



State of
New Hampshire

HOUSE RECORD

First Year of the 164th General Court

Calendar and Journal of the 2015 Session

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Vol. 37

Concord, N.H.

Wednesday, May 6, 2015

No. 41

HOUSE JOURNAL No. 14 (Cont.)

Wednesday, April 29, 2015

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

HOUSE JOURNAL No. 15

Wednesday, May 6, 2015

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

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, the Reverend Doctor F. Daniel Osgood, Pastor at Greenfield Congregational Covenant Church.

Esteemed members of the New Hampshire Legislature, will you please join with me in prayer? Holy God, You are compassionate and merciful and we are Your servants. Your prophet Micah has written, Does the Lord take delight in thousands of rams, in ten thousand rivers of oil? Shall I present my firstborn for my rebellious acts, the fruit of my body for the sin of my soul? He has shown you, O mortal, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with Your God.

Give this elected body courage to act justly and to love mercy and to walk humbly with You, O God. To see new possibilities and to look forward with hope to the future of this great State of New Hampshire. May this legislative body come to see each day as a new day to do Your will and to do that which is required. A new day in which Your spirit is poured forth upon the earth and all Your children will be blessed. So, today, with abiding faith and calm assurance, we invoke Your presence on these proceedings. You are the Creator and Father of us all. In Your divine creativeness, You have made us, each and every one, an image of You. You are our Redeemer and Liberator. Companion to the poor, You have promised to lift up the powerless and cast down the powerful, to gather the outcasts, heal the brokenhearted, and bind up their wounds. You have proclaimed release to the captives, recovery of sight to the blind, and to let the oppressed go free. You sustain and comfort us, filling us with Your Holy Spirit, reminding us that what we have done unto the least of us, we have done unto You. Might a few drops of Your favor fall upon us today, giving these elected representatives of Your people courage and wisdom, that they might be instruments of Your peace, sowing love where there is hatred, pardon where there is injury, faith, instead doubt, hope, not despair, light to cast away the darkness and where there is sadness, joy. Fill us with new life today. We, Your humble people, beseech You. We pray. Amen.

Representative John Mullen, member from Middleton, led the Pledge of Allegiance.

The National Anthem was sung by Christian Moreno, a student at Nashua High School North.

LEAVES OF ABSENCE

Reps. Chris Brown, Hurt, Major, Parsons, Russell, Sanders and Tatro, the day, illness.

Reps. Adams, Deloge, DiFranco, Eaton, Flanders, Francese, Friel, Gargas, Goley, Barbara Griffin, Higgins, Hoell, Mann, Milz, Nigrello, O'Hearne, Lynne Ober, Russell Ober, Oligny, Pearson, Chip Rice, Joe Sweeney, Takesian, Tholl and Kenneth Ward, the day, important business.

Rep. Martha Hennessey, the day, illness in the family.

Rep. Rokas, the day, death in the family.

INTRODUCTION OF GUESTS

Residents of the Richard Brown House, guests of Reps. Moffett and Saunderson. Carlo Nittoli, Gary Cummins, and Louis Mroz, spouse and guests of Rep. Verschuere. Kim Moreno, and Deirdre Coutu, mother and grandmother of the singer, Ricky DiCillo, and members of The Boys and Girls Club of Greater Nashua, guests of Rep. Eastman. Fourth graders from Epping Elementary School, guests Reps. Vose and Harris. Fourth graders from Paul Elementary School in Wakefield, guests of Reps. Avellani, Comeau, Nelson and Wright.

SENATE MESSAGES**REQUESTS CONCURRENCE WITH AMENDMENTS**

HB 122, relative to advertising of liquor or beverages. (Amendment printed SJ 4-9-15)

Rep. Hunt moved that the House concur and spoke in favor.

Motion adopted.

HB 126, establishing a commission to study issues related to students receiving special education services while attending a chartered public school. (Amendment printed SJ 4-9-15)

Rep. Ladd moved that the House concur and spoke in favor.

Motion adopted.

HB 140, relative to appointment of inspectors of election. (Amendment printed SJ 4-9-15)

Rep. Hoelzel moved that the House concur and spoke in favor.

Motion adopted.

HB 279, establishing a commission to study the economic impact of the arts and culture in New Hampshire. (Amendment printed SJ 4-9-15)

Rep. Andrew Christie moved that the House concur and spoke in favor.

Motion adopted.

HB 363, relative to Lyme disease awareness. (Amendment printed SJ 4-30-15)

Rep. Andrew Christie moved that the House concur and spoke in favor.

Motion adopted.

HB 510, establishing a commission to study the regulation of pawnbrokers, secondhand dealers, and junk or scrap metal dealers. (Amendment printed SJ 4-9-15)

Rep. Andrew Christie moved that the House concur and spoke in favor.

Motion adopted.

HB 306, relative to membership of the wetlands council and the water council. (Amendment printed SJ 4-9-15)

Rep. Chris Christensen moved that the House concur and spoke in favor.

Motion adopted.

HB 382, establishing a committee to study facilitating private investment in energy efficiency and renewable energy. (Amendment printed SJ 4-9-15)

Rep. Introne moved that the House concur and spoke in favor.

Motion adopted.

HB 134, establishing a committee to study the use of motorized scooter chairs on roadways and sidewalks. (Amendment printed SJ 4-9-15)

Rep. Steven Smith moved that the House concur and spoke in favor.

Motion adopted.

HB 196, requiring the removal of identifying features from vehicles formerly used as ambulances. (Amendment printed SJ 4-9-15)

Rep. Steven Smith moved that the House concur and spoke in favor.

Motion adopted.

COMMUNICATION

May 6, 2015

Mr. Paul Smith
 Clerk of the House of Representatives
 State House
 Concord, NH 03301

Dear Paul:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Rockingham County District No. 13

Dennis Green, r, Hampstead (22 Corliss Way) 03841

Sincerely,
 William M. Gardner
 Secretary of State

CONSENT CALENDAR

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

SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority, removed by Rep. Steven Smith.

Consent Calendar adopted.

SB 159, reinstating the division for children, youth and families advisory board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel C. Itse for Children and Family Law. As amended, this bill re-establishes legislative authority for the advisory board for the department of children, youth and families (DCYF). The new embodiment distributes the appointing authority between the governor, senate president and speaker of the house. It provides for participation of members of families affected by DCYF and ensures representation of every county. Vote 11-0.

Amendment (1365h)

Amend the bill by replacing section 1 with the following:

1 New Section; Services for Children, Youth and Families; General Provisions; Advisory Board Reestablished. Amend RSA 170-G by inserting after section 6 the following new section:

170-G:6-a Advisory Board.

I. There is hereby established a board to advise the department of health and human services on services for children, youth, and families. The board shall consist of 12 members and such additional members as may be necessary to comply with federal regulations for the acceptance of federal funds or to ensure representation of every county. Each member shall serve a term of 3 years. A member shall continue to serve until a successor is appointed in the same manner as the original appointment. The board shall be representative of persons from community youth service agencies; from the juvenile justice field, such as law enforcement, probation, police, courts, and attorneys; and from appropriate professional fields such as psychology, social services, education, and health. Members of the board shall serve without compensation but shall receive mileage payments at the state employee rate within the limits of funds appropriated to the department.

II. Members of the board shall be appointed in the following manner:

- (a) The governor shall appoint 4 members, no 2 of whom shall be from the same county.
- (b) The senate president shall appoint 4 members, no 2 of whom shall be from the same county, and one of whom shall be from a family that has been affected by the department of children, youth and families.
- (c) The speaker of the house shall appoint 4 members, no 2 of whom shall be from the same county, and one of whom shall be from a family that has been affected by the department of children, youth and families.
- (d) Any additional members shall be recommended by the commissioner and appointed by the governor and council.

SB 244, relative to abuse and neglect investigations and establishing a commission to review child abuse fatalities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cynthia L. Chase for Children and Family Law. This bill as amended sets the due date of the final report of the study commission to June 30, 2016. The bill clarifies the burden of proof and requires the department of health and human services to seek a motion to enter a home as part of a child abuse or neglect investigation in certain circumstances. The bill also establishes a commission for review of child abuse fatalities. Vote 11-0.

Amendment (1388h)

Amend RSA 169-C:39-k, V as inserted by section 4 of the bill by replacing it with the following:

V. The commission shall submit an interim report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015. The commission shall submit a final report of its findings and recommendations on or before June 30, 2016.

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

II. Section 5 of this act shall take effect June 30, 2016.

SB 153, relative to the accessibility of criminal records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Arthur E. Barnes for Criminal Justice and Public Safety. As amended, the bill does 4 (four) things: 1) It allows agencies in compliance with 15 U.S.C. section 1681 conducting employment screening services to request a copy of the individual criminal record of a candidate being screened for employment. 2) It requires any other individual or a public or private agency requesting to receive a copy of the criminal records of another who has provided authorization in written duly signed and notarized. 3) It prevents the creation of an online criminal record database without due legislative process. 4) It eliminates the creation of a revenue source outside the legislative process. Vote 17-0.

Amendment (1341h)

Amend RSA 106-B:7, III-IV as inserted by section 1 of the bill by replacing them with the following:

III. The director may, within the limits of the appropriation for the division, employ such civilian employees as may be necessary and determine their duties, **and provide such resources as may be necessary.** The director may require any *such* employee to give bond.

IV. The director may provide criminal record information in electronic form once the division has the technological capability to do so.

Amend RSA 106-B:14 as inserted by section 2 of the bill by replacing it with the following:

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

(a) Law enforcement personnel may request and receive any information documenting an individual's contact with the criminal justice system, including data regarding identification, arrest or citation, arraignment, judicial disposition, custody and supervision.

(b) Any individual may request and receive, **for a fee**, a copy of his or her own criminal conviction and arrest records and related information.

(c) Any individual or any public or private agency may request and receive a copy of the criminal conviction record of another who has provided authorization in writing, duly signed and notarized, explicitly allowing the requestor to receive such information.

(d) An employee of or person under contract to the state of New Hampshire to whom such disclosure **of information** is necessary in connection with the processing, storage, and transmission of such information, or the programming, repair, maintenance, testing, or procurement of equipment used to process, store, or transmit such information **may have access to such information.**

(e) A consumer reporting agency subject to and complying with the requirements of 15 U.S.C. Section 1681, et seq., conducting employment screening services, including the screening of independent contractors, may request and receive a copy of the state criminal conviction record for a felony, misdemeanor, or violation of a candidate being screened for employment purposes or as an independent contractor.

The clerks of the superior and [municipal] **circuit** courts, or if there is no clerk the justice thereof, sheriffs, deputy sheriffs, police officers, **probation and parole officers**, and superintendents of the county departments of corrections shall secure and forward to the director all such information as he or she may direct relative to persons brought before said courts or arrested or in the custody of such officers. ~~[Any person violating the provisions of this section or any rules adopted under RSA 541-A shall be guilty of a violation, for each offense.]~~

Amend the bill by replacing section 3 with the following:

3 New Paragraphs; State Police; Criminal Records; Reports. Amend RSA 106-B:14 by inserting after paragraph I the following new paragraphs:

I-a.(a) No individual, or public or private agency receiving criminal conviction record information from the division shall resell, rent, trade, transfer, make available, or otherwise disclose such information to another person for any purpose, other than to a client of the individual or public or private agency, without permission of the director.

(b) The state of New Hampshire and its officials, employees, or agents shall not be liable for the improper use, disclosure, or inaccuracy of conviction record information provided to a requesting individual or public or private agency under the provisions of this section.

(c) The director, after notice and opportunity for hearing, may prohibit any individual or public or private agency from requesting or receiving state criminal conviction information from the division if such individual or public or private agency resells, rents, trades, transfers, makes available, or otherwise discloses such information to another in violation of this section or any rule adopted thereunder.

(d) Criminal conviction records received from the division shall be the official source of certified criminal conviction history records for employment and licensing purposes.

I-b. Any person violating the provisions of this section or any rules adopted under RSA 541-A, shall be guilty of a misdemeanor for each offense.

SB 46, relative to public safety radio interoperability. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P. Goley for Executive Departments and Administration. This bill is a request of the department of safety and would require the advisory council on emergency preparedness and security to oversee statewide radio communications interoperability efforts. The bill also establishes a statewide interoperability executive committee, comprised of an executive management group and various working groups, charged with development of a strategic statewide interoperable communications plan. It is critical that communication be maintained during a state of emergency. Vote 13-0.

Amendment (1489h)

Amend RSA 21-P:48, IV(f) as inserted by section 4 of the bill by replacing it with the following:

(f) A representative of a charitable organization that provides disaster relief, appointed by the commissioner.

Amend RSA 21-P:48, IV(i) and (j) as inserted by section 4 of the bill by replacing them with the following:

(i) One member of the Professional Fire Fighters of New Hampshire, appointed by the association.

(j) One representative of the New Hampshire Sheriff's Association, appointed by the association.

Amend RSA 21-P:48, IV(l) as inserted by section 4 of the bill by replacing it with the following:

(l) One member of the New Hampshire Police Association, appointed by the association.

Amend RSA 21-P:48, IV(r) as inserted by section 4 of the bill by replacing it with the following:

(r) One representative of a major public safety dispatch center, appointed by the commissioner.

Amend RSA 21-P:48, IV(aa) as inserted by section 4 of the bill by replacing it with the following:

(aa) Not more than 2 representatives of technology-related businesses in the private sector, appointed by the commissioner.

SB 86, relative to state procurement of goods and services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B. Schmidt for Executive Departments and Administration. This bill, as amended, implements the first set of recommendations by a joint legislative study committee tasked with looking at current state procurement practices, including a request to extend the study in order to achieve a more global reform, given the necessary additional time. Vote 14-0.

Amendment (1207h)

Amend RSA 21-G:36, I as inserted by section 1 of the bill by replacing it with the following:

I. "Agency" means any executive branch department, commission, board, institution, bureau, office, or other executive branch entity established in the state constitution, statutes, session laws, or executive orders.

SB 96, establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards. **OUGHT TO PASS.**

Rep. Peter T. Hansen for Executive Departments and Administration. This bill establishes a study committee to explore the merits of expanding the state's current policy of defending and indemnifying employees of the state under RSA 99-D in proceedings before professional licensing boards. The committee on a bipartisan vote agreed that the intent of the bill was desirable. Vote 11-1.

SB 202-FN, relative to licensure of outsourcing facilities by the pharmacy board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill establishes a licensing requirement for FDA-registered 503B compounding facilities doing business in New Hampshire. 503B compounding facilities develop and provide specialized pharmaceutical drugs to many NH hospitals and pharmacies that are unable to do such work in-house. In light of a situation that led to the loss of life of several patients due to actions by an out-of-state compounding facility a few years ago, the committee found it to be in the public interest

to strengthen the oversight of outsourcing facilities that provide compounded drugs to New Hampshire patients by requiring these to be licensed and regulated by the New Hampshire board of pharmacy. The amendment adds a purpose clause to the bill and a technical provision to ease implementation of the bill. Vote 11-0.

Amendment (1474h)

Amend the bill by inserting after the enacting clause the following and renumbering the original sections 1-5 to read as 2-6, respectively:

1 Purpose. It is in the interest of the residents of New Hampshire to strengthen the oversight of outsourcing facilities that provide compounded drugs for patient use in New Hampshire by requiring such facilities to be licensed and regulated by the New Hampshire pharmacy board. The general court recognizes that the federal Drug Quality and Security Act (DQSA) was signed into law November 27, 2013 and that the federal Food and Drug Administration (FDA), pursuant to section 503B of the federal Food, Drug and Cosmetic Act as amended by the DQSA, is in the process of establishing final guidelines for the regulation of outsourcing facilities, identified as 503B facilities. It is the intent of this act to establish a licensing requirement for FDA registered 503B outsourcing facilities and to establish interim requirements for such facilities. Once federal guidelines are finalized and adopted, it is the intent of the general court that such requirements shall be further adopted by the New Hampshire pharmacy board to maintain regulatory consistency for outsourcing facilities with the federal government.

