The term of each member except the members of the judicial branch administrative council, the attorney general, the president-elect of the New Hampshire Bar Association, and

the chairpersons of the senate judiciary committee and the house judiciary [~~and family law~~] committee shall be for 3 years and until a successor is appointed and qualified. Vacancies shall be filled for the remainder of the term in the same manner and from the same group as the original appointment. Each member of the judicial branch administrative council, the attorney general, the president-elect of the New Hampshire Bar Association, and the chairpersons of the senate judiciary and house judiciary [~~and family law~~] committees shall be ex officio members and shall serve during their term of office.

SB 44, relative to nonpublic sessions of public bodies under the right-to-know law. **OUGHT TO PASS.**

Rep. Mark McLean for Judiciary. This bill amends RSA 91-A:3, II(g) to take the right currently held by county corrections departments to hold nonpublic sessions when considering security related issues, and extends it to the state level. The law offers no additional provisions and only serves to make procedures at the state and county level more uniform. Vote 18-0.

SB 91, relative to appointment of counsel for indigent defendants. **OUGHT TO PASS.**

Rep. Claire A. Rouillard for Judiciary. This is a minor technical change to RSA 604-A:2, which provides counsel to indigent defendants charged with a felony or a class A misdemeanor. The current statute incorrectly states the appointment of counsel, after review of financial affidavit, could be made by the "Commissioner of Administrative Services," which is the executive branch. Review of financial affidavits and appointment of counsel is and should be performed by the "court" or the judicial branch. SB 91 makes that correction. Vote 18-0.

SB 94, relative to documents filed electronically with a court under oath. **OUGHT TO PASS.**

Rep. Kurt F. Wuelper for Judiciary. This bill defines the words "under oath" for use in electronically filing court documents. The committee recognized the common use of electronic signatures for all kinds of government purposes and believes that letting people know they are signing "under penalty of perjury" provides adequate certification of their identity. Vote 15-0.

SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin W. Sterling for Municipal and County Government. The purpose of this bill as amended is to establish a commission on historic burial grounds. The commission is charged with documenting burial grounds, establishing a state historic register of historic burial grounds, reviewing current statutes on the protection of property owners and surrounding properties. The commission shall report its findings and recommendations on or before November 1, 2016. Vote 15-0.

Amendment (1129h)

Amend RSA 227-C:12-a as inserted by section 1 of the bill by inserting after subparagraph II(n) the following new subparagraph:

(o) The Roman Catholic bishop of Manchester, or designee.

Amend RSA 227-C:12-a, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The commission shall file interim reports 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, 2015, November 1, 2016, and November 1, 2017, and a final report on or before November 1, 2018.

Amend the bill by replacing section 3 with the following:

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2018.

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

AMENDED ANALYSIS

This bill also establishes the commission on historic burial grounds and cemeteries.

SB 54, relative to property tax payments by therapeutic cannabis alternative treatment centers. **OUGHT TO PASS.**

Rep. Catherine Cheney for Municipal and County Government. This bill fixes a possible unintended loophole in the collection of taxes by an alternative treatment center for therapeutic cannabis under RSA 72:23. It was and is the intent that these properties would pay taxes and SB 54 will ensure that the treatment centers shall make payments in lieu of property taxes in the same amount that the land and buildings would have been subject to if they were owned by a non-exempt owner. These centers were placed under the tax exempt statutes only to allow the attorney general's office oversight. This bill corrected the unintended consequence that they would be tax exempt. Vote 15-0.

SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James P. Belanger for Municipal and County Government. This bill allows governing bodies to adopt zoning ordinances, without legislative body approval, for managing storm water to meet federal standards.

As amended, the bill requires a non binding advisory review of the project by the municipality's planning and zoning boards. This review will provide some expertise from those two boards that may not be available by the governing body members and could influence the resultant project to more closely conform to a municipality's existing ordinances. Vote 15-0.

Amendment (1118h)

Amend RSA 149-I:6, I-a as inserted by section 1 of the bill by replacing it with the following:

I-a. In municipalities where stormwater is collected and discharged, the mayor and aldermen or town governing body may, with the advice of the planning board and the zoning board of adjustment, adopt such ordinances and bylaws as are required for the proper maintenance and operation of the stormwater system or stormwater utility and any appurtenant structures, and to promote flood control and erosion control, water quality management, ecological preservation, management of annual pollutant load contained in stormwater discharge, and municipal compliance with applicable state and federal stormwater laws and regulations.

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

2 Duties of the Planning Board. Amend RSA 674:1, II to read as follows:

II. The planning board may:

(a) From time to time report and recommend to the appropriate public officials and public agencies programs for the development of the municipality, programs for the erection of public structures, and programs for municipal improvements. Each program shall include recommendations for its financing. It shall be part of the planning board's duties to consult with and advise public officials and agencies, public utility companies, **and** civic, educational, professional, research, and other organizations, and to consult with citizens, for the purposes of protecting or carrying out of the master plan as well as for making recommendations relating to the development of the municipality.

(b) Advise the governing body as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems under RSA 146-I:6, I-a comply with the master plan.

3 Powers of Zoning Board of Adjustment. Amend RSA 674:33, I to read as follows:

I. The zoning board of adjustment shall have the power to:

(a) Hear and decide appeals if it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16[~~and~~].

(b) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:

(1) The variance will not be contrary to the public interest;

(2) The spirit of the ordinance is observed;

(3) Substantial justice is done;

(4) The values of surrounding properties are not diminished; and

(5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

(A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and

(ii) The proposed use is a reasonable one.

(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it. The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

(c) Advise the governing body as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems under RSA 146-I:6, I-a comply with zoning ordinances.

AMENDED ANALYSIS

This bill authorizes municipalities to regulate stormwater in order to comply with federal and state laws and regulations.

This bill also authorizes planning boards and zoning boards of adjustment to advise governing bodies as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems comply with the master plan and zoning ordinances, respectively.

SB 98, relative to third party review required by the planning board. **OUGHT TO PASS WITH AMENDMENT.** Rep. Catherine Cheney for Municipal and County Government. This bill, as amended, allows an applicant to request a different third party consultant to review plans. The applicant pays the consultants chosen by

the planning board out of their own pocket anyway. The committee recognized that developers might want to bring in their own party. SB 98, as amended, would allow the applicant to bring a preferred consultant's name forward for consideration by the planning board even though the final selection is at the sole discretion of the planning board. The planning board retains the authority to exercise reasonable discretion on whether or not to accept the alternate firm. This is a win-win for both the planning board and the developer. Vote 15-0.

Amendment (1113h)

Amend the bill by replacing section 1 with the following:

1 Third Party Review. Amend RSA 676:4-b, I to read as follows:

I. A planning board reviewing a subdivision plat, site plan, or other land use application may require the applicant to reimburse the board for expenses reasonably incurred by obtaining third party review and consultation during the review process, provided that the review and consultation does not substantially replicate a review and consultation obtained by the zoning board of adjustment. ***The applicant may request the planning board choose a different third party consultant and the request may include the name of a preferred consultant. The planning board shall exercise reasonable discretion to determine whether the request is warranted. When such a request is granted by the planning board, the 65-day period for the board's action on an application stated in RSA 676:4, I(c)(1) shall be extended 45 days to provide the board adequate time to identify a different consultant.***

SB 143, relative to defining phased development. **OUGHT TO PASS.**

Rep. James E. Coffey for Municipal and County Government. This bill defines the term "phased development" which will be helpful to both planning boards and their applicants. Although the term is referred to in other statutes it has never been defined. The unanimous vote came after a very thorough debate and discussion. Vote 15-0.

SB 38, establishing a commission to develop a land conservation plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James W. McConnell for Resources, Recreation and Development. This bill establishes a commission to review, coordinate and prioritize the state's numerous conservation efforts and make recommendations for proposed legislation implementing the commission's conservation goals. Since 1990, no fewer than 11 legislative committees have documented in detail the need to protect New Hampshire's lands and natural resources. The amendment reduces the number of commission members from an unwieldy twenty one to a more manageable and efficient eleven. Vote 19-0.

Amendment (1239h)

Amend RSA 162-C:12, I(a)-(m) as inserted by section 1 of the bill by replacing it with the following:

- (a) One member of the senate, appointed by the president of the senate.
- (b) One member of the resources, recreation and development committee of the house of representatives, appointed by the speaker.
- (c) One member from the New Hampshire Association of Conservation Commissions to represent municipal conservation interests, appointed by that association.
- (d) Three representatives of statewide or regional conservation organizations, appointed by the governor.
- (e) One person representing business and industry, appointed by the Business and Industry Association.
- (f) One person representing hunting, fishing, and other outdoor recreation, appointed by the fish and game commission.
- (g) One person representing real estate interests, appointed by the New Hampshire Association of Realtors.
- (h) One member of the New Hampshire Farm Bureau, appointed by the that organization.
- (i) One person representing the forest products industry, appointed by the New Hampshire Timberland Owners Association.