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

5 Contingency; Effective Date of Repeal. Section 4 of this act shall take effect on the date that the pharmacy board certifies to the director of legislative services and the secretary of state the effective date of rules adopted by the board under RSA 318:51-e, IX, which replace the requirements of RSA 318:51-d, or June 30, 2017, whichever is later.

6 Application. The pharmacy board shall have authority to extend any current license held by outsourcing facilities beyond July 1, 2015, until such time as the rules for licensing requirements and application requirements adopted pursuant to RSA 318:51-e are in effect.

7 Effective Date.

I. Section 4 of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect July 1, 2015.

SB 31, relative to the controlled drug prescription health and safety program. **OUGHT TO PASS.**

Rep. James R. MacKay for Health, Human Services & Elderly Affairs. This legislation, based on recommendations by the pharmacy board and the prescription drug monitoring program, which went into effect on October 12, 2014, is essential in dealing with the significant misuse of prescription drugs, to date. Housekeeping measures include administrative rules, application for a federal grant for start-up costs and issuance of an R.F.P. for a vendor to operate the program are in place. Other technical concerns are addressed in this legislation as requested by the advisory council. Vote 21-0.

SB 84, relative to the definition of "telemedicine." **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services & Elderly Affairs. This bill, as amended, expands the provider-patient relationship to include not only in-person, but face-to-face, 2 way real-time interactive communication. It defines telemedicine including who can provide services and the expectation of such providers. It carefully provides guidance for the prescription of drugs classified in schedules II-IV through telemedicine. Finally, it assures payment of such services by Medicaid. Vote 21-0.

Amendment (1332h)

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

1 Pharmacists and Pharmacies; Definitions. Amend RSA 318:1, XV-a to read as follows:

XV-a. "Practitioner-patient relationship" means a medical connection between a licensed practitioner and a patient that includes an in-person *or face-to-face 2-way real-time interactive communication* exam, a history, a diagnosis, a treatment plan appropriate for the practitioner's scope of practice, and documentation of all prescription drugs including name and dosage. A practitioner may prescribe for a patient whom the practitioner does not have a practitioner-patient relationship under the following circumstances: for a patient of another practitioner for whom the prescriber is taking call; for a patient examined by another New Hampshire licensed practitioner; or for medication on a short-term basis for a new patient prior to the patient's first appointment. The definition of a practitioner-patient relationship shall not apply to a practitioner licensed in another state who is consulting to a New Hampshire licensed practitioner with whom the patient has a relationship.

2 New Section; Medicaid Coverage for Telehealth Services. Amend RSA 318 by inserting after section 47-i the following new section:

318:47-j Medicaid Coverage for Telehealth Services. Under this chapter, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

3 New Paragraph; Controlled Drug Act; Acts Prohibited. Amend RSA 318-B:2 by inserting after paragraph XV the following new paragraph:

XVI. Any controlled drug classified in schedule II through IV may be prescribed by means of telemedicine, as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), only after an initial in-person exam by a practitioner licensed to prescribe the drug. An in-person exam shall take place at least annually thereafter.

4 New Paragraph; Controlled Drug Act; Acts Prohibited. Amend RSA 318-B:2 by inserting after paragraph XV the following new paragraph:

XVI. Any controlled drug classified in schedule II through IV may be prescribed by means of telemedicine, as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), only after an initial in-person exam by a practitioner licensed to prescribe the drug. An in-person exam shall take place at least annually thereafter. Under this paragraph, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

5 Physicians and Surgeons; Physician-Patient Relationship. Amend RSA 329:1-c to read as follows:

329:1-c Physician-Patient Relationship. "Physician-patient relationship" means a medical connection between a licensed physician and a patient that includes an in-person *or face-to-face 2-way real-time interactive communication* exam, a history, a diagnosis, a treatment plan appropriate for the licensee's medical specialty, and documentation of all prescription drugs including name and dosage. A licensee may prescribe for a patient whom the licensee does not have a physician-patient relationship under the following circumstances: writing admission orders for a newly hospitalized patient; for a patient of another licensee for whom the prescriber is taking call; for a patient examined by a physician assistant, nurse practitioner, or other licensed practitioner; or for medication on a short-term basis for a new patient prior to the patient's first appointment or when providing limited treatment to a family member in accordance with the American Medical Association Code of Medical Ethics. Prescribing drugs to individuals without a physician-patient relationship shall be unprofessional conduct subject to discipline under RSA 329:17, VI. The definition of a physician-patient relationship shall not apply to a physician licensed in another state who is consulting to a New Hampshire licensed physician with whom the patient has a relationship.

6 New Section; Physicians and Surgeons; Definition of "Telemedicine." Amend RSA 329 by inserting after section 1-c the following new section:

329:1-d Telemedicine.

I. "Telemedicine" means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment. "Telemedicine" shall not include the use of audio-only telephone or facsimile.

II. An out-of-state physician providing services by means of telemedicine shall be deemed to be in the practice of medicine and shall be required to be licensed under this chapter. This paragraph shall not apply to out-of-state physicians who provide consultation services pursuant to RSA 329:21, II.

III. Any controlled drug classified in schedule II through IV may be prescribed by means of telemedicine, as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), only after an initial in-person exam by a physician licensed to prescribe the drug. An in-person exam shall take place at least annually thereafter.

IV. A physician providing services by means of telemedicine directly to a patient shall:

(a) Use the same standard of care as used in an in-person encounter;

(b) Maintain a medical record; and

(c) Subject to the patient's consent, forward the medical record to the patient's primary care or treating provider, if appropriate.

V. Under this section, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

7 New Paragraph; Nurse Practice Act; Definition Added. Amend RSA 326-B:2 by inserting after paragraph I the following new paragraph:

I-a. "Advanced practice registered nurse-patient relationship" means a medical connection between a licensed APRN and a patient that includes an in-person or face-to-face 2-way real-time interactive communication exam, a history, a diagnosis, a treatment plan appropriate for the licensee's medical specialty, and documentation of all prescription drugs including name and dosage. A licensee may prescribe for a patient whom the licensee does not have an APRN-patient relationship under the following circumstances: writing admission orders for a newly hospitalized patient; for a patient of another licensee for whom the prescriber is taking call; for a patient examined by another licensed practitioner; or for medication on a short-term basis for a new patient prior to the patient's first appointment.

8 New Paragraph; Nurse Practice Act; Definition Added. Amend RSA 326-B:2 by inserting after paragraph XI the following new paragraph:

XII.(a) "Telemedicine" means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment. "Telemedicine" shall not include the use of audio-only telephone or facsimile.

(b) An out-of-state APRN providing services by means of telemedicine shall be deemed to be in the practice of medicine and shall be required to be licensed under this chapter.

(c) Any controlled drug classified in schedule II through IV may be prescribed by means of telemedicine, as defined in RSA 329:1-d, I and subparagraph (a), only after an initial in-person exam by an APRN licensed to prescribe the drug. An in-person exam shall take place at least annually thereafter.

(d) An APRN providing services by means of telemedicine directly to a patient shall:

- (1) Use the same standard of care as used in an in-person encounter;
- (2) Maintain a medical record; and

(3) Subject to the patient's consent, forward the medical record to the patient's primary care or treating provider, if appropriate.

(e) Under this section, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

9 Contingency. If SB 112 of the 2015 regular session becomes law, sections 2, 4, paragraph V of section 6, and subparagraph XII(e) of section 8 of this act shall take effect at 12:01 a.m. on the effective date of SB 112. If SB 112 does not take effect sections 2, 4, paragraph V of section 6, and subparagraph XII(e) of section 8 of this act shall not take effect.

10 Effective Date.

I. Sections 2, 4, paragraph V of section 6, and subparagraph XII(e) of section 8 of this act shall take effect as provided in section 9 of this act.

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

AMENDED ANALYSIS

This bill clarifies when it is appropriate to use telemedicine in practitioner-patient medical circumstances. Under this bill, except for practitioners treating patients in community mental health programs, a practitioner shall not prescribe certain controlled drugs by means of telemedicine.

SB 112, requiring the Medicaid managed care program to cover telemedicine services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services & Elderly Affairs. This legislation, as amended, requires the department of health and human services to implement Medicaid coverage for telehealth services. This legislation includes collaboration with the telecommunication planning and development advisory committee to advise and assist the department in the development of a detailed work plan for implementation of Medicaid coverage of telehealth services and identify funding or other tangible resources for cumulative services drawing on the expertise in the telehealth community and, or academic institutions. Vote 19-0.

Amendment (1292h)

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

AN ACT requiring the Medicaid program to cover telehealth services.

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

1 New Section; Medicaid Coverage of Telehealth Services. Amend RSA 167 by inserting after section 4-c the following new section:

167:4-d Medicaid Coverage of Telehealth Services.

I. In this section, "telehealth services" shall comply with 42 C.F.R. section 410.78. The use of the term "telemedicine" shall comply with the Centers for Medicare and Medicaid Services requirements governing the aforementioned telehealth services.

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

(1) Which is an appropriate application of telehealth services as determined by the department based on the Centers for Medicare and Medicaid Services regulations; and

(2) By which an individual shall receive medical services from a physician or non-physician practitioner without in-person contact with the enrolled Medicaid provider.

(b) Nothing in this section shall be construed to prohibit the Medicaid program from providing coverage for only those services that are medically necessary and subject to all other terms and conditions of the coverage.

III. This section shall be conditioned upon review and approval of a state plan amendment submitted by the department to the Centers for Medicare and Medicaid Services. The department's obligation to implement and maintain the requirements of this section shall be subject to sufficient funding and resources.

2 New Subparagraph; Telecommunications Planning and Development Advisory Committee; Implementation of Medicaid Coverage of Telehealth Services; Duty Added. Amend RSA 12-A:46, IV by inserting after subparagraph (h) the following new subparagraph:

(i) Advising and assisting the department of health and human services in the implementation of Medicaid coverage of telehealth services as required under RSA 167:4-d. This shall include, but not be limited to, assisting in the development of a detailed work plan for implementation of Medicaid coverage of telehealth services and identifying funding or other tangible resources for consultative services drawing on the expertise in the telehealth community and or academic institutions.

3 Department of Health and Human Services; Implementation of Medicaid Coverage of Telehealth Services; Report Required. The department of health and human services shall report to the oversight committee on health and human services, established in RSA 126-A:13 on the status of its implementation of Medicaid coverage of telehealth services including the status of submission of the required state plan amendment to the Centers for Medicare and Medicaid Services as required under RSA 167:4-d. The department's initial progress report shall be submitted to the oversight committee on or before October 1, 2015 with interim progress reports due on or before April 1, 2016 and October 1, 2016, respectively. The final report shall be submitted by the department to the oversight committee on or before April 1, 2017.

4 Applicability. Sections 1 and 2 of this act shall take effect June 30, 2016. In the event of insufficient funding necessary to implement the provisions of this act on June 30, 2016, the commissioner of the department of health and human services shall certify this fact to the oversight committee on health and human services as part of its report due on or before April 1, 2016, as required under section 3 of this act.

Effective Date.

I. Sections 1 and 2 of this act shall take effect as provided in section 4 of this act.

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

AMENDED ANALYSIS

This bill requires the Medicaid program to cover telehealth services contingent on sufficient funding. Referred to the Committee on Finance.

SB 135-FN, relative to lead poisoning in children. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald L. LeBrun for Health, Human Services & Elderly Affairs. The committee, after extensive work by a subcommittee, felt SB 135, as amended, was a necessary step toward addressing the serious problem relating to the presence of lead paint in an enormous amount of the older building and apartment complexes in the state. Vote 19-2.

Amendment (1424h)

Amend the bill by replacing section 4 with the following:

4 Lead Paint Poisoning Prevention; Property Owner Notification. Amend RSA 130-A:6-a to read as follows:
130-A:6-a Property Owner Notification.

I. The department shall ~~[make reasonable efforts to]~~ notify in writing the owner ***or registered agent of an owner*** of a dwelling or dwelling unit where the child resides if ***a venous blood test*** lead ~~[levels]~~ ***level*** of ~~[6-]~~ ***5*** to 9.9 micrograms per deciliter ~~[are]~~ ***is*** found in the child's blood. Such notice to the property owner shall specify that it is neither a finding that a lead exposure hazard exists in the property nor is it an order for lead hazard reduction. ***Such notice shall include information about the health hazards of lead poisoning, standards for identifying and eliminating lead hazards, and the federal Renovation, Repair, and Painting program.***

II.(a) Eviction of a tenant based on the presence in the dwelling or dwelling unit of a child ~~[with a blood level of 6 to 9.9 micrograms per deciliter]~~ ***who has tested positive for the presence of lead in his or her bloodstream*** shall be unlawful. There shall be a rebuttable presumption that any eviction action, instituted by the owner within 6 months of receipt of ~~[the]~~ notice ~~[sent by the department pursuant to paragraph I, is based on the child's elevated blood lead level; provided that this shall not be construed to alter any cause for eviction under RSA 540:2.]~~ ***of a child's elevated blood lead level by the department, the child's physician, or the child's parent or guardian, is based on the child's elevated blood level; provided that:***

(1) If the notice came from a parent or guardian only, such parent or guardian shall provide the owner with a copy of the child's blood test prior to the expiration of the eviction notice for the rebuttable presumption in this subparagraph to apply; and

(2) This subparagraph shall not be construed to alter any cause for eviction under RSA 540:2.

(b) If a court finds that an eviction is based on the child's elevated blood lead level, it shall deny the eviction and award damages to the tenant pursuant to RSA 540:14, II. However, if an owner in response to the notice from the department, ***the child's physician, or the child's parent or guardian*** discovers a lead exposure hazard in the dwelling or dwelling unit, the owner may proceed with relocation of the tenants, provided that the owner meets the requirements of RSA 130-A:8-a, I or II.

III. ***In circumstances where the presence of a lead exposure hazard is unsuspected, and becomes known only after the dwelling or dwelling unit has been rented to a family with a child, the owner may withdraw the unit from the residential rental market in lieu of undertaking reduction of the lead exposure hazard. In such case the owner may bring an action to evict the family but only if the owner fulfills all of the conditions set forth in paragraph II. The dwelling unit shall not be subsequently rented for residential purposes without reduction of all lead exposure hazards associated with the unit.***

IV. Refusal of a tenant to permit the owner to have access to the dwelling or dwelling unit in order to inspect for lead exposure hazards shall be good cause for eviction pursuant to RSA 540:2, II(e); provided, however, that the owner gives the tenant at least 48 hours' prior written notice, and that the inspection is to be conducted at a reasonable time.

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

6 New Subdivision; Childhood Lead Poisoning Prevention and Screening Commission. Amend RSA 130-A by inserting after section 18 the following new subdivision:

Childhood Lead Poisoning Prevention and Screening Commission

130-A: 19 Childhood Lead Poisoning Prevention and Screening Commission Established.

I. There is established a childhood lead poisoning prevention and screening commission to assess and recommend measures for preventing childhood lead poisoning and improving screening rates among New Hampshire children ages 6 years old and younger.

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

- (a) One member of the senate, appointed by the senate president.
- (b) One member of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of health and human services, or designee.
- (d) The executive director of the New Hampshire housing finance authority, or designee.
- (e) Two municipal public health officials with knowledge and experience in childhood lead poisoning prevention, one appointed by the New Hampshire Municipal Association, and one appointed by the governor.
- (f) A landlord owning 10 or fewer rental units, with experience owning and renting pre-1978 rental housing, appointed by the speaker of the house of representatives.
- (g) A landlord owning more than 10 and fewer than 50 rental units, with experience owning and renting pre-1978 rental housing, appointed by the senate president.
- (h) A landlord owning more than 50 rental units, with experience owning and renting pre-1978 rental housing, appointed by the Apartment Association of New Hampshire.
- (i) A representative of the New Hampshire Property Owners Association, appointed by the association.
- (j) An owner of a licensed child care facility located in a pre-1978 building, appointed by the governor.
- (k) A representative of the New Hampshire Building Officials Association, appointed by the association.
- (l) A representative of the New Hampshire Pediatric Society, appointed by the society.
- (m) A representative of New Hampshire Kids Count, appointed by the director of the organization.
- (n) A representative of Housing Action New Hampshire, appointed by the director of the organization.
- (o) A pediatric physician licensed under RSA 329 and another pediatric health care provider, appointed by the board of medicine.

(p) Three public members, one appointed by the governor, one appointed by the senate president, and one appointed by the speaker of the house of representatives.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the commissioner of the department of health and human services. The first meeting of the commission shall be held within 45 days of the effective date of this section. Ten members of the commission shall constitute a quorum. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The chairperson is authorized to establish a subcommittee addressing childhood lead prevention strategies and a subcommittee relative to improving screening rates, and to appoint from among the commission membership the chairpersons of such subcommittees.

V. In addressing childhood lead prevention strategies, the commission shall consider the advisability of adopting an essential maintenance practices program uniquely suited to New Hampshire to prevent lead poisoning in pre-1978 rental housing and pre-1978 buildings containing child care, and the elements of such a program. The commission shall assess:

- (a) Essential maintenance practices programs in other jurisdictions.
- (b) Coordination of an essential maintenance practices program with existing public health laws and regulations concerning lead, to maximize efficiency.
- (c) Incentives and other mechanisms to encourage compliance with essential maintenance practices, including but not limited to, issues concerning limitations on liability for compliance and liability for noncompliance.
- (d) Other matters deemed relevant to the commission's determination.

VI. The commission shall explore and examine options for assisting property owners in the abatement of lead-based paint hazards.

VII. The commission shall assess existing screening rates in relation to the department's childhood lead poisoning screening and management guidelines, and assess the actions necessary to achieve screening rates consistent with such guidelines.

VIII. The commission shall assess the feasibility and benefits of requiring the department to provide notice to landlords and parents pursuant to RSA 130-A:6-a and RSA 130-A:6-b when a child has been found to have a blood lead level less than 5 micrograms per deciliter.

IX. The commission shall make an annual report of its activities, together with recommendations for legislation commencing on December 1 2016 to the president of the senate, the speaker of the house of representatives, the governor, and the state library.

7 New Paragraph; Building Permits Restricted; Lead Paint. Amend RSA 676:13 by inserting after paragraph IV the following new paragraph:

V. The building inspector shall not issue a building permit for a renovation or remodeling project without first providing to the applicant a fact sheet prepared by the department of health and human services containing information about lead-safe renovation and remodeling practices and the federal Renovation, Repair and Painting program, and without obtaining the applicant's written acknowledgement of having received such fact sheet, unless the building inspector is satisfied that the renovation or remodeling will not disturb any surfaces containing lead paint. Nothing in this paragraph shall be construed as limiting the discretion of municipalities to require proof of a contractor's certification under the federal Renovation, Repair and Painting program as part of the building permit process. Neither the building inspector nor the municipality shall be liable for any injury or damages resulting from failure to provide the information required by this paragraph, nor shall the issuance of a building permit be subject to challenge because of failure to provide the information or to obtain the applicant's acknowledgment of having received the information.

8 Repeal. RSA 130-A:19, relative to the childhood lead poisoning prevention and screening commission, is repealed.

9 Effective Date.

I. RSA 130-A:19 as inserted by section 6 of this act shall take effect upon its passage.

II. Section 8 of this act shall take effect November 1, 2018.

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

AMENDED ANALYSIS

This bill:

I. Changes the notice requirements for blood lead levels found in a child's blood.

II. Establishes the childhood poisoning prevention and lead screening commission to assess existing screening rates in relation to the department of health and human services' screening guidelines.

III. Declares that the building inspection shall not issue a building permit for a renovation or remodeling project unless certain information prepared by the department of health and human services is provided to the applicant.

SB 248, establishing a committee to study health care provider payment rates. **INEXPEDIENT TO LEGISLATE.** Rep. Donald L. LeBrun for Health, Human Services & Elderly Affairs. The committee determined that another bill is already addressing the issue and better serves the intent of price transparency issue. The majority of testimony substantiated the committee discussion and motion to ITL this version. Vote 21-0.

SB 209-FN, adopting the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act. **OUGHT TO PASS.**

Rep. Kurt F. Wuelper for Judiciary. The committee believes this bill, tailored to comport with our existing laws, will significantly improve our ability to cooperate with the 40 other states with similar laws to achieve the best outcomes in cases where guardianship issues involve multiple states. Vote 18-1.

SB 29-FN, relative to fines for motor vehicle offenses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas C. Walsh for Transportation. This bill makes various changes to fines for motor vehicle offenses that currently can only be resolved in court. In testimony the committee heard that approximately 80% of offenders pay fines by mail if it is an option. This bill adds several offenses to the list that have a pay by mail option, thus potentially saving people money by not losing time at work. The new fine schedule is based on the past paid fines for that offense. A person can still see a judge by pleading "not guilty" and law enforcement can still issue a "must appear" if it's considered egregious. This bill was a request of the department of safety. The committee amendment simply corrects a typo in the original bill. Vote 13-1.

Amendment (1469h)

Amend the bill by replacing section 10 with the following:

10 Transporting Hazardous Materials and Explosives. Amend RSA 265:118 to read as follows:

265:118 Penalty. The driver, owner, and custodian of any vehicle which is driven in violation of the provisions of this subdivision or any rule adopted under this subdivision shall be guilty of a violation for a first offense and, notwithstanding the provisions of title LXII, shall be fined not more than [~~\$500~~] **\$250 plus penalty assessment** if a natural person or not more than [~~\$1,000~~] **\$500 plus penalty assessment** if any other person. Any person convicted of an offense under this subdivision who was convicted of an offense relating to the transportation of explosives or hazardous materials or wastes within the 5 years preceding the commission of the offense under this subdivision shall be guilty of a misdemeanor. Any person convicted of

an offense under this subdivision who was convicted of 2 or more offenses relating to the transportation of explosives[;] **or** hazardous materials or wastes within 5 years preceding the commission of the offense under this subdivision shall be guilty of a class B felony if a natural person or of a felony if any other person. Referred to the Committee on Criminal Justice and Public Safety.

SB 62, relative to drivers' licenses for persons without a permanent address. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael D. Abbott for Transportation. This bill allows a person with no permanent address to apply for a driver's license if their residence is confirmed by a social service agency. The fee for licenses should be prorated on a yearly basis. The committee amendment allows a person to get a one-year ID at a lower fee so that they are not financially burdened as their living situation improves. Vote 13-1.

Amendment (1353h)

Amend RSA 263:5-f, I as inserted by section 1 of the bill by replacing it with the following:

I. A resident who is homeless without a permanent street address at the time of application for a driver's license or license renewal may obtain a driver's license, if otherwise qualified, by certifying to the department in writing that he or she is currently a resident in a certain town or city in New Hampshire and by providing a letter signed by an authorized representative of a social service organization or agency qualified under section 501(c)(3) of the Internal Revenue Code stating that the person is authorized to use the address of the organization or agency for purposes of contact by the department. A license issued under this section shall expire one year from the date of issuance.

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

2 License Expiration. Amend RSA 263:10, I to read as follows:

I. Except as provided in **RSA 263:5-f, I**, RSA 263:14, and RSA 263:39-a, III, all licenses shall expire on the fifth anniversary of the license holder's date of birth following the date of issuance. The department shall notify each holder of a license by mail addressed to the holder's last known address, or, if the license holder has so elected, by electronic, telephonic, or other means, 30 days prior to the expiration date thereof of a place and time when he or she shall appear for the issuance of a new license and any availability of electronic license renewal.

3 License Fes. Amend RSA 263:42, I to read as follows:

I. For each original driver's license and examination or driver's license renewal, other than for a commercial vehicle or motorcycle- \$50; **for each license issued under RSA 263:5-f, \$10**; for each youth operator's license and examination- \$10 per year, not to exceed \$50; for each license issued to a nonresident alien for less than 5 years- \$10 per year or portion thereof; for each original commercial driver license and examination or commercial driver license renewal- \$60; for each commercial driver license reexamination in a one-year period- \$20; for each commercial vehicle endorsement, renewal of an endorsement, or removal of a restriction- \$10; for each special motorcycle original license and examination or special motorcycle license renewal- \$50; for each original motorcycle endorsement- \$25; for each 3-wheeled motorcycle endorsement- \$25; for each motorcycle endorsement and 3-wheeled motorcycle endorsement renewal- no charge. For each original driver's license issued, \$5 shall be credited to the driver training fund established by RSA 263:52. Except as provided in **RSA 263:5-f, I**, RSA 263:14, and RSA 263:39-a, III, every license shall expire on the licensee's birthdate in the fifth year following the issuance of such license. No fee collected under this paragraph shall be refunded once an examination has been taken or a license issued, except as provided in RSA 263:43.

SB 234, establishing a committee to study the use of law enforcement details and flaggers for traffic control on municipally maintained roads. **OUGHT TO PASS.**

Rep. Werner D. Horn for Transportation. This bill forms a committee to study issues related to the use of law enforcement details and flaggers for traffic control on municipally maintained roads. The goal is to reduce utility company costs and associated high rates, arising from excessive road detail costs. Vote 15-0.

REGULAR CALENDAR

SB 105, relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John B. Hunt for the Majority of Commerce and Consumer Affairs. This bill has two components in relation to e-cigarettes. The first section creates a study committee to consider treating e-cigarettes the same as regular cigarettes by including them in the indoor smoking act and thereby prohibiting the smoking of e-cigarettes in businesses and public places, just like cigarettes. There was very little support for this ban in the committee. The other section of the bill was to ban the sale or possession of liquid nicotine containers that do not have child proof caps. While the majority shares concern for the safety of children, later research revealed that the committee had been misled about the actual dangers of nicotine liquid. Proponents of this legislation reported that a child in New York State died after ingesting nicotine liquid. The facts omitted from testimony

include: the nicotine liquid in question was of commercial-level potency, over 400% more potent than liquid sold to consumers; that the container in question was left uncapped and within the reach of a child. Legislation requiring childproof caps would not have prevented the death that occurred in New York. Testimony was also given that claimed that one teaspoon of liquid nicotine is sufficient to kill a child, but research showed that this data point only applies to pure nicotine, and does not apply to consumer-grade nicotine liquid, which typically only consists of about 2% nicotine. The majority of the committee felt that packaging is a federal issue and also opposed criminalizing a legal item that was purchased out-of-state. Although some states may have passed similar legislation, the majority of the committee felt to expose out-of-state visitors to criminal penalties is wrong for New Hampshire and that the sponsors of the bill should urge the federal government to take action so that regulating would be uniform across the country. Vote 11-10.

Rep. Richard M. Abel for the Minority of Commerce and Consumer Affairs. The purpose of the proposed amendment is to protect the children of New Hampshire from detrimental effects of ingestion of, or physical contact with, liquid nicotine by requiring "child-resistant packaging." Reports of accidental poisonings of young children in New Hampshire by liquid nicotine have been on the rise in New Hampshire during the past five years along with the dramatic growth in use of e-cigarettes, vapor products and similar devices. In New Hampshire, young children have been hospitalized with serious threats to health including seizures and illnesses through accidental ingestion of or skin contact with fruit and candy-flavored liquid nicotine from containers without child resistant caps. In New York a child died through an accidental poisoning and the legislature there passed legislation mandating child-resistant packaging. At least five states have passed similar laws with another half-dozen states considering such laws. The minority urges voting against the majority recommendation of ITL so that an alternative motion may be presented for an amendment to require manufacture or retail sale in New Hampshire of bottled nicotine solution for use in a vapor product or prefilled electronic cigarette devices to satisfy child-resistant standards set forth in 16 C.F.R. section 1700.15(b) as of January 1, 2016. We heard testimony that retailers, manufacturers, and public health officials agree on the importance of child-resistant packaging and that presently no federal or New Hampshire legislation mandates it with this class of products. We believe this is proactive action that benefits the public health and to be able to save even one child's life in New Hampshire makes it worthwhile.

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

Rep. Abel spoke against and yielded to questions.

Rep. Fothergill spoke against.

Rep. Hunt spoke in favor and yielded to questions.

Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 143

YEAS - 210

BELKNAP

Aldrich, Glen
Fraser, Valerie
Luther, Robert
Vadney, Herbert

Dumais, Russell
Gallagher, Brian
Spanos, Peter
Varney, Peter

Fields, Dennis
Howard, Jr., Raymond
Sylvia, Michael

Fisher, Robert
LeBreche, Shari
Tilton, Franklin

CARROLL

Avellani, Lino
Crawford, Karel
Schmidt, Stephen

Chandler, Gene
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Wright, Ted

Cordelli, Glenn
Parker, Harold

CHESHIRE

Hunt, John
Tilton, Benjamin

McConnell, Jim

Roberts, Kris

Sterling, Franklin

COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Thomas, Yvonne

GRAFTON

Bailey, Brad
Hennessey, Erin
Ladd, Rick

Brown, Duane
Hull, Robert
Shackett, Jeffrey

Darrow, Stephen
Ingbretson, Paul

Gionet, Edmond
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Byron, Frank
Coffey, James
Edelblut, Frank
Flanagan, Jack

Balcom, John
Boehm, Ralph
Christensen, Chris
Danielson, David
Edwards, Elizabeth
Fromuth, Bart

Barry, Richard
Bouldin, Amanda
Christiansen, Lars
Donovan, Daniel
Estevez, Eric
Gagne, Larry

Belanger, James
Burt, John
Christie, Rick
Eastman, Eric
Ferreira, Elizabeth
Gidge, Kenneth

Gonzalez, Carlos
Halstead, Carolyn
Hopper, Gary
Lachance, Joseph
McClarren, Donald
Murphy, Keith
Palmer, Barry
Pierce, David
Rowe, Robert
Simmons, Tammy
Straight, Phillip
Wolf, Terry

Gould, Linda
Hansen, Peter
Infantine, William
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Parison, James
Proulx, Mark
Sanborn, Laurie
Smith, Gregory
Sullivan, Victoria
Zaricki, Nick

Goulette, William
Hinch, Richard
Katsiantonis, Thomas
Marston, Dick
Moore, Josh
O'Brien, William
Pellegrino, Anthony
Rice, Kimberly
Scontsas, Lisa
Souza, Kathleen
Twombly, Timothy

Haefner, Robert
Hogan, Edith
Kurk, Neal
McCarthy, Peggy
Murotake, David
Ohm, Bill
Peterson, Ken
Rouillard, Claire
Seidel, Carl
Stepanek, Stephen
Ulery, Jordan

Brewster, Michael
Horn, Werner
Long, Douglas
McGuire, Dan

French, Harold
Kidder, David
Marple, Richard
Seaworth, Brian

MERRIMACK

Hess, David
Kotowski, Frank
Martin, John
Walsh, Thomas

Hill, Gregory
Kuch, Bill
McGuire, Carol

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Bush, Carol
Christie, Andrew
Doucette, Fred
Fesh, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Manning, John
O'Connor, John
Potucek, John
Schroadter, Adam
Tasker, Kyle
Vose, Michael
Weyler, Kenneth

Abramson, Max
Barnes, Arthur
Cardon, G. Thomas
Cook, Allen
Duarte, Joe
Gordon, Richard
Hagan, Joseph
Introne, Robert
Kellogg, Shem
Matthews, Carolyn
Osborne, Jason
Priestley, Anne
Spillane, James
Thomas, Douglas
Ward, Joanne
Woitkun, Steven

Allen, Mary
Bates, David
Chase, Francis
DeSimone, Debra
Elliott, Robert
Green, Dennis
Harris, Jeffrey
Itse, Daniel
Kolodziej, Walter
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
True, Chris
Webb, James

Azarian, Gary
Belanger, Ronald
Chirichiello, Brian
Devine, James
Emerick, J. Tracy
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Lundgren, David
McMahon, Charles
Peckham, Michele
Rice, Frederick
Tamburello, Daniel
Tucker, Pamela
Welch, David

Beaudoin, Steven
Groen, Warren
Knowles, Robert
Sprague, Dale

Bickford, David
Hannon, Joseph
Leeman, Don
Wuelper, Kurt

STRAFFORD

Cheney, Catherine
Jones, Laura
Mullen, John

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

Bridge, Ernest
Smith, Steven

Grenier, James

SULLIVAN

Laware, Thomas

Rollins, Skip

NAYS - 143 CARROLL

Buco, Thomas

Butler, Edward

Nelson, Bill

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Parkhurst, Henry
Shepardson, Marjorie