Amend RSA 162-C:12, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Solicit input from the public, non-profit organizations, the land and community heritage investment program, regional planning commissions, the university of New Hampshire cooperative extension service, businesses and other stakeholders, and from representatives of land conservation initiatives in other states.

SB 80, relative to the state trails plan and establishing a committee on rail trails. **OUGHT TO PASS WITH AMENDMENT.** Rep. Carolyn L. Matthews for Resources, Recreation and Development. A committee of one member of the senate and two members of the house of representatives will solicit testimony from several organizations, the bureau of trails, department of resources and economic development and department of transportation. An earlier study left questions unanswered about usage for railroad beds, immunity laws, inclusion of additional rail trails and policies that govern how rail trails are to be converted and how that process can be made easier for volunteer groups. The committee agrees that further study is needed and to allow the committee to solicit additional testimony and to include a representative from the freight railroad industry. Vote 19-0.

Amendment (1217h)

Amend paragraph III of section 2 of the bill by replacing it with the following:

III. Members of the committee shall solicit testimony from, but not limited to, the following:

- (a) Londonderry Trailways.
- (b) Windham Rail Trails.
- (c) The Mascoma River Greenway Coalition.
- (d) The New Hampshire Railroad Revitalization Association.
- (e) The New Hampshire Horse Council.
- (f) The New Hampshire Off Highway Vehicle Association (NHOHVA).
- (g) The chief supervisor of the bureau of trails, department of resources and economic development, or designee.
- (h) Representatives of the department of transportation.
- (i) A representative from the freight railroad industry.

SB 168, relative to the duties of the commissioner of the department of environmental services. **OUGHT TO PASS.**

Rep. Carol M. McGuire for Resources, Recreation and Development. This bill grants the DES commissioner, along with the fish & game director, authority to recommend leases of some areas of Great Bay, to be used for shellfish restoration. Oysters are extremely efficient in cleaning the water in estuaries such as Great Bay, but over the last 40 years, 90% of the previous stock was killed off by pollution, harvesting, and disease. The Nature Conservancy, and other environmental groups, want to spend a few million dollars to restore some of these oyster beds. They want to ensure that harvesters don't raid the beds before they are self-supporting and to do that, a long-term lease of the areas involved is appropriate. Current law does not establish who can recommend a lease for approval by governor and council, so SB 168 defines the authority to do so. No fees for the leases are authorized, because cleaning the water is in the state's interest. Vote 19-0.

SB 172, relative to the size limitations of off highway recreational vehicles. **OUGHT TO PASS.**

Rep. Chris Christensen for Resources, Recreation and Development. In New Hampshire off highway recreational vehicles (OHRV) are regulated by width and weight. Currently, there is a 62" limit on most state trails. In Jericho Mountain State Park, the limit is 65" which is common in the industry and in many other states. This bill standardizes the width limit at 65" for all state trails. It was noted that the wider, heavier vehicles do not cause more damage than smaller vehicles, and that they provide side by side seating. This enhances safety and gives access to disabled individuals who cannot ride straddle seat type OHRVs. Vote 17-2.

SB 173, establishing a committee to study the feasibility of a club assistance program for off highway recreational vehicles. **OUGHT TO PASS.**

Rep. Carol M. McGuire for Resources, Recreation and Development. The club assistance program for snowmobiles provides a cost effective way for the enthusiasts and riders to build and maintain the trails, on a mostly volunteer basis. Some registration fees are used to provide materials and other grants to the clubs, and club members (93% of snowmobile riders) pay a reduced registration fee in recognition of their efforts. SB 173 creates a study committee to consider a similar program for OHRVs. There are only about 20 OHRV clubs in the state right now, and they are responsible for much of the trail maintenance. Creating a club assistance program on the snowmobile club model would provide a way for the users to contribute more effectively to trail creation and maintenance. Vote 17-0.

SB 117-FN-L, relative to energy security and diversity. **INEXPEDIENT TO LEGISLATE.**

Rep. Herbert R. Vadney for Science, Technology and Energy. After years of discussion we are in the final stages of completing divestiture whereby power distribution companies will be prohibited from owning and operating generation facilities. SB 117 would reverse that for solar power and make it much easier for power supply traders to own generation facilities, a position which flies in the face of divestiture. These companies which now simply arrange power purchases from actual power generators would, if SB 117 passes, begin buying, installing, and owning solar systems that would soon need repairs, spare parts, and general maintenance, and would require these independent "traders" to operate hardware infrastructure which they currently don't do. This is counter to the reasons divestiture has been pursued. Additionally, there seems to be little or no consideration of how large this could grow, how much it could impact electricity rates, or how that much distributed power could be integrated into the grid. This proposed bill would also investigate the costs and benefits of net-metered renewable resources, and authorize an option for local property tax exemptions for geothermal energy systems, both issues that would benefit by being stand-alone issues rather than being bundled with utility level solar power. From the fiscal note: Without details on the financial arrangements and generation quantity, the fiscal impact for state, county and local governments is indeterminate. The overall impact on state expenditures is indeterminable but the (PU) commission estimates consulting service costs will be \$200,000. Vote 18-2.

REGULAR CALENDAR

SB 69, establishing a commission to study social impact bond funding for early childhood education for at-risk students. **OUGHT TO PASS.**

Rep. Mary Heath for Education. This bill establishes a commission to study social impact bond funding for early childhood education for at-risk students. The commission shall report findings on or before June 1, 2016. State funds are not required for this bill. Vote 15-6.

Rep. Heath spoke in favor and yielded to questions.

Rep. Boehm spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 164 - NAYS 168**YEAS - 164****CARROLL**

Buco, Thomas
McConkey, Mark

Butler, Edward
Parker, Harold

Chandler, Gene
Ticehurst, Susan

Crawford, Karel

CHESHIRE

Abbott, Michael
Chase, Cynthia
Ley, Douglas
Robertson, Timothy
Tilton, Benjamin

Ames, Richard
Eaton, Daniel
Mann, John
Sad, Tara
Weber, Lucy

Berch, Paul
Emerson, Susan
Parkhurst, Henry
Shepardson, Marjorie

Bordenet, John
Johnsen, Gladys
Pearson, William
Tatro, Bruce

COOS

Hatch, William

Thomas, Yvonne

GRAFTON

Abel, Richard
Cooney, Mary
Ladd, Rick
Piper, Wendy

Almy, Susan
Ford, Susan
Maes, Kevin
Smith, Suzanne

Bennett, Travis
Hennessey, Martha
Massimilla, Linda
Sykes, George

Brown, Chris
Higgins, Patricia
Nordgren, Sharon
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Cohen, Alan
Flanagan, Jack
Goley, Jeffrey
Harvey, Suzanne
Infantine, William
Manley, Jonathan
O'Neil, William
Rosenwald, Cindy
Snow, Kendall
Vann, Ivy
Woodbury, David

Balcom, John
Cornell, Patricia
Forest, Armand
Gonzalez, Carlos
Heath, Mary
Jack, Martin
McCarthy, Peggy
Palmer, Barry
Shattuck, Gilman
Soucy, Timothy
Walsh, Robert

Beaulieu, Jane
DiSilvestro, Linda
Freitas, Mary
Gorman, Mary
Herbert, Christopher
Long, Patrick
McNamara, Richard
Porter, Marjorie
Shaw, Barbara
Takesian, Charlene
Williams, Kermit

Brown, Pamela
Edwards, Elizabeth
Gidge, Kenneth
Guerette, C. Lee
Hinch, Richard
Mangipudi, Latha
O'Brien, Michael
Roberts, Carol
Smith, Timothy
Ulery, Jordan
Wolf, Terry

MERRIMACK

Alicea, Caroletta
Doherty, David
Gile, Mary
Kenison, Linda
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

Bartlett, Christy
Ebel, Karen
Henle, Paul
Kotowski, Frank
Patten, Dick
Saunderson, George
Wallner, Mary Jane

Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Luneau, David
Ratzki, Mario
Schuett, Dianne

Deloge, Helen
French, Barbara
Karrick, David
MacKay, James
Rice, Harold (Chip)
Shurtleff, Stephen

ROCKINGHAM

Barnes, Arthur
Cushing, Robert
Heffron, Frank
McBeath, Rebecca
Packard, Sherman
Ward, Gerald