Ames, Richard
Emerson, Susan
Phillips, Larry
Weber, Lucy

Berch, Paul
Johnsen, Gladys
Robertson, Timothy

Bordenet, John
Ley, Douglas
Sad, Tara

COOS

Fothergill, John
Theberge, Robert

Froburg, Alethea

Hatch, William

Moynihan, Wayne

GRAFTON

Abel, Richard
Cooney, Mary
Nordgren, Sharon
Townsend, Charles

Almy, Susan
Ford, Susan
Piper, Wendy
White, Andrew

Bennett, Travis
Maes, Kevin
Smith, Suzanne

Brown, Rebecca
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Backus, Robert
Brown, Pamela
DiSilvestro, Linda

Baroody, Benjamin
Cohen, Alan
Forest, Armand

Beaulieu, Jane
Cornell, Patricia
Freitas, Mary

Booras, Efsthia
Cote, David
Gorman, Mary

Guerette, C. Lee
Herbert, Christopher
Long, Patrick
McNamara, Richard
Roberts, Carol
Smith, Timothy
Vann, Ivy

Hansberry, Daniel
Jack, Martin
Mangipudi, Latha
O'Brien, Michael
Rosenwald, Cindy
Snow, Kendall
Walsh, Robert

Harvey, Suzanne
Jeudy, Jean
Manley, Jonathan
O'Neil, William
Shattuck, Gilman
Soucy, Timothy
Williams, Kermit

Heath, Mary
Leishman, Peter
Martel, Andre
Porter, Marjorie
Shaw, Barbara
Sullivan, Daniel
Woodbury, David

MERRIMACK

Alicea, Caroletta
Doherty, David
Gile, Mary
Kenison, Linda
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Bartlett, Christy
Ebel, Karen
Henle, Paul
Luneau, David
Patten, Dick
Schuett, Dianne
Wheeler, Deborah

Bradley, Paula
Frazer, June
Hirsch, Geoffrey
MacKay, James
Ratzki, Mario
Shurtleff, Stephen

Carson, Clyde
French, Barbara
Karrick, David
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

ROCKINGHAM

Berrien, Skip
Cushing, Robert
Heffron, Frank
Pantelakos, Laura

Borden, David
Ferrante, Beverly
Lovejoy, Patricia
Sherman, Thomas

Cahill, Michael
Gannon, William
McBeath, Rebecca
Simpson, Alexis

Cali-Pitts, Jacqueline
Gordon, Pamela
Moody, Marcia
Ward, Gerald

STRAFFORD

Baber, William
DiSesa, Len
Rollo, Deanna
Spang, Judith
Wall, Janet

Bixby, Peter
Gardner, Janice
Schmidt, Peter
Stevens, Audrey

Burton, Wayne
Horrigan, Timothy
Smith, Marjorie
Treleaven, Susan

Cilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Verschueren, James

SULLIVAN

Cloutier, John
Irwin, Virginia

Converse, Larry
Oxenham, Lee

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne

and the majority committee report was adopted.

SB 40-FN, including a viable fetus in the definition of “another” for the purposes of certain criminal offenses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John A. Burt for the Majority of Criminal Justice and Public Safety. This bill, as amended brings the senate bill in line with a house bill passed earlier in the session which sought to give the families of wanted unborn children an avenue for justice when the unborn child is killed by the criminal or negligent actions of a third party. There is a string of tragic events in NH that have left families searching for justice. This bill will give the families that avenue, and respects all women’s choices. This bill fulfills the request the state supreme court spelled out in the NH v Lamy case handed down April 9, 2009, when they overturned the negligent homicide conviction of Joshua Lamy in the death of Dominick Emmons. Part of that ruling stated that if the legislature finds the ruling in this case as unfortunate as the court does they should revisit the homicide statutes with regard to a fetus, as many other states have done. 38 other states have similar laws to the one proposed in SB 40. 23 of those say that life starts at conception, making this proposed law the middle ground. The 8 week point of protection centers on the woman’s choice, it is also the point of pregnancy when miscarriages drop off dramatically. Expectant mothers are exempted from prosecution under this statute. Abortion is not affected by the proposed law as the abortion choice is also exempted under the bill. All challenges to fetal homicide laws have been denied as long as the law contained this exemption and in fact, fetal homicide laws have been in existence since California passed the first in the early 1970s. Colorado is moving forward with a fetal homicide law after finding the often mentioned ‘enhanced penalties amendment’ inadequate in a recent tragic case there. There is also language in the bill to protect families that require in vitro fertilization to complete their families. This bill will do away with the antiquated born alive rule established in England during the 1400s and bring NH into the mainstream in regards to fetal homicide. Vote 11-5.

Rep. Geoffrey D. Hirsch for the Minority of Criminal Justice and Public Safety. While the minority certainly understands the desire to find justice for crimes that result in devastating losses to women and their families, we believe that this bill as written is not the answer. Current New Hampshire assault laws already have enhanced penalties for injuries that result in the death or stillbirth of a fetus. The proper way to seek justice in these cases is to enhance penalties, and not, via a redefinition of terms, attempt to establish a personhood that conflicts with the 14th Amendment and creates a schizophrenic legal division within a pregnant woman. SB 40, by providing specific legal protection to the unborn, goes where even the supreme court would not. Hundreds of women have endured arrest, prosecution, and incarceration as the result of these types of laws. The minority knows that we must address these matters with both sensitivity and compassion, but laws must be in line with our constitution and not jeopardize individual liberty. Without redefining problematic terms, enhancing existing penalties can appropriately obtain the justice families deserve. SB 40 takes the wrong approach.

Majority Amendment (1274h)

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

AN ACT including a fetus in the definition of “another” for the purpose of certain criminal offenses.

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

1 Homicide; Capital Murder. Amend RSA 630:1, IV to read as follows:

IV. As used in this section [~~and RSA 630:1-a, 1-b, 2, 3 and 4~~], the meaning of “another” [~~does~~] **shall** not include a [~~fetus~~] **fetus**.

2 New Paragraphs; First Degree Murder; Definition of Another; Exemption for Abortion. Amend RSA 630:1-a by inserting after paragraph III the following new paragraphs:

IV. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, and RSA 630:4, the meaning of “another” shall mean another person, or a fetus as defined in subparagraph V(b).

V.(a) Nothing in this section or RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4 shall apply to any act committed by the woman pregnant with the fetus, to any medical procedure, including abortion, performed by a physician or other licensed medical professional at the request of the pregnant woman or her legal guardian, or to the lawful dispensation or administration of lawfully prescribed medication. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4, “abortion” means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the fetus. Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of a fetus, or to remove a dead fetus caused by spontaneous abortion, or to remove an ectopic pregnancy.

(b) In this section, “fetus” means an unborn offspring, from the embryo stage which is the end of the eighth week after conception or, in the case of in vitro fertilization, the end of the eighth week after implantation, until birth.

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

AMENDED ANALYSIS

This bill provides that a fetus shall be included in the definition of “another” for the purpose of first and second degree murder, manslaughter, negligent homicide, and causing or aiding suicide.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 161**YEAS - 192****BELKNAP**

Aldrich, Glen
Gallagher, Brian
Tilton, Franklin

Dumais, Russell
Howard, Jr., Raymond
Varney, Peter

Fields, Dennis
LeBreche, Shari

Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino
McCarthy, Frank
Schmidt, Stephen

Chandler, Gene
McConkey, Mark
Umberger, Karen

Comeau, Ed
Nelson, Bill
Wright, Ted

Cordelli, Glenn
Parker, Harold

CHESHIRE

McConnell, Jim

Sterling, Franklin

COOS

Fothergill, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Bailey, Brad
Hull, Robert
Shackett, Jeffrey

Brown, Duane
Ingbertson, Paul

Gionet, Edmond
Johnson, Eric

Hennessey, Erin
Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Christiansen, Lars
Donovan, Daniel
Ferreira, Elizabeth
Gonzalez, Carlos
Halstead, Carolyn
Hogan, Edith
LeBrun, Donald

Balcom, John
Burt, John
Christie, Rick
Eastman, Eric
Flanagan, Jack
Gould, Linda
Hansberry, Daniel
Hopper, Gary
Marston, Dick

Barry, Richard
Byron, Frank
Coffey, James
Edelblut, Frank
Fromuth, Bart
Goulette, William
Hansen, Peter
Infantine, William
Martel, Andre

Biggie, Barbara
Christensen, Chris
Danielson, David
Estevez, Eric
Gagne, Larry
Haefner, Robert
Hinch, Richard
Lachance, Joseph
McCarthy, Peggy

McClarren, Donald
Murphy, Keith
Palmer, Barry
Proulx, Mark
Scoutsas, Lisa
Souza, Kathleen
Twombly, Timothy

McLean, Mark
Notter, Jeanine
Parison, James
Rice, Kimberly
Seidel, Carl
Stepanek, Stephen
Ulery, Jordan

Moore, Josh
O'Brien, William
Pellegrino, Anthony
Rowe, Robert
Shaw, Barbara
Straight, Phillip
Wolf, Terry

Murotake, David
Ohm, Bill
Pierce, David
Sanborn, Laurie
Simmons, Tammy
Sullivan, Victoria
Zaricki, Nick

MERRIMACK

Brewster, Michael
Horn, Werner
Marple, Richard
Seaworth, Brian

French, Harold
Kotowski, Frank
Martin, John
Walsh, Thomas

Hess, David
Kuch, Bill
McGuire, Carol

Hill, Gregory
Long, Douglas
McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Cardon, G. Thomas
Cook, Allen
Duarte, Joe
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Lundgren, David
O'Connor, John
Potucek, John
Schroadter, Adam
Tasker, Kyle
Vose, Michael
Woitkun, Steven

Abramson, Max
Barnes, Arthur
Chase, Francis
DeSimone, Debra
Elliott, Robert
Gannon, William
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Manning, John
Osborne, Jason
Priestley, Anne
Spillane, James
Thomas, Douglas
Webb, James

Allen, Mary
Bates, David
Chirichiello, Brian
Devine, James
Emerick, J. Tracy
Gordon, Richard
Hagan, Joseph
Introne, Robert
Kellogg, Shem
Matthews, Carolyn
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
True, Chris
Welch, David

Azarian, Gary
Bush, Carol
Christie, Andrew
Doucette, Fred
Ferrante, Beverly
Green, Dennis
Harris, Jeffrey
Itse, Daniel
Kolodziej, Walter
McMahon, Charles
Peckham, Michele
Rice, Frederick
Tamburello, Daniel
Tucker, Pamela
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Groen, Warren
Knowles, Robert
Turcotte, Leonard

Bickford, David
Hannon, Joseph
Leeman, Don
Wuelper, Kurt

Cheney, Catherine
Jones, Laura
Mullen, John

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

SULLIVAN

Smith, Steven

NAYS - 161

BELKNAP

Vadney, Herbert

CARROLL

Crawford, Karel

Ticehurst, Susan

CHESHIRE

Berch, Paul
Hunt, John
Phillips, Larry
Shepardson, Marjorie

Bordenet, John
Johnsen, Gladys
Roberts, Kris
Tilton, Benjamin

COOS

Moynihan, Wayne

Theberge, Robert

GRAFTON

Bennett, Travis
Ford, Susan
Piper, Wendy
White, Andrew

Brown, Rebecca
Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Beaulieu, Jane
Brown, Pamela
DiSilvestro, Linda
Gidge, Kenneth
Heath, Mary

Belanger, James
Cohen, Alan
Edwards, Elizabeth
Gorman, Mary
Herbert, Christopher

Abel, Richard
Cooney, Mary
Massimilla, Linda
Sykes, George

Almy, Susan
Darrow, Stephen
Nordgren, Sharon
Townsend, Charles

Backus, Robert
Booras, Efstathia
Cornell, Patricia
Forest, Armand
Guerette, C. Lee

Baroody, Benjamin
Bouldin, Amanda
Cote, David
Freitas, Mary
Harvey, Suzanne

Jack, Martin
Leishman, Peter
McNamara, Richard
Porter, Marjorie
Shattuck, Gilman
Soucy, Timothy
Williams, Kermit

Jeady, Jean
Long, Patrick
O'Brien, Michael
Roberts, Carol
Smith, Gregory
Sullivan, Daniel
Woodbury, David

Katsiantonis, Thomas
Mangipudi, Latha
O'Neil, William
Rosenwald, Cindy
Smith, Timothy
Vann, Ivy

Kurk, Neal
Manley, Jonathan
Peterson, Ken
Rouillard, Claire
Snow, Kendall
Walsh, Robert

MERRIMACK

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

Bartlett, Christy
Ebel, Karen
Henle, Paul
Kidder, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Bradley, Paula
Frazer, June
Hirsch, Geoffrey
Luneau, David
Patten, Dick
Schuett, Dianne
Wheeler, Deborah

Carson, Clyde
French, Barbara
Karrick, David
MacKay, James
Ratzki, Mario
Shurtleff, Stephen

ROCKINGHAM

Belanger, Ronald
Cali-Pitts, Jacqueline
Lovejoy, Patricia
Pantelakos, Laura
Ward, Joanne

Berrien, Skip
Cushing, Robert
McBeath, Rebecca
Sherman, Thomas

Borden, David
Gordon, Pamela
McKinney, Betsy
Simpson, Alexis

Cahill, Michael
Heffron, Frank
Moody, Marcia
Ward, Gerald

STRAFFORD

Baber, William
DiSesa, Len
Rollo, Deanna
Spang, Judith
Verschueren, James

Bixby, Peter
Gardner, Janice
Schmidt, Peter
Sprague, Dale
Wall, Janet

Burton, Wayne
Horrigan, Timothy
Smith, Marjorie
Stevens, Audrey

Cilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Treleaven, Susan

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
Schmidt, Andrew

Cloutier, John
Grenier, James

Converse, Larry
Irwin, Virginia

Gagnon, Raymond
Oxenham, Lee

and the majority committee amendment was adopted.

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

Rep. Hirsch spoke against.

Rep. Rideout spoke in favor.

Rep. Avellani requested a roll call; sufficiently seconded.