Berrien, Skip
Devine, James
Hoelzel, Kathleen
McKinney, Betsy
Sherman, Thomas
Webb, James

Cahill, Michael
DiFranco, Debbie
Lovejoy, Patricia
McMahon, Charles
Simpson, Alexis

Cali-Pitts, Jacqueline
Gordon, Pamela
Major, Norman
Moody, Marcia
Sytek, John

STRAFFORD

Baber, William
Burton, Wayne
Horrigan, Timothy
Southworth, Thomas
Wall, Janet

Berube, Roger
Cilley, Jacalyn
Kaen, Naida
Spang, Judith
Ward, Kenneth

Bickford, David
DiSesa, Len
Knowles, Robert
Sprague, Dale

Bixby, Peter
Gardner, Janice
Rollo, Deanna
Verschueren, James

SULLIVAN

Cloutier, John
Grenier, James
Rollins, Skip

Converse, Larry
Irwin, Virginia
Smith, Steven

Gagnon, Raymond
O'Hearne, Andrew

Gottling, Suzanne
Oxenham, Lee

NAYS - 168**BELKNAP**

Aldrich, Glen
Howard, Jr., Raymond
Sylvia, Michael

Dumais, Russell
Hurt, George
Tilton, Franklin

Fields, Dennis
Luther, Robert
Vadney, Herbert

Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino
Umberger, Karen

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Hunt, John

McConnell, Jim

Sterling, Franklin

COOS

Fothergill, John
Theberge, Robert

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Brown, Duane
Hull, Robert

Darrow, Stephen
Ingbretson, Paul

Gionet, Edmond
Johnson, Eric

Hennessey, Erin
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Boehm, Ralph
Christensen, Chris
Danielson, David
Estevez, Eric
Gould, Linda
Hopper, Gary
Marston, Dick
Murotake, David
Parison, James
Proulx, Mark
Schleien, Eric
Smith, Gregory
Sullivan, Victoria

Barry, Richard
Bouldin, Amanda
Christiansen, Lars
Donovan, Daniel
Ferreira, Elizabeth
Griffin, Barbara
Kurk, Neal
Martel, Andre
Murphy, Keith
Pellegrino, Anthony
Rice, Kimberly
Scotsas, Lisa
Souza, Kathleen
Twombly, Timothy

Belanger, James
Burt, John
Christie, Rick
Eastman, Eric
Fromuth, Bart
Hansen, Peter
Lachance, Joseph
McLean, Mark
Notter, Jeanine
Peterson, Ken
Rouillard, Claire
Seidel, Carl
Stepanek, Stephen

Biggie, Barbara
Byron, Frank
Coffey, James
Edelblut, Frank
Gagne, Larry
Hogan, Edith
LeBrun, Donald
Moore, Josh
Ober, Lynne
Pierce, David
Rowe, Robert
Simmons, Tammy
Straight, Phillip

MERRIMACK

Brewster, Michael
Hoell, J.R.
Marple, Richard
Parent, Jason

French, Harold
Horn, Werner
Martin, John
Seaworth, Brian

Hess, David
Kidder, David
McGuire, Carol

Hill, Gregory
Kuch, Bill
McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Bates, David
Chase, Francis
Duarte, Joe
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kolodziej, Walter
Nigrello, Robert
Potucek, John
Sweeney, Joe
True, Chris
Welch, David

Abramson, Max
Belanger, Ronald
Chirichiello, Brian
Elliott, Robert
Friel, William
Guthrie, Joseph
Itse, Daniel
Manning, John
O'Connor, John
Prudhomme-O'Brien, Katherine
Tamburello, Daniel
Tucker, Pamela
Weyler, Kenneth

Allen, Mary
Bush, Carol
Cook, Allen
Emerick, J. Tracy
Gannon, William
Hagan, Joseph
Kappler, Lawrence
Matthews, Carolyn
Oligny, Jeffrey
Rice, Frederick
Tasker, Kyle
Vose, Michael
Woitkun, Steven

Baldasaro, Alfred
Cardon, G. Thomas
Doucette, Fred
Ferrante, Beverly
Gordon, Richard
Harris, Jeffrey
Kellogg, Shem
Milz, David
Osborne, Jason
Spillane, James
Thomas, Douglas
Ward, Joanne
Wood, David

STRAFFORD

Cheney, Catherine
Jones, Laura
Parsons, Robbie
Wuelper, Kurt

Gray, James
Kaczynski, Jr., Thomas
Pitre, Joseph

Groen, Warren
Leeman, Don
Turcotte, Leonard

Hannon, Joseph
Mullen, John
Whitehouse, Joshua

SULLIVAN

Bridge, Ernest

Laware, Thomas

Schmidt, Andrew

and the committee report failed.

Rep. Boehm moved Inexpedient to Legislate.

On a division vote, 186 members having voted in the affirmative and 146 in the negative, the motion was adopted.

SB 101, prohibiting the state from requiring implementation of common core standards. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the Majority of Education. Common core has been a divisive and confusing issue for local districts and in the state. This bill states clearly that the common core standards are not required to be implemented in any school district. Vote 11-9.

Rep. Barbara E. Shaw for the Minority of Education. No law in New Hampshire requires school districts to adopt the common core standards, nor has it been mandated by the department of education. Therefore, SB 101 is unnecessary. Common core meaningfully addresses the problem of low expectations in our schools and equalizes learning opportunity. The curriculum may have a different focus at some grade levels, but districts have found it aligns very well with NH career and college ready standards already in place. Much of common core is based on analysis and application of knowledge. This thinking process is a valuable tool for 21st century learning and beyond.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Shaw spoke against and yielded to questions.

Rep. Cordelli spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 202 - NAYS 138

YEAS - 202

BELKNAP

Aldrich, Glen
Howard, Jr., Raymond
Sylvia, Michael

Dumais, Russell
Hurt, George
Tilton, Franklin

Fields, Dennis
Luther, Robert
Vadney, Herbert

Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino
Crawford, Karel
Umberger, Karen

Chandler, Gene
McCarthy, Frank

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Parker, Harold

CHESHIRE

Emerson, Susan
Tilton, Benjamin

Hunt, John

McConnell, Jim

Sterling, Franklin

COOS

Fothergill, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Bailey, Brad
Hennessey, Erin
Ladd, Rick

Brown, Duane
Hull, Robert
Shackett, Jeffrey

Darrow, Stephen
Ingbreton, Paul

Gionet, Edmond
Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Belanger, James
Burt, John
Christie, Rick
Eastman, Eric
Ferreira, Elizabeth
Gonzalez, Carlos
Hinch, Richard
Kurk, Neal
Martel, Andre
Murotake, David
Palmer, Barry
Pierce, David
Rowe, Robert
Simmons, Tammy
Straight, Phillip
Ulery, Jordan

Ammon, Keith
Biggie, Barbara
Byron, Frank
Coffey, James
Edelblut, Frank
Flanagan, Jack
Gould, Linda
Hogan, Edith
Lachance, Joseph
McCarthy, Peggy
Murphy, Keith
Parison, James
Proulx, Mark
Schleien, Eric
Smith, Gregory
Sullivan, Victoria
Zaricki, Nick

Balcom, John
Boehm, Ralph
Christensen, Chris
Danielson, David
Edwards, Elizabeth
Fromuth, Bart
Griffin, Barbara
Hopper, Gary
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Pellegrino, Anthony
Rice, Kimberly
Scotsas, Lisa
Souza, Kathleen
Takesian, Charlene

Barry, Richard
Bouldin, Amanda
Christiansen, Lars
Donovan, Daniel
Estevez, Eric
Gagne, Larry
Hansen, Peter
Infantine, William
Marston, Dick
Moore, Josh
Ober, Lynne
Peterson, Ken
Rouillard, Claire
Seidel, Carl
Stepanek, Stephen
Twombly, Timothy

MERRIMACK

Brewster, Michael
Hoell, J.R.
Kuch, Bill
McGuire, Dan

French, Harold
Horn, Werner
Marple, Richard
Parent, Jason

Hess, David
Kidder, David
Martin, John
Patten, Dick

Hill, Gregory
Kotowski, Frank
McGuire, Carol
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Barnes, Arthur
Cardon, G. Thomas
Devine, James
Emerick, J. Tracy
Gannon, William
Hagan, Joseph
Itse, Daniel
Lundgren, David
McKinney, Betsy
O'Connor, John
Potucek, John
Sweeney, Joe
Thomas, Douglas
Ward, Joanne
Woitkun, Steven

Abramson, Max
Bates, David
Chase, Francis
Doucette, Fred
Ferrante, Beverly
Gordon, Richard
Harris, Jeffrey
Kappler, Lawrence
Major, Norman
McMahon, Charles
Oligny, Jeffrey
Prudhomme-O'Brien, Katherine
Sytek, John
True, Chris
Webb, James
Wood, David

Allen, Mary
Belanger, Ronald
Chirichiello, Brian
Duarte, Joe
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kellogg, Shem
Manning, John
Milz, David
Osborne, Jason
Rice, Frederick
Tamburello, Daniel
Tucker, Pamela
Welch, David

Baldasaro, Alfred
Bush, Carol
Cook, Allen
Elliott, Robert
Friel, William
Guthrie, Joseph
Hoelzel, Kathleen
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
Packard, Sherman
Spillane, James
Tasker, Kyle
Vose, Michael
Weyler, Kenneth

STRAFFORD

Bickford, David
Hannon, Joseph
Leeman, Don
Turcotte, Leonard

Cheney, Catherine
Jones, Laura
Mullen, John
Whitehouse, Joshua

Gray, James
Kaczynski, Jr., Thomas
Parsons, Robbie
Wuelper, Kurt

Groen, Warren
Knowles, Robert
Pitre, Joseph

SULLIVAN

Bridge, Ernest

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 138**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Mann, John
Sad, Tara

Ames, Richard
Eaton, Daniel
Parkhurst, Henry
Shepardson, Marjorie

Berch, Paul
Johnsen, Gladys
Pearson, William
Tatro, Bruce

Bordenet, John
Ley, Douglas
Robertson, Timothy
Weber, Lucy

COOS

Hatch, William

Theberge, Robert

Thomas, Yvonne

GRAFTON

Abel, Richard
Cooney, Mary
Maes, Kevin
Smith, Suzanne

Almy, Susan
Ford, Susan
Massimilla, Linda
Sykes, George

Bennett, Travis
Hennessey, Martha
Nordgren, Sharon
Townsend, Charles

Brown, Chris
Higgins, Patricia
Piper, Wendy

HILLSBOROUGH

Backus, Robert
Cohen, Alan
Freitas, Mary
Guerette, C. Lee
Herbert, Christopher
Mangipudi, Latha
O'Neil, William
Shattuck, Gilman
Soucy, Timothy
Wolf, Terry

Beaulieu, Jane
Cornell, Patricia
Gidge, Kenneth
Hansberry, Daniel
Jack, Martin
Manley, Jonathan
Porter, Marjorie
Shaw, Barbara
Vann, Ivy
Woodbury, David

Booras, Efstathia
DiSilvestro, Linda
Goley, Jeffrey
Harvey, Suzanne
Judy, Jean
McNamara, Richard
Roberts, Carol
Smith, Timothy
Walsh, Robert

Brown, Pamela
Forest, Armand
Gorman, Mary
Heath, Mary
Long, Patrick
O'Brien, Michael
Rosenwald, Cindy
Snow, Kendall
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Doherty, David
Gile, Mary
Kenison, Linda
Ratzki, Mario
Schuett, Dianne

Bartlett, Christy
Ebel, Karen
Henle, Paul
Luneau, David
Rice, Harold (Chip)
Shurtleff, Stephen

Carson, Clyde
Frazer, June
Hirsch, Geoffrey
MacKay, James
Rogers, Katherine
Turcotte, Alan

Deloge, Helen
French, Barbara
Karrick, David
Moffett, Howard
Saunderson, George
Wallner, Mary Jane

ROCKINGHAM

Berrien, Skip
DiFranco, Debbie
McBeath, Rebecca
Ward, Gerald

Cahill, Michael
Gordon, Pamela
Moody, Marcia

Cali-Pitts, Jacqueline
Heffron, Frank
Sherman, Thomas

Cushing, Robert
Lovejoy, Patricia
Simpson, Alexis

STRAFFORD

Baber, William
Cilley, Jacalyn
Kaen, Naida
Spang, Judith
Ward, Kenneth

Berube, Roger
DiSesa, Len
Rollo, Deanna
Sprague, Dale

Bixby, Peter
Gardner, Janice
Schmidt, Peter
Verschuereen, James

Burton, Wayne
Horrigan, Timothy
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Grenier, James
Schmidt, Andrew

Converse, Larry
Irwin, Virginia

Gagnon, Raymond
O'Hearne, Andrew

Gottling, Suzanne
Oxenham, Lee

and the majority committee report was adopted and ordered to third reading.

SB 195-FN, encouraging instruction in cursive handwriting and memorization of multiplication tables. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Josh Moore for the Majority of Education. This bill would simply encourage each school board to teach cursive handwriting and memorization of multiplication tables. It does not mandate that either be taught, so it will not take away local control. We believe that memorization is beneficial in early childhood. We also believe that cursive handwriting still has a place in our society and this skill will be needed by future generations, in order to read our founding documents, as well as many other purposes. Vote 15-6.

Rep. James Verschuereen for the Minority of Education. The minority of the committee does not oppose teaching cursive nor memorization of the multiplication table. This bill is too muddled to be entered into statute. "Encouragement" is fuzzy statutory language. The bill also suggests that it is appropriate for the legislature to tread on the authority of local school boards to set curriculum. A house resolution would have been the more appropriate vehicle for encouraging school boards in this direction.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Verschuereen spoke against and yielded to questions.

Rep. Cordelli spoke in favor and yielded to questions.

On a division vote, 186 members having voted in the affirmative and 155 in the negative, the majority committee report was adopted and ordered to third reading.

SB 48, relative to the New Hampshire commission on Native American affairs. **OUGHT TO PASS.**

Rep. Mark L. Proulx for Executive Departments and Administration. This is a house keeping bill that extends the New Hampshire commission on Native American affairs to the year 2020. The commission recognizes the historic and cultural contributions of Native Americans throughout the state, strengthens and promotes N.H. native peoples' heritage and represents Native American interests through state policy and programming. Vote 11-3. Committee report adopted and ordered to third reading.

SB 125-FN, relative to certification and licensure for mold assessment or remediation services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill requires persons who provide mold assessment or remediation services for residential dwellings for a fee to be certified by a nationally recognized accrediting body and licensed by the state. The majority of the ED&A committee agreed that mold constitutes a health problem for homeowners, that one's home is often his/her single largest asset, and that a homeowner should be able to rely on a basic level of competency from providers of mold assessment and remediation services. The amendment clarifies the language of the bill to ensure that providers offering assessment services are included in this category. Vote 11-3.

Amendment (1198h)

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

1 Findings. The general court finds that mold in a residential structure can constitute a significant health threat for the inhabitants. Homeowners who hire a professional to assess a mold problem or remediate such mold problem need assurance that the job will be done correctly. Failure to remediate a mold problem correctly not only is a waste of the homeowner's money but may also result in serious health issues if the mold is not removed correctly or at all. This consumer protection proposal gives homeowners a method to protect their health and the health of their families by assuring a level of competence in those they hire to assess or remediate a mold problem.

2 New Chapter; Mold Remediation. Amend RSA by inserting after chapter 310-B the following new chapter:

CHAPTER 310-C**MOLD ASSESSMENT OR REMEDIATION**

310-C:1 Definitions. In this chapter:

- I. "Administrator" means the administrator of the joint board established in RSA 310-A:1-a.
- II. "Mold assessment" means:

- (a) An inspection, investigation, or survey of a dwelling or other structure to provide information to the owner regarding presence, identification, or evaluation of mold;
- (b) The development of a mold remediation specification or protocol; or
- (c) The collection of a mold sample for analysis.

III. "Mold assessment license" means a license obtained from the administrator that permits an individual to assess mold problems in a residential setting for a fee.

IV. "Mold remediation" means the removal, cleaning, sanitizing, demolition, or treatment of mold or mold-contaminated matter, live or dead, in a specific location after a mold assessment.

V. "Mold remediation license" means a license obtained from the administrator that permits an individual to remediate mold problems in a residential setting for a fee.

VI. "Third party certification" means a certification approved by a national non-profit organization whose programs are accredited by ANSI (American National Standards Institute), CESB (Council of Engineering and Scientific Specialty Boards), NCCA (National Commission for Certifying Agencies), or any other accrediting body that operates in compliance with the ISO (International Organization for Standardization) standard for accrediting organizations. Certifications are credentials of industry knowledge granted to individuals by a certification body for a limited time. The individual shall not own the designation; the designation shall be owned by the certifying body. Certification holders shall meet certain requirements set by third party certification organizations in order to be recertified.