YEAS 193 - NAYS 159

YEAS - 193

BELKNAP

Aldrich, Glen
Gallagher, Brian
Spanos, Peter

Dumais, Russell
Howard, Jr., Raymond
Tilton, Franklin

Fields, Dennis
LeBreche, Shari
Varney, Peter

Fraser, Valerie
Luther, Robert

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Chandler, Gene
McConkey, Mark
Wright, Ted

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

CHESHIRE

McConnell, Jim

Sterling, Franklin

COOS

Fothergill, John
Theberge, Robert

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Bailey, Brad
Hull, Robert
Shackett, Jeffrey

Brown, Duane
Ingretson, Paul

Gionet, Edmond
Johnson, Eric

Hennessey, Erin
Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph

Balcom, John
Burt, John

Barry, Richard
Byron, Frank

Biggie, Barbara
Christensen, Chris

Christiansen, Lars
 Donovan, Daniel
 Ferreira, Elizabeth
 Gonzalez, Carlos
 Halstead, Carolyn
 Hogan, Edith
 Lachance, Joseph
 McCarthy, Peggy
 Murotake, David
 Ohm, Bill
 Pierce, David
 Rowe, Robert
 Simmons, Tammy
 Sullivan, Victoria
 Zaricki, Nick

Christie, Rick
 Eastman, Eric
 Flanagan, Jack
 Gould, Linda
 Hansberry, Daniel
 Hopper, Gary
 LeBrun, Donald
 McClarren, Donald
 Murphy, Keith
 Palmer, Barry
 Proulx, Mark
 Sanborn, Laurie
 Souza, Kathleen
 Twombly, Timothy

Coffey, James
 Edelblut, Frank
 Fromuth, Bart
 Goulette, William
 Hansen, Peter
 Infantine, William
 Marston, Dick
 McLean, Mark
 Notter, Jeanine
 Parison, James
 Rice, Kimberly
 Scontsas, Lisa
 Stepanek, Stephen
 Ulery, Jordan

Danielson, David
 Estevez, Eric
 Gagne, Larry
 Haefner, Robert
 Hinch, Richard
 Jeudy, Jean
 Martel, Andre
 Moore, Josh
 O'Brien, William
 Pellegrino, Anthony
 Rouillard, Claire
 Seidel, Carl
 Straight, Phillip
 Wolf, Terry

Brewster, Michael
 Kotowski, Frank
 McGuire, Dan

French, Harold
 Kuch, Bill
 Seaworth, Brian

Hill, Gregory
 Martin, John
 Walsh, Thomas

Horn, Werner
 McGuire, Carol
 Wheeler, Deborah

MERRIMACK

ROCKINGHAM

Abrami, Patrick
 Baldasaro, Alfred
 Bush, Carol
 Christie, Andrew
 Doucette, Fred
 Ferrante, Beverly
 Green, Dennis
 Hodgdon, Bruce
 Kappler, Lawrence
 Lundgren, David
 O'Connor, John
 Potucek, John
 Schroadter, Adam
 Tasker, Kyle
 Ward, Joanne
 Woitkun, Steven

Abramson, Max
 Barnes, Arthur
 Cardon, G. Thomas
 Cook, Allen
 Duarte, Joe
 Fesh, Robert
 Griffin, Mary
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Manning, John
 Osborne, Jason
 Priestley, Anne
 Spillane, James
 Thomas, Douglas
 Webb, James

Allen, Mary
 Bates, David
 Chase, Francis
 DeSimone, Debra
 Elliott, Robert
 Gannon, William
 Guthrie, Joseph
 Introne, Robert
 Kellogg, Shem
 Matthews, Carolyn
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Sytek, John
 True, Chris
 Welch, David

Azarian, Gary
 Belanger, Ronald
 Chirichiello, Brian
 Devine, James
 Emerick, J. Tracy
 Gordon, Richard
 Hagan, Joseph
 Itse, Daniel
 Kolodziej, Walter
 McMahon, Charles
 Peckham, Michele
 Rice, Frederick
 Tamburello, Daniel
 Tucker, Pamela
 Weyler, Kenneth

Beaudoin, Steven
 Hannon, Joseph
 Leeman, Don
 Turcotte, Leonard

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

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

Groen, Warren
 Knowles, Robert
 Stevens, Audrey

STRAFFORD

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 159

BELKNAP

Fisher, Robert

Sylvia, Michael

Vadney, Herbert

CARROLL

Buco, Thomas

Butler, Edward

Crawford, Karel

Ticehurst, Susan

CHESHIRE

Abbott, Michael
 Chase, Cynthia
 Ley, Douglas
 Robertson, Timothy
 Weber, Lucy

Ames, Richard
 Emerson, Susan
 Parkhurst, Henry
 Sad, Tara

Berch, Paul
 Hunt, John
 Phillips, Larry
 Shepardson, Marjorie

Bordenet, John
 Johnsen, Gladys
 Roberts, Kris
 Tilton, Benjamin

COOS

Froburg, Alethea

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Abel, Richard
 Cooney, Mary
 Massimilla, Linda
 Sykes, George

Almy, Susan
 Darrow, Stephen
 Nordgren, Sharon
 Townsend, Charles

Bennett, Travis
 Ford, Susan
 Piper, Wendy
 White, Andrew

Brown, Rebecca
 Maes, Kevin
 Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Booras, Efstathia
Cornell, Patricia
Forest, Armand
Guerette, C. Lee
Jack, Martin
Long, Patrick
O'Brien, Michael
Roberts, Carol
Smith, Gregory
Sullivan, Daniel
Woodbury, David

Baroody, Benjamin
Bouldin, Amanda
Cote, David
Freitas, Mary
Harvey, Suzanne
Katsiantonis, Thomas
Mangipudi, Latha
O'Neil, William
Rosenwald, Cindy
Smith, Timothy
Vann, Ivy

Beaulieu, Jane
Brown, Pamela
DiSilvestro, Linda
Gidge, Kenneth
Heath, Mary
Kurk, Neal
Manley, Jonathan
Peterson, Ken
Shattuck, Gilman
Snow, Kendall
Walsh, Robert

Belanger, James
Cohen, Alan
Edwards, Elizabeth
Gorman, Mary
Herbert, Christopher
Leishman, Peter
McNamara, Richard
Porter, Marjorie
Shaw, Barbara
Soucy, Timothy
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Doherty, David
Gile, Mary
Karrick, David
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Bartlett, Christy
Ebel, Karen
Henle, Paul
Kenison, Linda
MacKay, James
Patten, Dick
Schuett, Dianne

Bradley, Paula
Frazer, June
Hess, David
Kidder, David
Marple, Richard
Ratzki, Mario
Shurtleff, Stephen

Carson, Clyde
French, Barbara
Hirsch, Geoffrey
Long, Douglas
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

ROCKINGHAM

Berrien, Skip
Cushing, Robert
McBeath, Rebecca
Sherman, Thomas

Borden, David
Gordon, Pamela
McKinney, Betsy
Simpson, Alexis

Cahill, Michael
Heffron, Frank
Moody, Marcia
Ward, Gerald

Cali-Pitts, Jacqueline
Lovejoy, Patricia
Pantelakos, Laura

STRAFFORD

Baber, William
Cilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Verschueren, James

Bickford, David
DiSesa, Len
Rollo, Deanna
Spang, Judith
Wall, Janet

Bixby, Peter
Gardner, Janice
Schmidt, Peter
Sprague, Dale

Burton, Wayne
Horrigan, Timothy
Smith, Marjorie
Treleaven, Susan

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
Schmidt, Andrew

Cloutier, John
Grenier, James

Converse, Larry
Irwin, Virginia

Gagnon, Raymond
Oxenham, Lee

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

SB 106-FN, restricting the sale or possession of synthetic drugs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. This bill prohibits the sale, use or possession of synthetic drugs in New Hampshire and it also requires the governor's commission on alcohol and drug abuse prevention, treatment and recovery to make recommendations for public awareness and education on the dangers of synthetic drugs. These illegal drugs are often manufactured in exceptionally poor and dangerous sanitary conditions, and the attorney general's office, the NH department of safety, the governor's commission on alcohol & drug abuse prevention, treatment and recovery, and the New Hampshire Association of Chiefs of Police support the bill for the following reasons: a) synthetic fentanyl is now the leading cause of drug deaths in the state; and b) synthetic cannabinoids like K2, Spice, Blaze and Kronik among others, are easily obtained over the internet and at gas stations, tobacco shops, head shops and convenience stores in New Hampshire. The impact of these dangerous drugs has been seen by local law enforcement, poison control centers and emergency rooms across the state and the results have been both fatal and devastating, especially to the state's younger population. In many cases, these drugs are packaged in such a manner as to appeal to pre-teens, teenagers and young adults. This comprehensive bill provides a detailed definition of what a "synthetic drug" is by listing the 10 chemical structural classes for the substances that have been created and sold, and it is both an appropriate and timely response to this growing epidemic. Vote 14-3.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. This bill prohibits the sale, use, or possession of certain synthetic chemical compounds that people are misusing to create mind altering effects. Is the misuse of chemical compounds creating a serious health crisis in New Hampshire? Yes. Are people consuming these compounds and forfeiting their lives? Absolutely, but it is the minority opinion that SB 106-FN will have a limited effect. It attempts to create a mechanism whereby an infinitely expansive list will be created. If the banned chemicals are found in products sold to the public, a store owner will be fined. Does the State have the enforcement and financial resources to accomplish this type of chemical policing?

Sadly, people sniff paint; glue; drink sterno; huff air freshener and many other common household items to get "high." Will all these be added to the list? Manufacturers of these substances will use chemistry to create millions of combinations, where will this list end? It is also the minority opinion that this bill is a misuse of resources and will be ineffective at removing moral hazard. Moral hazard or the ability for people to learn from behavior choices is the most important and effective measure against people using deadly chemical substances to alter their body and minds. SB 106 in the current form is only a feel good measure that will do nothing to address the issue. Yes, it will attempt to remove the substances from the store shelves, but the state cannot ban chemistry and the bad choices people make.

Majority Amendment (1390h)

Amend RSA 359-O:6 as inserted by section 6 of the bill by inserting after paragraph VI the following new paragraph: n

VII. This section shall not apply to nonprescription or proprietary medicines as defined in RSA 318:1, XVIII. Majority committee amendment adopted.

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

Reps. Burt and Comeau spoke against and yielded to questions.

Reps. Martin and DiSesa spoke in favor and yielded to questions.

Rep. Welch requested a roll call; sufficiently seconded.

YEAS 233 - NAYS 120

YEAS - 233

BELKNAP

Fields, Dennis

Gallagher, Brian

CARROLL

Buco, Thomas
Crawford, Karel
Schmidt, Stephen

Butler, Edward
McConkey, Mark
Ticehurst, Susan

Chandler, Gene
Nelson, Bill
Umberger, Karen

Cordelli, Glenn
Parker, Harold

CHESHIRE

Abbott, Michael
Chase, Cynthia
Parkhurst, Henry
Sad, Tara
Weber, Lucy

Ames, Richard
Emerson, Susan
Phillips, Larry
Shepardson, Marjorie

Berch, Paul
Johnsen, Gladys
Roberts, Kris
Sterling, Franklin

Bordenet, John
Ley, Douglas
Robertson, Timothy
Tilton, Benjamin

COOS

Fothergill, John
Richardson, Herbert

Froburg, Alethea
Theberge, Robert

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Brown, Duane
Ford, Susan
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Brown, Rebecca
Hennessey, Erin
Nordgren, Sharon
Sykes, George

Bailey, Brad
Cooney, Mary
Ladd, Rick
Piper, Wendy
Townsend, Charles

Bennett, Travis
Darrow, Stephen
Maes, Kevin
Shackett, Jeffrey
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Christensen, Chris
Cote, David
Forest, Armand
Gorman, Mary
Hansen, Peter
Hinch, Richard
Jeudy, Jean
Long, Patrick
McCarthy, Peggy
Ohm, Bill
Porter, Marjorie
Rouillard, Claire
Seidel, Carl
Smith, Timothy
Straight, Phillip
Williams, Kermit

Balcom, John
Booras, Efstathia
Christie, Rick
Danielson, David
Freitas, Mary
Guerette, C. Lee
Harvey, Suzanne
Hopper, Gary
Katsiantonis, Thomas
Mangipudi, Latha
McNamara, Richard
Pellegrino, Anthony
Proulx, Mark
Rowe, Robert
Shattuck, Gilman
Snow, Kendall
Sullivan, Daniel
Wolf, Terry

Baroody, Benjamin
Brown, Pamela
Cohen, Alan
Donovan, Daniel
Gidge, Kenneth
Haefner, Robert
Heath, Mary
Infantine, William
Kurk, Neal
Manley, Jonathan
O'Brien, Michael
Peterson, Ken
Roberts, Carol
Sanborn, Laurie
Shaw, Barbara
Soucy, Timothy
Vann, Ivy
Woodbury, David

Barry, Richard
Byron, Frank
Cornell, Patricia
Flanagan, Jack
Gonzalez, Carlos
Hansberry, Daniel
Herbert, Christopher
Jack, Martin
Leishman, Peter
Marston, Dick
O'Neil, William
Pierce, David
Rosenwald, Cindy
Scotsas, Lisa
Smith, Gregory
Souza, Kathleen
Walsh, Robert

MERRIMACK

Alicea, Caroletta
Doherty, David
Gile, Mary
Karrick, David
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Bartlett, Christy
Ebel, Karen
Henle, Paul
Kenison, Linda
MacKay, James
Patten, Dick
Schuett, Dianne
Walsh, Thomas

Bradley, Paula
Frazer, June
Hess, David
Kidder, David
Martin, John
Ratzki, Mario
Shurtleff, Stephen
Wheeler, Deborah

Carson, Clyde
French, Barbara
Hirsch, Geoffrey
Kotowski, Frank
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Cali-Pitts, Jacqueline
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Introne, Robert
Matthews, Carolyn
Moody, Marcia
Peckham, Michele
Sytek, John
Weyler, Kenneth

Allen, Mary
Berrien, Skip
Cardon, G. Thomas
Devine, James
Gannon, William
Hagan, Joseph
Katsakiores, Phyllis
McBeath, Rebecca
O'Connor, John
Prudhomme-O'Brien, Katherine
Ward, Gerald
Woitkun, Steven

Azarian, Gary
Borden, David
Christie, Andrew
Doucette, Fred
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
McKinney, Betsy
Packard, Sherman
Sherman, Thomas
Webb, James

Barnes, Arthur
Cahill, Michael
Cushing, Robert
Elliott, Robert
Green, Dennis
Hoelzel, Kathleen
Manning, John
McMahon, Charles
Pantelakos, Laura
Simpson, Alexis
Welch, David

STRAFFORD

Baber, William
DiSesa, Len
Rollo, Deanna
Spang, Judith
Verschueren, James

Bixby, Peter
Gray, James
Schmidt, Peter
Sprague, Dale
Wall, Janet

Burton, Wayne
Horrigan, Timothy
Smith, Marjorie
Stevens, Audrey

Cilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Treleaven, Susan

SULLIVAN

Cloutier, John
Grenier, James
Schmidt, Andrew

Converse, Larry
Irwin, Virginia
Smith, Steven

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Rollins, Skip

NAYS - 120**BELKNAP**

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

Dumais, Russell
LeBreche, Shari
Tilton, Franklin

Fisher, Robert
Luther, Robert
Vadney, Herbert

Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

McCarthy, Frank

Wright, Ted

CHESHIRE**COOS**

Rappaport, Laurence

Rideout, Leon

GRAFTON

Gionet, Edmond

Hull, Robert

Ingbretson, Paul

Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Bouldin, Amanda
Eastman, Eric
Ferreira, Elizabeth
Goulette, William
LeBrun, Donald
Moore, Josh
O'Brien, William
Simmons, Tammy
Ulery, Jordan

Belanger, James
Burt, John
Edelblut, Frank
Fromuth, Bart
Halstead, Carolyn
Martel, Andre
Murotake, David
Palmer, Barry
Stepanek, Stephen
Zaricki, Nick

Biggie, Barbara
Christiansen, Lars
Edwards, Elizabeth
Gagne, Larry
Hogan, Edith
McClarren, Donald
Murphy, Keith
Parison, James
Sullivan, Victoria

Boehm, Ralph
Coffey, James
Estevez, Eric
Gould, Linda
Lachance, Joseph
McLean, Mark
Notter, Jeanine
Rice, Kimberly
Twombly, Timothy

MERRIMACK

Brewster, Michael
Kuch, Bill
McGuire, Dan

French, Harold
Long, Douglas
Seaworth, Brian

Hill, Gregory
Marple, Richard

Horn, Werner
McGuire, Carol

ROCKINGHAM

Abramson, Max
Chase, Francis
Emerick, J. Tracy
Harris, Jeffrey
Kellogg, Shem
Potucek, John
Spillane, James
True, Chris

Baldasaro, Alfred
Chirichiello, Brian
Ferrante, Beverly
Hodgdon, Bruce
Kolodziej, Walter
Priestley, Anne
Tamburello, Daniel
Tucker, Pamela

Bates, David
Cook, Allen
Gordon, Richard
Itse, Daniel
Lundgren, David
Rice, Frederick
Tasker, Kyle
Vose, Michael

Bush, Carol
Duarte, Joe
Griffin, Mary
Kappler, Lawrence
Osborne, Jason
Schroadter, Adam
Thomas, Douglas
Ward, Joanne

STRAFFORD

Beaudoin, Steven
Groen, Warren
Knowles, Robert
Turcotte, Leonard

Bickford, David
Hannon, Joseph
Leeman, Don
Whitehouse, Joshua

Cheney, Catherine
Jones, Laura
Mullen, John
Wuelper, Kurt

Gardner, Janice
Kaczynski, Jr., Thomas
Pitre, Joseph

SULLIVAN

Bridge, Ernest

Laware, Thomas

and the majority committee report was 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 offering mold assessment or remediation services for residential dwellings to be certified and licensed. 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 deletes a specific exemption for pesticide applicators. However, a provision in the bill would continue to allow for a professional hired for another primary reason to provide limited mold assessment or remediation services. Vote 10-4.