310-C:2 Mold Remediation Certification.

I. No person shall perform residential mold assessment or remediation services for remuneration unless that person possesses a valid national third party certification for mold assessment or mold remediation and a valid mold assessment or mold remediation license for the state of New Hampshire or such person is working under the direct supervision of a person possessing a valid national third party certification for mold remediation and a valid mold remediation license for the state of New Hampshire.

II. The administrator shall establish a license for persons engaging in mold assessment and a license for persons engaging in mold remediation. The administrator shall establish a fee for licensure in order to cover the cost of administering the licensing program.

III. All licenses shall expire on the last day of the month of the licensee's birth in the second year following the year of issuance. The administrator shall cause notification of the impending license expiration to be sent to each licensee at least one month prior to the expiration of the license. If the renewal fee is not submitted within 12 months after the expiration date, the licensee's name shall be removed from current status, and application for reinstatement shall be required to return to current status. The administrator shall charge a reinstatement fee consisting of 20 percent of the renewal fee.

IV. Any person who offers mold assessment or mold remediation services for a fee but does not comply with this chapter or rules adopted under this chapter shall be guilty of a violation and fined \$150.

V. Any professional hired for remuneration by a homeowner, in which the primary work contracted for is neither mold assessment nor mold remediation, shall be exempt from this chapter.

VI. Any person holding a current New Hampshire pesticide applicator registration certificate under RSA 430:33 shall be exempt from the licensing requirements of this chapter.

310-C:3 Rulemaking. The administrator of the joint board shall adopt rules pursuant to RSA 541-A, relative to:

- I. The application procedure for a license to practice under this chapter;
- II. How a license to practice under this chapter shall be renewed or reinstated; and
- III. The establishment of all fees required under this chapter.

3 New Paragraph; Administration of the Joint Board. Amend RSA 310-A:1-a by inserting after paragraph IV the following new paragraph:

- V. The regulation and licensure for mold assessment and mold remediation services under RSA 310-C.

4 Effective Date. This act shall take effect January 1, 2016.

Rep. Sytek moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Executive Departments and Administration.

SB 142, proclaiming September 25 as Ataxia Awareness Day. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter T. Hansen for Executive Departments and Administration. The bipartisan majority of the committee felt that while public awareness for Ataxia is important and useful, the committee recognized that the governor in any and every term has the opportunity to declare Ataxia Awareness Day and therefore action by the legislature is not required to achieve the desired results. Vote 8-5.

Committee report adopted.

SB 191-FN, relative to the use of the state's procurement card services. **OUGHT TO PASS.**

Rep. Mark L. Proulx for Executive Departments and Administration. This bill is a result of a successful pilot program begun 5 years ago for some executive department purchases. The bill would expand the program by

allowing procurement cards to be used for major contract purchases for items such as salt, oil and gasoline. It would also extend the program to participation by the legislative and judicial branches as well as permitting municipalities and school districts to participate. This program replaces the antiquated field purchase order system which entails multi-form paperwork, delays and inefficient processing by many hands. Instead, procurement cards (with limits) would be used by state agencies and would allow for transactions to be monitored electronically. As a result, department heads could keep tabs on purchases in a day rather than the possibly weeks under the present paper system. The bill would also result in more timely payments to vendors. While the primary purpose of the bill is efficiency and better accountability, there are ancillary financial benefits. There are rebates associated with the use of procurement cards which subdivisions could share if their purchases are consolidated with those of state government. The bill provides for separate accountability and the state would not be responsible in any way for purchases made by participating subdivisions. Vote 11-3. Committee report adopted and referred to the Committee on Finance.

SB 181, relative to registration fees for hunter education programs of the fish and game department. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ivy C. Vann for the Majority of Fish and Game and Marine Resources. The bill allows the fish and game department to charge up to \$10 for hunter education classes to reduce the high rate of no shows taking up spaces in over subscribed classes. Vote 9-2.

Rep. James A. Spillane for the Minority of Fish and Game and Marine Resources. This bill, although intended to cut down on no-show students, is actually charging a new fee for a program that is currently paid 100% by the federal government. This bill, with some work, could have accomplished the decrease in no-shows without charging a new fee for 100% paid-for program.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Carol McGuire offered floor amendment (1318h).

Floor Amendment (1318h)

Amend the bill by replacing section 1 with the following:

1 Registration Fees; Training Programs; Hunter Education Program; Credit. Amend RSA 214:23-b to read as follows:

214:23-b Program. The executive director, after consultation with the commission, is authorized to establish programs for training persons in the safe and responsible handling of any firearm and bow and arrow used for hunting and for this purpose may cooperate with any public or private association or organization having as one of its objectives the promotion of safety in firearm and bow and arrow handling. The executive director, after consultation with the commission, shall prescribe the type of instruction, qualifications of the instructors, and time and place of examination, the successful completion of which shall qualify a person for the appropriate certificate of completion. ***The executive director may establish a nonrefundable registration fee not to exceed \$10 to be paid by applicants to the hunter education program. The amount of the fee shall be established in rules adopted by the executive director under RSA 541-A. Any person successfully completing the hunter education training program shall be given a credit in the amount of the registration fee paid toward the purchase of a hunting license.***

AMENDED ANALYSIS

This bill allows the fish and game department to establish a registration fee paid by applicants to a hunter education program, and gives the applicant a credit for such amount toward the purchase of a hunting license after successful completion of the program.

Rep. Spillane spoke in favor and yielded to questions.

Rep. Vann spoke against.

On a division vote, 183 members having voted in the affirmative and 162 in the negative, floor amendment (1318h) was adopted.

MOTION TO LAY ON THE TABLE

Rep. Kidder moved that **SB 181**, relative to registration fees for hunter education programs of the fish and game department, be laid on the table.

Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 158

YEAS - 188 BELKNAP

Fields, Dennis

Tilton, Franklin

CARROLL

Buco, Thomas
McConkey, Mark

Butler, Edward
Parker, Harold

Chandler, Gene
Ticehurst, Susan

Crawford, Karel
Umberger, Karen

CHESHIRE

Abbott, Michael
Chase, Cynthia
Johnsen, Gladys
Pearson, William
Weber, Lucy

Ames, Richard
Eaton, Daniel
Ley, Douglas
Sad, Tara

Berch, Paul
Emerson, Susan
Mann, John
Shepardson, Marjorie

Bordenet, John
Hunt, John
Parkhurst, Henry
Tatro, Bruce

COOS

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Theberge, Robert

GRAFTON

Abel, Richard
Brown, Chris
Hennessey, Martha
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Cooney, Mary
Higgins, Patricia
Nordgren, Sharon
Sykes, George

Bailey, Brad
Darrow, Stephen
Ladd, Rick
Piper, Wendy
Townsend, Charles

Bennett, Travis
Ford, Susan
Maes, Kevin
Shackett, Jeffrey

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Christiansen, Lars
DiSilvestro, Linda
Gidge, Kenneth
Griffin, Barbara
Harvey, Suzanne
Infantine, William
Leishman, Peter
O'Brien, Michael
Porter, Marjorie
Shattuck, Gilman
Snow, Kendall
Vann, Ivy
Woodbury, David

Balcom, John
Belanger, James
Cohen, Alan
Flanagan, Jack
Goley, Jeffrey
Guerette, C. Lee
Heath, Mary
Jack, Martin
Long, Patrick
O'Neil, William
Roberts, Carol
Shaw, Barbara
Soucy, Timothy
Walsh, Robert

Baroody, Benjamin
Booras, Efstathia
Cornell, Patricia
Forest, Armand
Gonzalez, Carlos
Haefner, Robert
Herbert, Christopher
Judy, Jean
Manley, Jonathan
Pellegrino, Anthony
Rosenwald, Cindy
Smith, Gregory
Straight, Phillip
Williams, Kermit

Barry, Richard
Brown, Pamela
Danielson, David
Freitas, Mary
Gorman, Mary
Hansberry, Daniel
Hinch, Richard
Kurk, Neal
McNamara, Richard
Pierce, David
Rouillard, Claire
Smith, Timothy
Sullivan, Daniel
Wolf, Terry

MERRIMACK

Alicea, Caroletta
Doherty, David
Gile, Mary
Kenison, Linda
Moffett, Howard
Saunderson, George
Wallner, Mary Jane

Bartlett, Christy
Ebel, Karen
Henle, Paul
Kidder, David
Ratzki, Mario
Schuett, Dianne

Carson, Clyde
Frazer, June
Hess, David
Luneau, David
Rice, Harold (Chip)
Shurtleff, Stephen

Deloge, Helen
French, Barbara
Karrick, David
MacKay, James
Rogers, Katherine
Turcotte, Alan

ROCKINGHAM

Belanger, Ronald
Cushing, Robert
Gordon, Pamela
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Sytek, John

Berrien, Skip
Devine, James
Hagan, Joseph
Lundgren, David
McKinney, Betsy
Packard, Sherman
Ward, Gerald

Bush, Carol
DiFranco, Debbie
Heffron, Frank
Major, Norman
McMahon, Charles
Sherman, Thomas
Webb, James

Cahill, Michael
Ferrante, Beverly
Hoelzel, Kathleen
Matthews, Carolyn
Milz, David
Simpson, Alexis
Wood, David

STRAFFORD

Baber, William
Burton, Wayne
Jones, Laura
Schmidt, Peter
Verschueren, James

Berube, Roger
Cilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Wall, Janet

Bickford, David
Gardner, Janice
Pitre, Joseph
Spang, Judith
Ward, Kenneth

Bixby, Peter
Horrigan, Timothy
Rollo, Deanna
Sprague, Dale

SULLIVAN

Bridge, Ernest
Grenier, James

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
O'Hearne, Andrew

Gottling, Suzanne
Schmidt, Andrew

NAYS - 158**BELKNAP**

Aldrich, Glen
Howard, Jr., Raymond
Sylvia, Michael

Dumais, Russell
Hurt, George
Vadney, Herbert

Fisher, Robert
Luther, Robert

Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

McConnell, Jim

Robertson, Timothy

Sterling, Franklin

Tilton, Benjamin

COOS

Rappaport, Laurence

Rideout, Leon

GRAFTONBrown, Duane
Ingbretson, PaulGionet, Edmond
Johnson, Eric

Hennessey, Erin

Hull, Robert

HILLSBOROUGHAdams, Christopher
Bouldin, Amanda
Christie, Rick
Edelblut, Frank
Fromuth, Bart
Hogan, Edith
Mangipudi, Latha
McLean, Mark
Notter, Jeanine
Peterson, Ken
Schleien, Eric
Souza, Kathleen
Twombly, TimothyAmmon, Keith
Burt, John
Coffey, James
Edwards, Elizabeth
Gagne, Larry
Hopper, Gary
Marston, Dick
Moore, Josh
Ober, Lynne
Proulx, Mark
Scotsas, Lisa
Stepanek, Stephen
Ulery, JordanBiggie, Barbara
Byron, Frank
Donovan, Daniel
Estevez, Eric
Gould, Linda
Lachance, Joseph
Martel, Andre
Murotake, David
Palmer, Barry
Rice, Kimberly
Seidel, Carl
Sullivan, Victoria
Zaricki, NickBoehm, Ralph
Christensen, Chris
Eastman, Eric
Ferreira, Elizabeth
Hansen, Peter
LeBrun, Donald
McCarthy, Peggy
Murphy, Keith
Parison, James
Rowe, Robert
Simmons, Tammy
Takesian, Charlene**MERRIMACK**Brewster, Michael
Hoell, J.R.
Marple, Richard
Parent, JasonFrench, Harold
Horn, Werner
Martin, John
Patten, DickHill, Gregory
Kotowski, Frank
McGuire, Carol
Seaworth, BrianHirsch, Geoffrey
Kuch, Bill
McGuire, Dan**ROCKINGHAM**Abrami, Patrick
Barnes, Arthur
Chase, Francis
Duarte, Joe
Friel, William
Guthrie, Joseph
Kappler, Lawrence
Nigrello, Robert
Peckham, Michele
Spillane, James
Thomas, Douglas
Ward, JoanneAbramson, Max
Bates, David
Chirichiello, Brian
Elliott, Robert
Gannon, William
Harris, Jeffrey
Kellogg, Shem
O'Connor, John
Potucek, John
Sweeney, Joe
True, Chris
Welch, DavidAllen, Mary
Cali-Pitts, Jacqueline
Cook, Allen
Emerick, J. Tracy
Gordon, Richard
Hodgdon, Bruce
Kolodziej, Walter
Oigny, Jeffrey
Prudhomme-O'Brien, Katherine
Tamburello, Daniel
Tucker, Pamela
Weyler, KennethBaldasaro, Alfred
Cardon, G. Thomas
Doucette, Fred
Fesh, Robert
Griffin, Mary
Itse, Daniel
Manning, John
Osborne, Jason
Rice, Frederick
Tasker, Kyle
Vose, Michael
Woitkun, Steven**STRAFFORD**Cheney, Catherine
Hannon, Joseph
Mullen, John
Wuelper, KurtDiSesa, Len
Kaczynski, Jr., Thomas
Parsons, RobbieGray, James
Knowles, Robert
Turcotte, LeonardGroen, Warren
Leeman, Don
Whitehouse, Joshua**SULLIVAN**Converse, Larry
Smith, Steven

Laware, Thomas

Oxenham, Lee

Rollins, Skip

and the motion was adopted.

SB 149, relative to nonpublic sessions under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael J. Sylvia for the Majority of Judiciary. This bill sought to add a section to the right-to-know law related to nonpublic sessions which would allow school board discussions of entering into a student or pupil tuition contract. The majority of the committee felt that the addition of a full section solely for this narrow purpose was unnecessary. We believe that the school board contract discussions are currently covered by RSA 91-A: 3 II d.) "Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community." Vote 13-4.

Rep. Timothy O. Horrigan for the Minority of Judiciary. School districts are frequently required to enter into tuition contracts with other districts. This happens primarily when a district lacks its own high school. This bill, if passed, would allow school boards to meet in nonpublic session while negotiating tuition contracts which would allow them to make better deals.

MOTION TO LAY ON THE TABLE

Rep. Horrigan moved that **SB 149**, relative to nonpublic sessions under the right-to-know law, be laid on the table. On a division vote, 125 members having voted in the affirmative and 217 in the negative, the motion failed.

The question now being adoption of the majority committee report of Inexpedient to Legislate. Majority committee report adopted.

SB 47, repealing the payment of subminimum wages to persons with disabilities. **OUGHT TO PASS.**

Rep. Tammy A. Simmons for Labor, Industrial and Rehabilitative Services. This bill as amended eliminates an anachronistic policy that dates back to the 1930s and 1940s. No employers or agencies in NH currently pay sub-minimum wages to disabled employees. This bill does not impact the ability to pay sub-minimum wages in a family business under 279:26a or for training purposes under 279:22-aa. The committee unanimously recognized that disabled people deserve the same dignity and employment opportunities within the same guidelines as everyone else. Vote 16-0.

Reps. Ley and Infantine spoke in favor.

Committee report adopted and ordered to third reading.

SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William S. Baber for Science, Technology and Energy. Many states have changed how electric utilities are compensated by moving from a model where distribution service rates are based on the amount of power consumed to a model where rates are decoupled from consumption. This model has support from both ratepayers and utilities as it allows greater flexibility in the services utilities can offer. Currently utilities are disincentivized from offering services that conserve energy as doing so would reduce their revenue. Decoupling could remove this disincentive. The majority finds value in creating a commission to study decoupling so that any forthcoming model best meets the needs of New Hampshire, our ratepayers, and utilities. Vote 13-8.

Amendment (1259h)

Amend RSA 374-F:4-a, II as inserted by section 1 of the bill by deleting subparagraph (l).

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

On a division vote, 218 members having voted in the affirmative and 125 in the negative, the committee report was adopted and ordered to third reading.

SB 74, establishing a committee to study reducing the cost of county government. **INEXPEDIENT TO LEGISLATE.**

Rep. David A. Bickford for Municipal and County Government. The majority of the committee felt the duties spelled out in the bill could just as well be accomplished by the association of counties. One member of the association testified that he has been involved in about 16 similar studies in the past. Since no two counties are alike and don't want to be, a general study would accomplish little that would apply to all ten. Vote 11-4. Committee report adopted.

SB 16, relative to the requirement for observers of water skiers. **OUGHT TO PASS.**

Rep. James W. McConnell for Resources, Recreation and Development. This bill provides that a wide-angle mirror may, under certain circumstances, replace the observer currently required in motorboats towing water skiers in a slalom course. Both the boat and the course must meet specific required criteria, so this does not apply to casual recreational skiers, tow boats or off course skiing. The committee found that the wide-angle mirror has successfully replaced tow boat observers elsewhere and, by eliminating the requirement that a third person be present in the tow boat, will increase the opportunities for competitive water skiers to practice their sport. Vote 14-5.

Committee report adopted and ordered to third reading.