Amendment (1470h)

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.

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.

MOTION TO LAY ON THE TABLE

Rep. Andrew Christie moved that **SB 125-FN**, relative to certification and licensure for mold assessment or remediation services, be laid on the table.

Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 206 - NAYS 147**YEAS - 206****BELKNAP**

Aldrich, Glen
Fraser, Valerie
Luther, Robert
Vadney, Herbert

Dumais, Russell
Gallagher, Brian
Spanos, Peter

Fields, Dennis
Howard, Jr., Raymond
Sylvia, Michael

Fisher, Robert
LeBreche, Shari
Tilton, Franklin

CARROLL

Avellani, Lino
Crawford, Karel
Parker, Harold

Chandler, Gene
McCarthy, Frank
Schmidt, Stephen

Comeau, Ed
McConkey, Mark
Umberger, Karen

Cordelli, Glenn
Nelson, Bill
Wright, Ted

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
Piper, Wendy

Darrow, Stephen
Ingbertson, Paul
Shackett, Jeffrey

Gionet, Edmond
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Burt, John
Christie, Rick

Balcom, John
Boehm, Ralph
Byron, Frank
Coffey, James

Barry, Richard
Booras, Efstathia
Christensen, Chris
Danielson, David

Belanger, James
Bouldin, Amanda
Christiansen, Lars
Eastman, Eric

Edelblut, Frank
 Flanagan, Jack
 Gonzalez, Carlos
 Halstead, Carolyn
 Hopper, Gary
 Marston, Dick
 McLean, Mark
 Notter, Jeanine
 Parison, James
 Rice, Kimberly
 Scontsas, Lisa
 Souza, Kathleen
 Twombly, Timothy

Edwards, Elizabeth
 Forest, Armand
 Gould, Linda
 Hansen, Peter
 Kurk, Neal
 Martel, Andre
 Moore, Josh
 O'Brien, William
 Pellegrino, Anthony
 Rouillard, Claire
 Seidel, Carl
 Stepanek, Stephen
 Ulery, Jordan

Estevez, Eric
 Fromuth, Bart
 Goulette, William
 Hinch, Richard
 Lachance, Joseph
 McCarthy, Peggy
 Murotake, David
 Ohm, Bill
 Peterson, Ken
 Rowe, Robert
 Simmons, Tammy
 Straight, Phillip
 Wolf, Terry

Ferreira, Elizabeth
 Gagne, Larry
 Haefner, Robert
 Hogan, Edith
 LeBrun, Donald
 McClarren, Donald
 Murphy, Keith
 Palmer, Barry
 Proulx, Mark
 Sanborn, Laurie
 Smith, Gregory
 Sullivan, Victoria
 Zaricki, Nick

Brewster, Michael
 Horn, Werner
 Marple, Richard
 Seaworth, Brian

French, Harold
 Kotowski, Frank
 Martin, John
 Walsh, Thomas

Hess, David
 Kuch, Bill
 McGuire, Carol

Hill, Gregory
 Long, Douglas
 McGuire, Dan

MERRIMACK

Abrami, Patrick
 Baldasaro, Alfred
 Chase, Francis
 DeSimone, Debra
 Elliott, Robert
 Gordon, Richard
 Harris, Jeffrey
 Itse, Daniel
 Kolodziej, Walter
 McMahon, Charles
 Peckham, Michele
 Rice, Frederick
 Tamburello, Daniel
 Tucker, Pamela
 Welch, David

Abramson, Max
 Barnes, Arthur
 Chirichiello, Brian
 Devine, James
 Emerick, J. Tracy
 Griffin, Mary
 Hodgdon, Bruce
 Kappler, Lawrence
 Lundgren, David
 O'Connor, John
 Potucek, John
 Schroadter, Adam
 Tasker, Kyle
 Vose, Michael
 Weyler, Kenneth

Allen, Mary
 Bates, David
 Christie, Andrew
 Doucette, Fred
 Ferrante, Beverly
 Guthrie, Joseph
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Matthews, Carolyn
 Osborne, Jason
 Priestley, Anne
 Spillane, James
 Thomas, Douglas
 Ward, Joanne
 Woitkun, Steven

Azarian, Gary
 Bush, Carol
 Cook, Allen
 Duarte, Joe
 Fesh, Robert
 Hagan, Joseph
 Introne, Robert
 Kellogg, Shem
 McKinney, Betsy
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Sytek, John
 True, Chris
 Webb, James

ROCKINGHAM

Beaudoin, Steven
 Groen, Warren
 Knowles, Robert
 Whitehouse, Joshua

Bickford, David
 Hannon, Joseph
 Leeman, Don
 Wuelper, Kurt

Cheney, Catherine
 Jones, Laura
 Mullen, John

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

STRAFFORD

Bridge, Ernest
 Schmidt, Andrew

Grenier, James
 Smith, Steven

Laware, Thomas

Rollins, Skip

NAYS - 147 BELKNAP

Varney, Peter

Buco, Thomas

Butler, Edward

CARROLL

Ticehurst, Susan

CHESHIRE

Abbott, Michael
 Chase, Cynthia
 Phillips, Larry
 Shepardson, Marjorie

Ames, Richard
 Johnsen, Gladys
 Roberts, Kris
 Weber, Lucy

Berch, Paul
 Ley, Douglas
 Robertson, Timothy

Bordenet, John
 Parkhurst, Henry
 Sad, Tara

COOS

Froburg, Alethea
 Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard
 Cooney, Mary
 Nordgren, Sharon
 White, Andrew

Almy, Susan
 Ford, Susan
 Smith, Suzanne

Bennett, Travis
 Maes, Kevin
 Sykes, George

Brown, Rebecca
 Massimilla, Linda
 Townsend, Charles

HILLSBOROUGH

Backus, Robert
 Cohen, Alan
 Gidge, Kenneth
 Harvey, Suzanne

Baroody, Benjamin
 Cornell, Patricia
 Gorman, Mary
 Heath, Mary

Beaulieu, Jane
 Cote, David
 Guerette, C. Lee
 Herbert, Christopher

Brown, Pamela
 Freitas, Mary
 Hansberry, Daniel
 Infantine, William

Jack, Martin
Long, Patrick
O'Brien, Michael
Roberts, Carol
Smith, Timothy
Vann, Ivy

Judy, Jean
Mangipudi, Latha
O'Neil, William
Rosenwald, Cindy
Snow, Kendall
Walsh, Robert

Katsiantonis, Thomas
Manley, Jonathan
Pierce, David
Shattuck, Gilman
Soucy, Timothy
Williams, Kermit

Leishman, Peter
McNamara, Richard
Porter, Marjorie
Shaw, Barbara
Sullivan, Daniel
Woodbury, David

MERRIMACK

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

Bartlett, Christy
Ebel, Karen
Henle, Paul
Kidder, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Bradley, Paula
Frazer, June
Hirsch, Geoffrey
Luneau, David
Patten, Dick
Schuett, Dianne
Wheeler, Deborah

Carson, Clyde
French, Barbara
Karrick, David
MacKay, James
Ratzki, Mario
Shurtleff, Stephen

ROCKINGHAM

Belanger, Ronald
Cali-Pitts, Jacqueline
Gordon, Pamela
Manning, John
Sherman, Thomas

Berrien, Skip
Cardon, G. Thomas
Green, Dennis
McBeath, Rebecca
Simpson, Alexis

Borden, David
Cushing, Robert
Heffron, Frank
Moody, Marcia
Ward, Gerald

Cahill, Michael
Gannon, William
Lovejoy, Patricia
Pantelakos, Laura

STRAFFORD

Baber, William
DiSesa, Len
Rollo, Deanna
Spang, Judith
Turcotte, Leonard

Bixby, Peter
Gardner, Janice
Schmidt, Peter
Sprague, Dale
Verschueren, James

Burton, Wayne
Horrigan, Timothy
Smith, Marjorie
Stevens, Audrey
Wall, Janet

Cilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Treleven, Susan

SULLIVAN

Cloutier, John
Irwin, Virginia

Converse, Larry
Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

and the motion was adopted.

REGULAR CALENDAR CONT'D

SB 8-FN-L, relative to appropriations for nursing homes. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Frank A. Byron for the Majority of Finance. This bill seeks to clarify the language of the organizational notes relative to the appropriation for nursing homes and home and community-based organizations, as contained in the 2014/2015 biennial budget. These organizations are part of the 'Choices for Independence' program that allows medicaid patients to receive treatment at home rather than in a more expensive nursing home. The intent of the bill was to ensure that the full amount appropriated for these services would be paid. However, a "loophole" was recently discovered that allowed the governor to use unspent monies in these lines to offset an anticipated deficit for FY 2015. The committee amendment closes the "loophole." In view of more recent and positive information about estimated revenues for FY 2015, the amendment ensures that, with respect to nursing homes, both county and private, all of the \$3.8 million appropriated will in fact be paid in FY 2015. The amendment also provides a one-time, 2% increase in payments – about \$1 million – to home and community care-based providers who have not received a rate increase since 2007. Any remaining funds will lapse. Vote 13-10.

Rep. Cindy Rosenwald for the Minority of Finance. Because a version of the same bill is contained in HB 2, it will be part of the final budget negotiations. The minority believes having two house positions on the same subject is confusing. The budget is the better platform for arriving at a final settlement since conferees will have most current revenues in hand. This bill is unnecessary; therefore, the minority recommends ITL.

Majority Amendment (1501h)

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

1 Health and Human Services; Nursing Home Appropriations. Amend 2013, 143:1, accounting unit 05-95-48-481510-5942 by replacing the organizational notes immediately following such accounting unit with the following:

ORGANIZATION NOTES

*The appropriation contained in classes 504, 505, 506, and 529 may only be transferred between and among said classes. The appropriations shall not lapse or be used for any other purpose. The appropriations shall not be considered for budget reductions required pursuant to sections 10 and 14 of this act or any other budget reduction, including executive orders required of the department of health and human services. Any balance remaining at the end of each fiscal year shall be paid proportionately to providers as a lump sum distribution of surplus funds based on Medicaid payments made to each provider during the fiscal year.

2 Health and Human Services; Nursing Home Appropriations. Pursuant to the organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in section 1 of this act, for any balance in class 504 nursing home payments that remained at the end of fiscal year 2014, the department of health and human services shall pay the entire amount immediately upon passage of this act in a lump sum distribution of surplus funds paid proportionately to providers based on Medicaid payments made to each provider during the fiscal year ending on June 30, 2014. Upon payment of the distribution of surplus funds made pursuant to this act, the department shall report the total amount of surplus, by source of funds, the total amount paid, and the date payment was made to the fiscal committee of the general court.

3 Health and Human Services; Choices for Independence Appropriations. Notwithstanding the organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in section 1 of this act, from any balance that remained in classes 505, mid-level care expenses, 506 home support waiver services, and 529, home health care waiver services, at the end of fiscal year 2014, the department of health and human services shall make a supplemental, one-time payment to current providers equal to 2 percent of the Medicaid payments made to each provider during the fiscal year ending June 30, 2015. The department shall make such payment immediately upon finalization of fiscal year 2015 billings. After such payment is made, any remaining general fund balance in classes 505, 506, and 529 shall lapse to the general fund.

4 Health and Human Services; Choices for Independence Appropriations. Notwithstanding the organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in section 1 of this act, for the fiscal year ending June 30, 2015, any general fund balance remaining in classes 505, mid-level care expenses, 506, home support waiver services, and 529, home health care waiver services, at the end of fiscal year 2015, shall lapse to the general fund.

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

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

SB 30-FN-L, permitting counties with unincorporated areas to establish tax increment financing districts. **BOUGHT TO PASS WITH AMENDMENT.**

Rep. J. Tracy Emerick for Finance. This bill is NOT a bill that provides funding to any project; that is the responsibility of the Business Finance Authority (BFA). This bill does four things: 1. Establishes the structure so the county commissioners and the county delegation can act as a taxing authority over unincorporated areas in their county. This puts bond repayment in the same category as tax payments in municipalities, at the front of the line for payment before any other liabilities. 2. Allows the BFA to consider bond guarantees for businesses in unincorporated areas in the State of New Hampshire of which there are 26, the majority of which are in Coos County. 3. Limits to \$30 million the amount the project BFA can guarantee for any one project. 4. Raises the BFA guarantee ceiling for all projects from \$95 million, set in 1994, to \$115 million to provide the BFA the opportunity to support commercial development in New Hampshire. The state treasurer has stated that this increase will have no affect on the state's bond rating, nor will it affect the state's borrowing capacity. This is a bill that provides equal BFA opportunity to unincorporated areas that municipalities currently enjoy. Vote 22-0.

Amendment (1515h)

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

AN ACT relative to the establishment of redevelopment districts in unincorporated places.

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

1 Business Finance Authority; Unified Contingent Credit Limit. Amend RSA 162-A:22 to read as follows:

162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17, **RSA 162-I:9-a**, and RSA 162-I:9-b shall not exceed in the aggregate at any time \$50,000,000 plus interest, provided that such amount shall be increased to \$80,000,000 plus interest on January 1, 1993, [and] to \$95,000,000 plus interest on January 1, 1994, **and to \$115,000,000 plus interest on May 1, 2015. After May 1, 2015, an amount not to exceed \$30,000,000 plus interest may be used solely for bonds guaranteed pursuant to RSA 162-I:9-a, and an amount not to exceed the remaining \$85,000,000 plus interest may be used solely for bonds issued pursuant to sections other than RSA 162-I:9-a.**

2 New Paragraph; Business Finance Authority Revenue Bonds; Declaration of Need and Purpose. Amend RSA 162-I:1 by inserting after paragraph VIII the following new paragraph:

IX. It is hereby declared that there is a need for development in unincorporated places which lack local controls, incentives, tax structures, and other mechanisms usually used to promote growth, in order to create, revive, or preserve employment opportunities, preserve or increase the social or economic prosperity of the state and its political subdivisions, or promote the general welfare of the state's citizens.

3 New Paragraph; Business Finance Authority Revenue Bonds; Definition; Redevelopment District in an Unincorporated Place. Amend RSA 162-I:2 by inserting after paragraph IX-b the following new paragraph:

IX-c. "Redevelopment district in an unincorporated place" means an eligible facility in an unincorporated place designated as a redevelopment district by the county commissioners, with the approval of the county delegation, provided the county commissioners have determined that redevelopment within the redevelopment district is likely to promote growth, create, revive, or preserve employment opportunities, preserve or increase the social or economic prosperity of the state and its political subdivisions, or promote the general welfare of the state's citizens.

4 Business Finance Authority Revenue Bonds; Approval of Governor and Council. Amend RSA 162-I:9, II(a)(10) to read as follows:

(10) If the facility is a commercial fishing facility, the governor and council shall find that the establishment and operation of the facility will either create or preserve employment opportunities directly or indirectly within the state, will help to promote the growth of the fishing industry in the state and will likely preserve or increase the economic prosperity of the state and its political subdivisions[-];

(11) If the facility is a redevelopment district in an unincorporated place, the governor and council shall find that the establishment and operation of the facility or redevelopment of the area within the redevelopment district will likely create, revive, or preserve employment opportunities or preserve or increase the social or economic prosperity of the state or its political subdivisions.

5 Business Finance Authority Revenue Bonds; State Guarantee. Amend RSA 162-I:9-a, I to read as follows:

I. The governor and council may award an unconditional state guarantee of the principal of and interest on bonds issued under this chapter. ***Any guarantee awarded pursuant to this section shall be solely for the purpose of financing a redevelopment district, and only to the extent the bonds are to be self-supporting for purposes of RSA 6-C:1, II.*** The full faith and credit of the state shall be pledged for any such guarantee, but the total outstanding principal amount of bonds guaranteed by the state under this section at any time shall not exceed [\$25,000,000] ***\$30,000,000***. For the purpose of determining the amount of bonds guaranteed by the state pursuant to this section, the amount of any issue of bonds sold at a discount shall be equal to the net proceeds thereof, determined by adding to the face amount of the bond issue the premium, if any, related to bonds of that issue and then subtracting the discount related to bonds of that issue. The amount of bonds of any such issue considered outstanding at any time shall be determined by multiplying the face amount of the bonds of that issue then outstanding by a fraction, the numerator of which is the net proceeds of the issue as determined above, and the denominator of which is the face amount of the issue. The governor, with the advice and consent of the council, is authorized to draw his warrant for such sum as may be necessary out of any money in the treasury, not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. The state's guarantee shall be evidenced on each guaranteed bond by an endorsement signed by the state treasurer in substantially the following form:

The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the principal and interest on the within bond and for the performance of such guarantee the full faith and credit of the state are pledged.

State Treasurer

In connection with the award of a state guarantee, the governor and council may impose such terms and conditions as they may deem appropriate concerning the bonds, the use and operation of the eligible facilities, the reimbursement to the state if any state funds are used to honor the guarantee and any other matters necessary or desirable to carry out the purposes of this section. Such terms and conditions may be contained in an agreement among the state, the authority and user of the eligible facility to be executed on behalf of the state by the governor and the state treasurer and on behalf of the authority by any 2 persons authorized to execute bonds under RSA 162-I:8.

6 Business Finance Authority Revenue Bonds; State Guarantee. Amend RSA 162-I:9-a, IV to read as follows:

IV. The hearing required by this section may be held and the findings and determinations so required may be made in conjunction with the proceedings required by RSA 162-I:9. ~~[No guarantee shall be awarded under this section unless the hearing and proceedings so required are completed not later than June 30, 1996.]~~

7 New Section; Assessment for Development in Unincorporated Places. Amend RSA 162-I by inserting after section 15 the following new section:

162-I:15-a Assessment for Development in Unincorporated Places. In an unincorporated place, the county commissioners, with the approval of the county delegation, may establish redevelopment districts to ensure that projects benefiting from the issuance of bonds guaranteed pursuant to RSA 162-I:9-a, I repay such bonds. The boundaries of the redevelopment district shall be configured so that it includes, but is limited to, all of the property available to be developed, redeveloped, or revitalized using such bonds. Every owner, tenant, or occupant of each lot or parcel located within the redevelopment district shall be subject to an assessment. The amount of the assessment shall be sufficient to provide for repayment of the debt service related to the bond. The amount of the assessment, payment terms, and method for collection shall be established in a financing plan prepared by the bond recipient, approved by the commissioner of the department of revenue administration, and adopted by the county commissioners. The financing plan shall include the delegation

of collection responsibilities to the county. The county commissioners may enter into such agreements with the authority, the user, and the state as they deem necessary to ensure repayment under this chapter and to implement the financing plan and including without limitation such terms and conditions as the state shall deem necessary to provide for the segregation and pledge of the assessments to secure repayment of the bonds. The assessment shall be used solely to pay off debt service related to the bond. This payment shall be independent of, and in addition to, any other taxes including property taxes. Any unpaid assessment under this chapter shall constitute a lien pursuant to RSA 80:19 on the assessed property. Collection and enforcement of assessments under this section shall be in accordance with RSA 80:19.

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

AMENDED ANALYSIS

This bill:

I. Permits the establishment of redevelopment districts in unincorporated places.

II. Provides for the assessment of parcels located with redevelopment districts.

III. Authorizes a state guarantee for redevelopment bonds.

Committee amendment adopted.

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

Reps. Rideout and Emerick spoke in favor.

Rep. Hatch spoke in favor and yielded to questions.

Rep. Dan McGuire spoke against and yielded to questions.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 293 - NAYS 57

YEAS - 293

BELKNAP

Aldrich, Glen
Gallagher, Brian

Dumais, Russell
Luther, Robert

Fields, Dennis
Tilton, Franklin

Fraser, Valerie
Varney, Peter

CARROLL

Avellani, Lino
Cordelli, Glenn
Nelson, Bill
Umberger, Karen

Buco, Thomas
Crawford, Karel
Parker, Harold
Wright, Ted

Butler, Edward
McCarthy, Frank
Schmidt, Stephen

Chandler, Gene
McConkey, Mark
Ticehurst, Susan

CHESHIRE

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

Ames, Richard
Emerson, Susan
Parkhurst, Henry
Sad, Tara
Weber, Lucy

Berch, Paul
Hunt, John
Phillips, Larry
Shepardson, Marjorie

Bordenet, John
Johnsen, Gladys
Roberts, Kris
Sterling, Franklin

COOS

Fothergill, John
Rappaport, Laurence
Thomas, Yvonne

Froburg, Alethea
Richardson, Herbert

Hatch, William
Rideout, Leon

Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard
Brown, Duane
Ford, Susan
Ladd, Rick
Piper, Wendy
Townsend, Charles

Almy, Susan
Brown, Rebecca
Gionet, Edmond
Maes, Kevin
Shackett, Jeffrey
White, Andrew

Bailey, Brad
Cooney, Mary
Hennessey, Erin
Massimilla, Linda
Smith, Suzanne

Bennett, Travis
Darrow, Stephen
Ingbertson, Paul
Nordgren, Sharon
Sykes, George

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efsthia
Christiansen, Lars
Cote, David
Edwards, Elizabeth
Gagne, Larry
Gould, Linda
Harvey, Suzanne
Hogan, Edith
Katsiantonis, Thomas

Balcom, John
Belanger, James
Brown, Pamela
Christie, Rick
Danielson, David
Flanagan, Jack
Gidge, Kenneth
Guerette, C. Lee
Heath, Mary
Infantine, William
Kurk, Neal

Baroody, Benjamin
Biggie, Barbara
Byron, Frank
Cohen, Alan
Donovan, Daniel
Forest, Armand
Gonzalez, Carlos
Haefner, Robert
Herbert, Christopher
Jack, Martin
Leishman, Peter

Barry, Richard
Boehm, Ralph
Christensen, Chris
Cornell, Patricia
Edelblut, Frank
Freitas, Mary
Gorman, Mary
Hansberry, Daniel
Hinch, Richard
Judy, Jean
Long, Patrick

Mangipudi, Latha
McClarren, Donald
Notter, Jeanine
Palmer, Barry
Pierce, David
Roberts, Carol
Scontosas, Lisa
Simmons, Tammy
Soucy, Timothy
Twombly, Timothy
Williams, Kermit

Manley, Jonathan
McLean, Mark
O'Brien, Michael
Parison, James
Porter, Marjorie
Rosenwald, Cindy
Seidel, Carl
Smith, Gregory
Stepanek, Stephen
Ulery, Jordan
Wolf, Terry

Martel, Andre
McNamara, Richard
O'Neil, William
Pellegrino, Anthony
Proulx, Mark
Rouillard, Claire
Shattuck, Gilman
Smith, Timothy
Straight, Phillip
Vann, Ivy
Woodbury, David

McCarthy, Peggy
Murotake, David
Ohm, Bill
Peterson, Ken
Rice, Kimberly
Rowe, Robert
Shaw, Barbara
Snow, Kendall
Sullivan, Daniel
Walsh, Robert

MERRIMACK

Alicea, Caroletta
Doherty, David
French, Harold
Hill, Gregory
Kenison, Linda
Long, Douglas
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

Bartlett, Christy
Ebel, Karen
Gile, Mary
Hirsch, Geoffrey
Kidder, David
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Bradley, Paula
Frazer, June
Henle, Paul
Horn, Werner
Kotowski, Frank
MacKay, James
Patten, Dick
Schuett, Dianne
Walsh, Thomas

Carson, Clyde
French, Barbara
Hess, David
Karrick, David
Kuch, Bill
Martin, John
Ratzki, Mario
Shurtleff, Stephen
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
Cushing, Robert
Duarte, Joe
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Lovejoy, Patricia
McBeath, Rebecca
O'Connor, John
Potucek, John
Schroadter, Adam
Thomas, Douglas
Ward, Joanne
Woitkun, Steven

Allen, Mary
Borden, David
Chase, Francis
DeSimone, Debra
Elliott, Robert
Gordon, Pamela
Guthrie, Joseph
Hoelzel, Kathleen
Lundgren, David
McKinney, Betsy
Packard, Sherman
Priestley, Anne
Sherman, Thomas
True, Chris
Webb, James

Azarian, Gary
Cahill, Michael
Christie, Andrew
Devine, James
Emerick, J. Tracy
Gordon, Richard
Hagan, Joseph
Introne, Robert
Manning, John
McMahon, Charles
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Simpson, Alexis
Vose, Michael
Welch, David

Belanger, Ronald
Cali-Pitts, Jacqueline
Cook, Allen
Doucette, Fred
Ferrante, Beverly
Green, Dennis
Heffron, Frank
Katsakiores, Phyllis
Matthews, Carolyn
Moody, Marcia
Peckham, Michele
Rice, Frederick
Sytek, John
Ward, Gerald
Weyler, Kenneth

STRAFFORD

Baber, William
Cheney, Catherine
Gray, James
Leeman, Don
Schmidt, Peter
Sprague, Dale
Wall, Janet

Bickford, David
Cilley, Jacalyn
Horrigan, Timothy
Mullen, John
Smith, Marjorie
Stevens, Audrey
Wuelper, Kurt

Bixby, Peter
DiSesa, Len
Jones, Laura
Pitre, Joseph
Southworth, Thomas
Treleven, Susan

Burton, Wayne
Gardner, Janice
Knowles, Robert
Rollo, Deanna
Spang, Judith
Verschueren, James

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
Oxenham, Lee

Cloutier, John
Grenier, James
Rollins, Skip

Converse, Larry
Irwin, Virginia
Schmidt, Andrew

Gagnon, Raymond
Laware, Thomas
Smith, Steven

NAYS - 57

BELKNAP

Fisher, Robert
Sylvia, Michael

Howard, Jr., Raymond
Vadney, Herbert

LeBreche, Shari

Spanos, Peter

CARROLL

CHESHIRE

GRAFTON

HILLSBOROUGH

Ammon, Keith
Eastman, Eric
Goulette, William
Lachance, Joseph
Murphy, Keith

Bouldin, Amanda
Estevez, Eric
Halstead, Carolyn
LeBrun, Donald
O'Brien, William

Burt, John
Ferreira, Elizabeth
Hansen, Peter
Marston, Dick
Sullivan, Victoria

Coffey, James
Fromuth, Bart
Hopper, Gary
Moore, Josh
Zaricki, Nick

MERRIMACK

Brewster, Michael
Seaworth, Brian

Marple, Richard

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Abramson, Max
Bush, Carol
Itse, Daniel
Osborne, Jason
Tucker, Pamela

Baldasaro, Alfred
Chirichiello, Brian
Kappler, Lawrence
Spillane, James

Barnes, Arthur
Gannon, William
Kellogg, Shem
Tamburello, Daniel

Bates, David
Harris, Jeffrey
Kolodziej, Walter
Tasker, Kyle

STRAFFORD

Beaudoin, Steven
Turcotte, Leonard

Groen, Warren

Hannon, Joseph

Kaczynski, Jr., Thomas

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

SB 114-FN, enabling a driver's license applicant to request that his or her license indicate that he or she has a medically recognized disorder. **OUGHT TO PASS.**

Rep. Larry G. Gagne for Transportation. The department of safety states the proposed legislation would enable both driver's license and non-driver's ID applicants to indicate that he or she has a recognized disorder or disability. This would require the presentation of a signed statement by a licensed physician confirming the applicant's condition. Vote 10-5.

Committee report adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Chandler moved that the House reconsider its action whereby, on a roll call vote of 293-57, the House adopted the committee report of Ought to Pass with Amendment on **SB 30-FN-L**, relative to the establishment of redevelopment districts in unincorporated places. Motion failed.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry G. Gagne for Transportation. This bill would decrease the number of members of the board of directors for the New Hampshire rail transit authority and establish an advisory board. The committee had a problem with the fact that the bill excluded members of the legislature and because three proposed amendments were defeated, the committee felt that another bill should be introduced in the next session addressing and hopefully correcting the problems inherent in this bill. Vote 15-0.

Rep. Steven Smith moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Transportation.

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 at the Call of the Chair.

Motion adopted.

LATE SESSION**Third reading and final passage**

SB 159, reinstating the division for children, youth and families advisory board.

SB 244, relative to abuse and neglect investigations and establishing a commission to review child abuse fatalities.

SB 153, relative to the accessibility of criminal records.

SB 46, relative to public safety radio interoperability.

SB 86, relative to state procurement of goods and services.

SB 96, establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards.

SB 202-FN, relative to licensure of outsourcing facilities by the pharmacy board.

SB 31, relative to the controlled drug prescription health and safety program.

SB 84, relative to the definition of "telemedicine."

SB 135-FN, relative to lead poisoning in children.

SB 209-FN, adopting the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

SB 62, relative to drivers' licenses for persons without a permanent address.

SB 234, establishing a committee to study the use of law enforcement details and flaggers for traffic control on municipally maintained roads.

SB 40-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses.

SB 106-FN, restricting the sale or possession of synthetic drugs.

SB 8-FN-L, relative to appropriations for nursing homes.

SB 30-FN-L, relative to the establishment of redevelopment districts in unincorporated places.

SB 114-FN, enabling a driver's license applicant to request that his or her license indicate that he or she has a medically recognized disorder.

UNANIMOUS CONSENT

Rep. Shaw requested Unanimous Consent of the House regarding the celebration of Mother's Day and addressed the House.

Reps. Pamela Brown and Emerson requested Unanimous Consent of the House regarding Lyme Disease Awareness and addressed the House.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Shaw be printed in the Permanent Journal.

Motion adopted.

REMARKS

Rep. Shaw: Thank you, Mister Speaker. In my 15 years in the House, I have never requested unanimous consent before, so please bear with me. I will be brief. I received an interesting e-mail from a college friend, Rev. Gerald Oleson, of Whitefield, NH, writer, civic activist, and much more, son of long time North Country Representative and Senator, Otto Oleson. I wish to share it with you.

Mother's Day

As we celebrate mothers on their special day, it is important to remember the intent of the founders of Mothers' Day in America. Anguished by the carnage of the Civil War and distressed by the brutality and waste of human life in the Franco-Prussian War, Julia Ward Howe, author of the "Battle Hymn of the Republic" and advocate for better treatment for the disabled, prisoners, and the mentally ill, first suggested the idea of Mothers' Day in 1872 as a day dedicated to peace. Julia Ward Howe dreamed of organizing women around the world to rally for peace. In 1870, in a call to action, she wrote, "Arise, then, women of this day. Arise all women who have hearts, whether your baptism be that of water or tears! Say firmly: 'We will not have great questions decided by irrelevant agencies. Our husbands shall not come to us reeking with carnage, for caresses and applause. Our sons shall not be taken from us to unlearn all that we have been able to teach them of charity, mercy and patience. We women of one country will be too tender of those of another country to allow our sons to be trained to injure theirs.'" From the bosom of the devastated earth a voice goes up with our own. It says, "Disarm, disarm!" The sword of murder is not the balance of justice! Blood does not wipe out dishonor..." (Powerful words of vision) Prior, in 1858, Anna Reeves Jarvis organized Mothers' Works Days to improve sanitation in Appalachian communities. During the Civil War, she recruited women to care for soldiers from both sides, North and South. After the war, Mrs. Jarvis ran meetings to persuade men to put aside their hostile feelings. In 1907, Mrs. Jarvis' daughter, Anna Maria Reeves Jarvis, persuaded her church in Grafton, West Virginia, to celebrate Mothers' Day on the second anniversary of her mother's death, which took place on the 2nd Sunday of May that year. Then Miss Jarvis undertook a lobbying campaign across the country to get a national Mothers' Day. On May 14th, 1914, Senator Heflin of Alabama and Senator Sheppard of Texas sponsored a bill proposing that the 2nd Sunday in May be set aside for all to honor their mothers. Unfortunately, commercialism took over and turned Mothers' Day into something it wasn't designed to be. The floral industry's trade journal wrote, "This was a holiday that could be exploited." Miss Jarvis was outraged. She filed a lawsuit and campaigned against those who would undermine the true intent of Mothers' Day, a day of peace, with their greed. In attempting to stop the Mothers' Day festival in 1923, Miss Jarvis was arrested for disturbing the peace. The Florists' Review triumphantly announced that it was "Miss Jarvis who was completely squelched." As Miss Jarvis grew older, she lost everyone and everything that was close to her. She died alone in a sanitarium in 1948. Near the end of her life, Miss Jarvis told a reporter that she was sorry she had anything to do with the establishment of Mothers' Day. In today's uncertain times of wars, disasters, strife, poverty, and violence, let us all work together to make Julia Ward Howe's dream come true. Let us bring to fruition the dream of Anna Maria Reeves Jarvis who sought to honor her mother, a woman of courage and peace. As Ruth Rosen, Professor of History at the University of California once said, "Nineteenth century women dared to dream of a day that honored women's civic activism. We can do no less. We should honor their vision with civic activism." As we honor mothers this year with beautiful flowers and special gifts, let us also remember those mothers who need child care, job training, health care, protection from domestic violence, and a living wage. Let us then, on Sunday, as we honor our mothers, remember and reflect on the original intent of Mothers' Day as a day of peace and civic activism, and continue that vision throughout the year. Thank you.