SB 46, relative to public safety radio interoperability. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill replaces the word "telecommunications" with "telephony" to distinguish between radio transmission and telephone-style communication of digital voice and data. It further directs the department of safety to establish a Statewide Interoperability Executive Committee (SEIC) to develop statewide radio communications interoperability standards. These standards will allow police, fire, and other emergency services to communicate efficiently even when they come from different jurisdictions. This capability exists only sporadically today, but is needed as demonstrated by numerous specific examples cited in public testimony and by individual experiences related by committee members. The SEIC will also provide guidelines for the training of dispatchers and dispatch center supervisors, and will recommend technologies, operating procedures, network consolidation, and other resources that will enhance communications interoperability in New Hampshire. This bill was requested by the department of safety. Vote 13-8.

Rep. Douglas W. Thomas for the Minority of Science, Technology and Energy. This bill would formalize by statute a massive 45 member subcommittee to oversee statewide radio interoperability between members, appointed by the governor, of the Advisory Council on Emergency Preparedness and Security (ACEPS). Although members have been meeting informally, no standards have been developed. The minority agrees that statewide radio interoperability is critically important for communications between ACEPS groups and that there should be a focal point to determine what standards are needed, but creating a statute for such a large group would be counter-productive. It is the minority's opinion that a significantly smaller group, representing all the state agencies, would be more efficient and reactive to the needs of the state.

The question being adoption of the majority committee report of Ought to Pass.

On a division vote, 214 members having voted in the affirmative and 124 in the negative, the majority committee report was adopted and referred to the Committee on Executive Departments and Administration.

SB 208, establishing a committee to study limiting the sulfur content of liquid fuels. **OUGHT TO PASS.**

Rep. Douglas W. Thomas for Science, Technology and Energy. This bill seeks to study the effects on ultra-low sulfur content heating oil. Currently, No. 2 fuel heating oil used in New Hampshire contains 1200-2000 ppm sulfur. Sulfur contributes to equipment corrosion and is a pollutant. Ultra-low sulfur heating oil lowers the sulfur content to 15 ppm. It is currently required in most northeast states and five New England states by 2018. Testimony revealed that the use of ultra-low sulfur heating oil would reduce cleaning oil furnaces from every year to every two years and will not require modifications. By 2018 the cost per gallon of ultra-low sulfur heating oil should be very close to current heating oil prices and would be offset by the savings in reduced furnace cleanings. The study will provide time to investigate further and see how prices are affected. Vote 17-4.

Committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 22, relative to certain changes in the law governing the therapeutic use of cannabis. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank Kotowski for Health, Human Services and Elderly Affairs. This bill clarifies procedures in the law governing therapeutic use of cannabis. The original bill passed by the prior legislature established rules and conditions for issuing identification cards. This bill amends present law so that the department of health and human services will use the photograph submitted with the initial application for up to five years for the purpose of issuing renewal, or replacement registry identification cards after which the applicant shall submit a new photograph. Vote 17-1.

Amendment (1251h)

Amend RSA 126-X:4, I(c) as inserted by section 2 of the bill by replacing it with the following:

(c) A recent passport-sized photograph of the applicant's face. ***The department may use the photograph submitted with the initial application for up to 5 years for the purpose of issuing renewal or replacement registry identification cards, after which the applicant shall submit a new photograph.***

Amend RSA 126-X:4, II(b) as inserted by section 3 of the bill by replacing it with the following:

(b) A recent passport-sized photograph of the applicant's face. ***The department may use the photograph submitted with the initial application for up to 5 years for the purpose of issuing renewal or replacement registry identification cards, after which the applicant shall submit a new photograph.***

Amend RSA 126-X:5, I(b) as inserted by section 6 of the bill by replacing it with the following:

(b) The actor is a designated caregiver who has been issued a valid registry identification card, was in possession of [a] cannabis in a quantity and location permitted pursuant to this chapter, and was engaged in the therapeutic use of cannabis on behalf of a qualifying patient ; ***or***

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Kotowski spoke to a committee report correction.

Committee report adopted and ordered to third reading.

RESOLUTION

Rep. Flanagan offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, April 29, 2015 at 10:00 a.m.

Motion adopted.

LATE SESSION**Third reading and final passage**

SB 11, recodifying the Uniform Interstate Family Support Act.

SB 103, relative to guardian ad litem reports and relative to the definition of incapacity for purposes of filing a guardianship petition.

SB 71, relative to the administration of glucagon injections for children in schools.

SB 166, relative to facilitated individualized education program meetings.

SB 194-FN, relative to epinephrine administration policies in postsecondary educational institutions.

SB 148, relative to the shellfish inspection program.

SB 21, relative to the board of mental health practice.

SB 33, relative to continuing education requirements for mental health practitioners on suicide prevention.

SB 43, relative to the care and custody of female prisoners.

SB 65, adding a judicial branch employee member to the deferred compensation commission.

SB 161, relative to the wellness and primary prevention council.

SB 250, relative to the jurisdiction and voting procedures of the executive branch ethics committee.

SB 259-FN-L, relative to place of assembly licenses.

SB 70, relative to the processing of lobster tails.

SB 182, relative to the sale of freshwater fishing bait.

SB 183, allowing the fish and game department to offer lifetime hunting and fishing licenses for newborns.

SB 222-FN, relative to harassment of hunting, fishing, or trapping.

SB 23, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions.

SB 49, relative to clinical eligibility determination for long-term care.

SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

SB 108-FN, relative to health care associated infections.

SB 187, allowing a patient to designate a caregiver upon entry to a medical facility.

SB 12, relative to jurisdiction over surrogacy cases under RSA 168-B.

SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants.

SB 44, relative to nonpublic sessions of public bodies under the right-to-know law.

SB 91, relative to appointment of counsel for indigent defendants.

SB 94, relative to documents filed electronically with a court under oath.

SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries.

SB 54, relative to property tax payments by therapeutic cannabis alternative treatment centers.

SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements.

SB 98, relative to third party review required by the planning board.

SB 143, relative to defining phased development.

SB 38, establishing a commission to develop a land conservation plan.

SB 80, relative to the state trails plan and establishing a committee on rail trails.

SB 168, relative to the duties of the commissioner of the department of environmental services.

SB 172, relative to the size limitations of off highway recreational vehicles.

SB 173, establishing a committee to study the feasibility of a club assistance program for off highway recreational vehicles.

SB 101, prohibiting the state from requiring implementation of common core standards.

SB 195-FN, encouraging instruction in cursive handwriting and memorization of multiplication tables.

SB 48, relative to the New Hampshire commission on Native American affairs.

SB 47, repealing the payment of subminimum wages to persons with disabilities.

SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities.

SB 16, relative to the requirement for observers of water skiers.

SB 208, establishing a committee to study limiting the sulfur content of liquid fuels.

SB 22, relative to certain changes in the law governing the therapeutic use of cannabis.

UNANIMOUS CONSENT

Rep. Hess requested Unanimous Consent of the House regarding President Lincoln and addressed the House.
Rep. Cooney requested Unanimous Consent of the House regarding Holocaust Remembrance Day and addressed the House.

MOTION TO PRINT REMARKS

Rep. Packard moved that the remarks made by Reps. Hess and Cooney be printed in the Permanent Journal.
Motion adopted.

REMARKS

Rep. Hess: Thank you very much, Mister Speaker. If you, like me, get bored on occasion with what happens down here in the well, and you look on the wall behind me, you will see 5 portraits. One of them is unique. Four of the gentlemen on this wall apparently needed support because either their right or their left hand rested on a table or some other piece of furniture. Only one, Abraham Lincoln, is shown standing alone. Not only standing without any support, but with his hand outstretched in a symbol of sacrifice or forgiveness, if you will. One hundred and fifty years ago last night at 10:15, John Wilkes Booth raised his single-shot Derringer and shot Abraham Lincoln in the back of the head. He was attended to by 3 doctors and 4 uniformed Union soldiers carried him down the stairs from his box seat across 10th Street and into a very modest row house across the street. I'd like to read the description of where he was taken by Shelby Foote, the noted historian. "The room was mean and dingy, barely 15 feet by 9 feet by length and width with a threadbare rug and oatmeal colored paper on the walls. The bed itself was too short for the long form which was placed diagonally on the corn shuck mattress. Lincoln's booted feet protruded well beyond the footboard. His head propped on extra pillows so that his bearded chin was on his chest as it had been when he was first shot." Now began a painful drawn out vigil. A death watch, if you will. In seven score and ten years ago at 7:22 this morning, Lincoln died. Thank you.