MOTION TO PRINT REMARKS

Rep. Flanagan moved that the remarks made by Rep. Pamela Brown be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Pamela Brown: Thank you Mister Speaker and Honorable Members of the House. I stand before you with Representative Susan Emerson from Rindge, New Hampshire, and would like to talk about Lyme Disease Awareness Month. With today's passage of HB 363, relative to Lyme disease awareness, New Hampshire steps forward as a leader in Lyme Disease awareness because it not only designates May as Lyme Disease Awareness Month but also adds a link on the Department of Health and Human Services website to ILADS, the International Lyme and Associated Diseases Society, which opens up an entire body of knowledge that has been gathered by the international community of researchers, scientists and medical providers. Making May Lyme Disease Awareness Month in New Hampshire is quite apropos for a state with one of the highest incidences of Lyme Disease, as reported by the Centers for Disease Control and Prevention. For the last 10 years, we've frequently been in the top three. Since the CDC announced that the actual incidence is probably ten times the reported cases, the 1,691 cases reported in 2013 is probably more like 16,000 per year and we would average 10,000 to 15,000 each year, year after year after year, and we know that the tick population is growing in leaps and bounds. Most ticks today carry other diseases such as Babesia, Ehrlichia, Anaplasmosis, Q fever, etc. and many of these are considered fatal yet are rarely diagnosed until Lyme disease is first diagnosed. Unfortunately, current testing is less than 50 percent accurate. *Borrelia Burdorferi* is the corkscrew-like bacteria which causes Lyme and is similar to the Syphilis spirochete. It bores into tissue, organs and joints, enters spinal fluid, the brain and mimics other diseases. Growing research links it to Alzheimer's, Multiple Sclerosis, Rheumatoid Arthritis, and Psychiatric Illnesses such as mood disorders or Schizophrenia. Lyme Disease Awareness and education is crucial to the well being of our citizens, especially children who are at the greatest risk. So please use bug spray with DEET and make sure you check your children and check yourselves daily for ticks because it may save you from a lifetime of disability, pain, chronic fatigue or other illnesses. Even cardiac/heart problems are included. Thank you very much.

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, enrolled bill reports and forming Committees of Conference. Motion adopted.

The House recessed at 12:25 p.m.

RECESS

(Rep. Chandler in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 408 and Senate Bills numbered 187 and 194.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Flanagan in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 363 and Senate Bill numbered 231.

Rep. Shurtleff, Sen. Soucy for the Committee

ENROLLED BILL AMENDMENTS

SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants. (Amendment printed SJ 5-7-15)

Adopted.

SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries. (Amendment printed SJ 5-7-15)

Adopted.

SB 80, relative to the state trails plan and establishing a committee on rail trails. (Amendment printed SJ 5-7-15)

Adopted.

**SENATE MESSAGES
CONCURRENCE**

HB 223-FN, relative to external review under the managed care law.

HB 271, relative to possession and administration of an opioid antagonist for opioid-related overdoses.

HB 304, establishing a committee to study public access to political campaign information.

HB 361, establishing a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

HB 416-L, relative to compensation for members of the Coos county convention.

HB 480, relative to policies for property and casualty insurance.

HB 507, relative to teacher personally identifiable data.

HB 648-FN, requiring detention until arraignment for persons arrested for violation of protective orders.

NONCONCURRENCE

HB 286, relative to permits issued by building inspectors.

HB 357, relative to notice of change of name or address on a driver's license and on the registration of a vehicle.

HB 424, relative to the accessibility of assessment materials.

HB 491, relative to immunity for school personnel using reasonable force to protect a minor.

HB 494, relative to industrial hemp as a controlled substance.

HB 578-FN, relative to state board of education compliance with unfunded federal education mandates.

RE-REFERRED TO COMMITTEE

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee.

HB 502, relative to petitions for verification of checklists.

HB 529, relative to party conventions.

HB 689, relative to adoption of a default budget.

LAID ON THE TABLE

HB 276, providing that school district shall not be required to adopt the common core standards.

CONCURRENCE WITH AMENDMENTS

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

SB 134-FN, relative to the escheat of United States savings bonds.

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

SB 171, establishing a committee to study issues concerning parking for those with walking disabilities.

SB 230-FN-L, relative to speed limits on state roads that are seasonally congested by pedestrian and bicycle traffic.

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

RECESS

(Speaker Jasper in the Chair)

COMMITTEE ASSIGNMENT

The Speaker made the following committee assignment:

Rep. Dennis Green on the Committee on Criminal Justice and Public Safety.

RECESS

(Rep. Massimilla in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 108, 109, 118, 121, 136, 146, 147, 148, 149, 151, 155, 162, 178, 184, 193, 200, 201, 205, 254, 308, 326, 354, 362, 423, 478, 481, 482, 492, 497, 503, 523, 526, 545, 559, 604, 610 and 621 and Senate Bills numbered 30, 70, 78, 90, 98, 148, 154, 236, 243, 249, 251, 252 and 258.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Eaton in the Chair)

ENROLLED BILL AMENDMENT

SB 161, relative to the wellness and primary prevention council. (Amendment printed SJ 5-7-14)
Adopted.

RECESS

(Rep. Stephen Schmidt in the Chair)
ENROLLED BILL AMENDMENTS

HB 119, establishing the John G. Winant Memorial Commission.

Amendment (1601-EBA)

Amend section 1 of the bill by replacing lines 1-2 with the following:

1 New Sections; John G. Winant Memorial Commission. Amend RSA 4 by inserting after section 9-k the following new sections:

Amend RSA 4:9-m, II as inserted by section 1 of the bill by replacing line 3 with the following:
commission shall constitute a quorum.

Adopted.

HB 126, establishing a commission to study issues related to students receiving special education services while attending a chartered public school.

Amendment (1719-EBA)

Amend RSA 186-C:30, I(h) as inserted by section 1 of the bill by replacing line 1 with the following:

(h) One member from the New Hampshire Council on Developmental Disabilities,

Adopted.

HB 130, relative to the use of blue lights on emergency vehicles.

Amendment (1657-EBA)

Amend RSA 266:78-f as inserted by section 2 of the bill by replacing line 5 with the following:

under RSA 266:78-b, II, no person other than a sworn law enforcement officer shall drive a vehicle

Adopted.

HB 158, requiring the managing agent to return the records of a condominium association upon the request of the association.

Amendment (1592-EBA)

Amend RSA 356-B:40-b as inserted by section 1 of the bill by replacing line 1 with the following:

356-B:40-b Unit Owners' Association Records. Upon written request from the unit owners'

Adopted.

HB 279, establishing a commission to study the economic impact of the arts and culture in New Hampshire.

Amendment (1707-EBA)

Amend RSA 19-A:14, III as inserted by section 1 of the bill by replacing line 2 with the following:

attending to the duties of the commission.

Adopted.

HB 336, relative to seasons for hunting by crossbow.

Amendment (1676-EBA)

Amend RSA 208:7-a, I as inserted by section 1 of the bill by replacing line 3 with the following:

season, for persons holding a valid firearms deer tag, or as specified in RSA 206:23-c. [Such]

Adopted.

HB 361, establishing a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

Amendment (1726-EBA)

Amend subparagraph I(c) of section 4 of the bill by replacing line 1 with the following:

(c) Identify other states' definitions of employee pertaining to persons who may be

Adopted.

HB 422-FN, relative to certification of death certificates by physician assistants.

Amendment (1633-EBA)

Amend RSA 5-C:62, III(e) as inserted by section 5 of the bill by replacing line 3 with the following:

pronounced death; the New Hampshire license number of the physician [or], APRN, if applicable, **or**

Amend RSA 5-C:64, VI as inserted by section 8 of the bill by replacing line 2 with the following:

assistant or with the attending physician's [or], APRN's, **or physician assistant's** approval, the

Adopted.

HB 520, establishing privacy protections for student online personal information.

Amendment (1645-EBA)

Amend RSA 189:68-a, I(b)(3) as inserted by section 1 of the bill by replacing line 5 with the following:
number, financial or insurance account numbers, email address, other information that allows

Amend RSA 189:68-a, II(a)(1) as inserted by section 1 of the bill by replacing line 1 with the following:

(1) Targeted advertising on the operator's site, service, or application, or targeted

Amend RSA 189:68-a, II(c)(2) as inserted by section 1 of the bill by replacing line 2 with the following:
in its marketing.

Amend RSA 189:68-a, VI as inserted by section 1 of the bill by replacing line 3 with the following:
to review or enforce compliance with this section on those applications or software.

Adopted.

HB 522, making certain changes in the law governing toxic substances in the workplace to comply with federal law.

Amendment (1637-EBA)

Amend RSA 277-A:4, II(c) as inserted by section 2 of the bill by replacing line 1 with the following:

(c) A ~~[material data]~~ safety **data** sheet on each component toxic substance identified pursuant

Adopted.

HB 607, relative to fees for carrying a concealed firearm.

Amendment (1636-EBA)

Amend the bill by replacing section 1 with the following:

1 Pistols and Revolvers; License to Carry. Amend RSA 159:6, I to read as follows:

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, and that the applicant is a suitable person to be licensed. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for 4 years. When required, license renewal shall take place within the month of the fourth anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the ~~[law enforcement department of the]~~ town or city granting said licenses; the fee for licenses granted to out-of-state residents shall be \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

Adopted.

SB 134-FN, relative to the escheat of United States savings bonds. (Amendment printed SJ 5-7-15)

Adopted.

SB 171, establishing a committee to study issues concerning parking for those with walking disabilities. (Amendment printed SJ 5-7-15)

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 122, 134, 140, 196, 223, 271, 304, 306, 382, 416, 480, 507, 510, 644 and 648 and Senate Bills numbered 11, 21, 31, 96, 114, 209, 230, 234 and 250.

Rep. Hinch, Sen. Prescott for the Committee

**SENATE MESSAGES
CONCURRENCE**

HB 102, relative to consideration of warrant articles.
HB 171, relative to rebating.
HB 198, relative to retention requirements for certain motor vehicle records.
HB 255-FN, relative to petitioning for annulment of a class B misdemeanor offense.
HB 322, relative to protection of personally identifiable data by the department of education.
HB 498, relative to notification of radon and arsenic testing.
HB 603, relative to student exemption from the statewide assessment.

RE-REFERRED TO COMMITTEE

HB 346, relative to criminal history records checks for school employees and volunteers.
HB 463, relative to state agency communications.
HB 560-FN, including a fetus in the definition of “another” for the purpose of certain criminal offenses.
HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.

LAI D ON THE TABLE

HB 403-FN, repealing the law relative to providing certain parameters for access to reproductive health care facilities.
HB 563-FN, relative to funding for chartered public school pupils.

CONCURRENCE WITH AMENDMENTS

SB 22, relative to certain changes in the law governing the therapeutic use of cannabis.
SB 23, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions.
SB 38, establishing a commission to develop a land conservation plan.
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 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities.
SB 62, relative to drivers’ licenses for persons without a permanent address.
SB 159, reinstating the division for children, youth and families advisory board.
SB 244, relative to abuse and neglect investigations and establishing a commission to review child abuse fatalities.

RECESS

(Rep. Gray in the Chair)

ENROLLED BILL AMENDMENTS

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. (Amendment printed SJ 5-21-15)
Adopted.
SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities. (Amendment printed SJ 5-21-15)
Adopted.
SB 244, relative to abuse and neglect investigations and establishing a commission to review child abuse fatalities. (Amendment printed SJ 5-21-15)
Adopted.

RECESS

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 119, 126, 130, 158, 279, 336, 361, 422, 520, 522 and 607 and Senate Bills numbered 14, 20, 80 and 161.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Hinch in the Chair)

ENROLLED BILL AMENDMENT

HB 664-FN, consolidating existing oil pollution funds.

Amendment (1673-EBA)

Amend RSA 146-A:11-b, II as inserted by section 5 of the bill by replacing lines 9-12 with the following: fund. The remainder shall be deposited into the oil pollution control fund ~~[established under RSA 146-A:11-a, and the oil discharge and disposal cleanup established under RSA 146-D:3, I, based on an allocation determined for each fiscal year]~~ **administered** by the department of environmental services ~~[and the oil fund disbursement board]~~. Imposition of the fee

Amend section 12 of the bill by replacing line 1 with the following:

12 Rulemaking; Commissioner of Safety. Amend RSA 21-P:14, V(q) to read as follows:

Amend paragraph I as inserted by section 14 of the bill by replacing line 2 with the following: budgeted expenses, and current obligations on the effective date of this section shall be transferred to the
Amend paragraph II as inserted by section 14 of the bill by replacing line 3 with the following: this section shall be transferred to the oil pollution control fund established in RSA 146-A:11-a.

Adopted.

SENATE MESSAGES**CONCURRENCE**

HB 180, relative to the definition of “price or consideration” under the real estate transfer tax and relative to the exception for transfers by devise under such tax.

HB 329, relative to a construction project at the state veterans cemetery.

HB 418, relative to waiver of rights to devised or inherited real property.

RE-REFERRED TO COMMITTEE

HB 380, relative to investigations of child day care agencies.

HB 628, relative to indemnification of health care facilities under certain circumstances.

CONCURRENCE WITH AMENDMENTS

SB 46, relative to public safety radio interoperability.

SB 53, repealing the interagency coordinating council for women offenders and relative to the membership of the interbranch criminal and juvenile justice council.

SB 72, establishing a commission to study the use of police personnel files as they relate to the Laurie List.

SB 86, relative to state procurement of goods and services.

SB 92, establishing a committee to study public access to political campaign information.

SB 153, relative to the accessibility of criminal records.

SB 202-FN, relative to licensure of outsourcing facilities by the pharmacy board.

RECESS

(Rep. Flanagan in the Chair)

ENROLLED BILL AMENDMENT

SB 38, establishing a commission to develop a land conservation plan. (Amendment printed SJ 5-21-15)
Adopted.

RECESS

(Rep. Backus in the Chair)

ENROLLED BILL AMENDMENT

SB 46, relative to public safety radio interoperability. (Amendment printed SJ 5-28-15)
Adopted.

SB 86, relative to state procurement of goods and services. (Amendment printed SJ 5-28-15)
Adopted.

SB 202, relative to licensure of outsourcing facilities by the pharmacy board. (Amendment printed SJ 5-28-15)
Adopted.

SENATE MESSAGES**CONCURRENCE**

HB 169, relative to table stakes poker.

HB 290, relative to the acceptance of risk in outdoor recreational activities.

HB 328, relative to delivery of absentee ballots.

HB 381-FN, allowing a liquor manufacturer to be issued an on-premises license.

HB 415, limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire.

RE-REFERRED TO COMMITTEE

HB 141, relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board.

HB 521, relative to the size of the pool of the workers' compensation appeals board.

NONCONCURRENCE

HB 203, relative to the unauthorized practice of law.

HB 236, relative to child support and allowable child care expenses.

HB 315, relative to termination of tenancy.

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Silva on the Committee on Fish and Game and Marine Resources and off the Committee on Election Law.

Rep. Dean-Bailey on the Committee on Election Law.

RECESS