REMARKS

Rep. Cooney: Thank you, Mister Speaker. This year marks the 70th anniversary of the end of World War II and the liberation of the Nazi concentration camps. Tomorrow is the Jewish Holocaust Remembrance Day. Besides being a day to pay tribute to survivors and remembering the Holocaust, it is a day for all to reject all forms of intolerance and bigotry. This seemed to be the right time to speak about a death camp survivor I came to know through Plymouth Regional High School. Paul and Judy Floyd, teachers at PRHS, were vacationing in New Brunswick, Canada and made the chance acquaintance of Phil and Dorothy Riteman during a traffic stop. They noticed the number 98706 tattooed on Phil's arm. This initial chance meeting led to a long relationship between Phil and our high school students. With the support and commitment of our principal, Bruce Parsons, Phil has come down to New Hampshire every 4 years to educate all the students who have passed through our doors since 2000 with his firsthand account of the Nazi horrors. Phil's recent talk last Fall at the age of 90 may be his last so I was glad I was able to attend. Our former Speaker may remember meeting him back in 2002 when former Representative Deb Naro and I showed Phil and Dorothy around the State House and introduced him to Speaker Gene Chandler. Phil Riteman was born to a Jewish family in Shershev, Poland in 1924. His normal life was shattered in 1939 when Germany invaded Poland. The family was forced with all the others to march to Pruzhany to live in a ghetto. In 1941, his family along with 10,000 others were loaded into cattle cars and taken to the Auschwitz-Birkenau concentration camp. They were crammed together 100 in a box car with no food, water, or bathrooms for 7 days. No one could even sit down. Some died in those cars. Anyone who resisted, including crying children, were killed. Phil was only 16 at the time. Another prisoner, who was helping to organize the prisoners at the camp, advised him to say he was 18 and had a skill as a locksmith so he would be put to work rather than go with the women and children. He did not want to be separated from his family but he did as he was advised. This decision saved his life. The rest of those brought to the camps that day, the women, the children, the elderly and infirm, including Phil's parents, grandparents, five brothers, two sisters, nine aunts and uncles and cousins were sent to the gas chambers. The camp prisoners lived in lice infested barracks, each using his one bowl to eat from and sometimes to urinate in. Everyone guarded their bowl with their life. If you lost your bowl, you lost your life. The thin broth made with leaves, insects, frogs and rats was all they had to eat along with one piece of sawdust filled bread. If you weren't up at 5:00 am you were shot. If you didn't do what they asked, no matter what it was, you were shot. If you were too weak to do the job, you were shot. One freezing night in February, the German soldiers marched 2,000 of them out of their barracks, naked except for their wooden shoes, in the snow with the temperature below zero to weed out the weak. Those that fell down were shot. There were many times such as this that Phil could hardly believe he didn't die. For the next 4 years Phil was shuttled between Auschwitz, Dachau, Landsberg and 2 other camps, working at whatever jobs he was told to do, sometimes transporting the dead to crematoriums and burying bodies in mass graves and sometimes working in the mud building roads. An estimated 20,000 died every day. One summer, Phil was given the job of taking care of the farm horses and working in the fields. He didn't starve then because he was able to eat the horses' grain when no one was looking. His best friend from home, Cola, a Christian Baptist, turned up unexpectedly in Auschwitz-Birkenau. He begged for the story. Cola's whole family was killed when the Germans came to confiscate their cattle. His father was shot, his sisters were raped and shot, his mother burned, and his brother was also shot. He was captured and sent to the camps. Phil was able to get him to work at the farms. One day the Germans held him back for some reason. Cola was fair skinned and freckled. The guards made fun of him. They stripped him of his clothes, put him in

the water trough for the horses and tried to scrape off his freckles with wire brushes. Phil heard his screams as he bled to death. He felt horribly responsible since he had brought Cola into the farm to work. Phil survived all the horrors he witnessed by making his mind a blank, just doing his job without thinking, day after day, year after year. One day they were marched up into the Tyrolean mountains to act as shields for the German soldiers so they wouldn't get bombed. They did this for about a month with no food or water. Sometimes they could break off an icicle to suck on, thousands died. Many bodies were tossed to the side of the road. Phil and the others saw the bomber planes and wished they would bomb them to put them out of their misery. One night they heard nothing; it was strangely quiet. On May 2, 1945 when daylight broke, the German soldiers were gone. Phil and his fellow prisoners saw tiny specks crossing the river below in the valley. The specks turned out to be the American soldiers coming toward them. As they got closer they heard them yelling "You're free, you're free!" One of the soldiers was a Jewish boy from Chicago who translated the message to him in Yiddish. At this time Phil weighed 75 pounds. They all looked like walking skeletons. Some of the American soldiers cried at the sight of the emaciated survivors. Phil thanks our armed forces over and over for saving his life and that of thousands of others. While living in a Red Cross refugee camp in Munich, Phil was contacted by relatives he never had met who lived in Newfoundland, Canada and New York. He did not believe the letters were real. Names of the survivors had been published in newspapers around the world. Both Canada and the United States refused to accept Phil as a refugee. When William Joseph Browne, the Magistrate Judge in Newfoundland, was asked if Phil could come, he said, "By all means, right away." Newfoundland was an independent country at that time and welcomed him. Phil's faith in the goodness in human nature was restored in that small island nation. He tells countless stories of kindness and compassion as he established himself there. As you might remember, the people of Gander, Newfoundland, hosted thousands of stranded airline travelers after 9-11. They are truly a wonderful community of people. When Phil first talked about his experiences, his aunt thought that he was mentally ill; the stories were so unbelievable. So for 40 years Phil never talked about what he saw. Then friends started asking him to speak the truth when they heard that some people were saying the Holocaust never happened. It was difficult for Phil to express out loud the nightmares he had been living with all those years. Phil came to believe it is his special mission to talk to young people about this scar on human history so they will know what really happened from someone who was there. Often, students will ask him if any one of the Germans in charge showed any kindness. We like to believe that a tiny sliver of compassion exists in any situation, but Phil said no, he never saw any instance of kindness, but rather the opposite was true. They took pleasure in their sadistic cruelty. Beatings and random murders were a daily occurrence. Students ask if he still believes in God: He replies, "I believe in love and humanity." Tears run down his face when he remembers the horrors he saw, but Phil remains dedicated to his mission. He begins speaking to the students by saying: "When I was your age, I lived in a concentration camp. I never had an education." His audience is always spellbound. His message to all is, "Think for yourself, don't be brainwashed quickly, do not hate anyone, above all, stand up against evil. Go out and do good things, respect people and they will respect you. Love is better than hate." In 2010, Phil, with the help of a writer, Mireille Baulu-MacWillie, has been able to record his story in a book called Millions of Souls. In it, Phil speaks for the 11 million souls of those who did not survive the Holocaust. Included in the book are many pictures, among them is a picture of the New Hampshire State House Declaration signed by Speaker Gene Chandler honoring "Mr. Philip Riteman for his exemplary and dedicated service in educating the public about the Holocaust." Thank you.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 11:50 a.m.

RECESS

(Rep. MacKay in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 268.

Rep. Hinch, Sen. Prescott for the Committee

COMMITTEE ASSIGNMENT

The Speaker made the following change to committee assignments:

Rep. Edelblut on the Committee on Finance, Division II.

Rep. Hess off the Committee on Finance.

RECESS**(Speaker Jasper in the Chair)****ENROLLED BILL AMENDMENTS**

HB 175, establishing a committee to study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.

Amendment (1358-EBA)

Amend section 2 of the bill by replacing subparagraph I(b) with the following:

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

Adopted.

HB 275, relative to the encroachment of a town cemetery on state-owned land.

Amendment (1315-EBA)

Amend section 1 of the bill by replacing lines 9 and 10 with the following:

5 percent, as determined by the department of revenue administration at the 2014 tax rate setting.

III. Should the town have an insufficient undesignated fund balance available to move the

Adopted.

HB 310, relative to reporting the destruction of motor vehicles.

Amendment (1316-EBA)

Amend RSA 261:22, I(a) as inserted by section 1 of the bill by replacing line 4 with the following:

electronic file which shall also be sent to the department containing such information as is

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 107, 135, 166, 170, 177, 217, 259, 260, 429, 511 and 534.

Rep. Hinch, Sen. Prescott for the Committee

RECESS**(Rep. Wall in the Chair)****ENROLLED BILL AMENDMENTS**

SB 187, allowing a patient to designate a caregiver upon entry to a medical facility. (Amendment printed SJ 4-15-15)

Adopted.

SB 194-FN, relative to epinephrine administration policies in postsecondary educational institutions. (Amendment printed SJ 4-15-15)

Adopted.

RECESS