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Wednesday, April 6, 2016

No. 31

HOUSE JOURNAL No. 10 (Cont.)

Wednesday, March 23, 2016

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

HOUSE JOURNAL NO. 11

Wednesday, April 6, 2016

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.
Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

A Scottish Blessing for Tartan Day

May the blessing of light be on you - light without and light within.

May the blessed sunlight shine on you like a great peat fire,
So that strangers and friends may come and warm themselves at it.

And may light shine out of the two eyes of you,
like a candle set in the window of a house,
bidding the wanderer come in out of the storm.

And may the blessing of the rain be on you,
may it beat upon your spirit and wash it fair and clean,
and leave there a shining pool where the blue of heaven shines,
and sometimes a star.

And may the blessing of the earth be on you,
soft under your feet as you pass along the roads,
soft under you as you lie out on it, tired at the end of day;
and may it rest easy over you when, at last, you lie out under it.

May it rest so lightly over you
that your soul may be out from under it quickly;
up and off and on its way to God.
and now may the Lord bless you,
and bless you kindly. Amen.

Representative Peter Leishman, member from Peterborough, and Representative Dan Eaton, member from Stoddard, led the Pledge of Allegiance.

The National Anthem was sung by Elizabeth Fortin of Peterborough.

LEAVES OF ABSENCE

Reps. Barry, Ronald Belanger, Bridge, Chris Brown, Chirichiello, Comtois, Cote, DiFranco, Gargas, Gonzalez, Gladys Johnsen, Kellogg, LeBreche, Massimilla, Carol McGuire, Milz, Moody, Phillips, Priestley, Chip Rice, Sanders, Shaw, Joe Sweeney and Verschueren, the day, illness.

Reps. Ammon, Duane Brown, Dumais, Friel, Heath, Jones, Douglas Long, Lundgren, O'Hearne, O'Neil, Oligny, Parison, Seaworth, Marjorie Smith, Suzanne Smith, Soucy, Spillane, Sprague, Tamburello, Gerald Ward and Webb, the day, important business.

Reps. James Belanger, Rebecca Brown and Harvey, the day, illness in the family.

Rep. O'Connor, the day, death in the family.

INTRODUCTION OF GUESTS

Eric Scheuch and Charlotte Perkins, students at Kearsarge Regional High School, Pages for the day.

John Fortin, husband of the singer, guest of Rep. Leishman. Jim and Mary Wojdylak, Seamus and Buddy Sullivan, parents and sons of Rep. Victoria Sullivan. Lynda Hunt, Katelyn and Ella Churchhill, Gloria Sweeney, Terri Wiltse, Lois Meredith, Ellen Avery, Sue Butman, and David Bruce; wife, step-daughter, granddaughter, mother-in-law and guests of Rep. Hunt. Ken Dassau, guest of Rep. Gallagher. Chris Roundy, guest of Rep. Southworth. Melissa Cunliff, guest of Rep. Stevens. John Lunn, guest of Rep. Irwin. Scott Webster, and Sherry Thompson, guests of Rep. Joanne Ward. Marcus Hermansen, guest of Rep. Rosenwald. Bethany Leak, and Matt Dustin, guests of Rep. Ratzki. Allyson Zacker, guest of Rep. Mangipudi. Charlene Lovett, Middleton Goodwin, and Susan Johnson, guests of the Claremont Delegation. Students from Bud Carlson Academy, guests of the Rochester Delegation. Students from Saint Mary Academy, guests of the Dover Delegation.

The Clerk read the following:

A PROCLAMATION NEW HAMPSHIRE TARTAN DAY APRIL 6, 2016

WHEREAS, the Declaration of Arbroath, pronouncing Scottish independence, was signed at Arbroath Abbey on April 6, 1320, by Bernard de Linton, Chancellor of Scotland; and

WHEREAS, helping to expand freedom for all people, Scotland abolished slavery in 1777 by freeing African-born slave Joseph Knight, who had been sold in Jamaica and brought to Scotland; and

WHEREAS, the United States Declaration of Independence was modeled, in part, after the Declaration of Arbroath; and

WHEREAS, nearly half the signers of the Declaration of Independence and nine of the country's original governors, including New Hampshire's governor, were of Scottish descent; and

WHEREAS, Scots and Scottish-Americans have made outstanding contributions to both the United States and the State of New Hampshire in the fields of science, math, medicine, education, politics, business, and the arts; and

WHEREAS, the United States Senate has passed a resolution designating April 6th of each year as National Tartan Day; and

WHEREAS, the Saint Andrew's Society of New Hampshire, along with many other Scottish organizations, including the New Hampshire Gathering of the Scottish Clans, the Scottish Club of the Twin States, the Strathspey & Reel Society of New Hampshire, the New Hampshire School of Scottish Arts, and thousands of citizens who claim Scottish heritage in the state support Scottish Heritage Day;

NOW, THEREFORE, I, MARGARET WOOD HASSAN, GOVERNOR of the State of New Hampshire, do hereby proclaim **APRIL 6, 2016**, as **NEW HAMPSHIRE TARTAN DAY** and call upon the citizens of the state to commemorate the great struggles of freedom and historical achievements of Scottish Americans in New Hampshire.

Given this 5th day of April, in the year of Our Lord
two thousand and sixteen, and the independence of
the United States of America, two hundred and forty.
Margaret Wood Hassan, Governor

TARTAN DAY PROGRAM

Rep. Hunt introduced special guests who performed for the House in honor of New Hampshire Tartan Day: Marielle Webster, Sveta Gerace, Anna Gordon, Hazel Dellario, Laura and Sebastian Benedetto and Campbell Webster. Pipers from the NH Pipe & Drums played the lament in memory of Representatives Robbie Parsons and Robert Luther.

Rep. Joanne Ward offered a Scottish blessing.

May there always be work for your hands to do.

May your purse always hold a coin or two.

May the sun always shine upon your window pane.

May a rainbow be certain to follow each rain.

May the hand of a friend always be near to you and,

May God fill your heart with gladness to cheer you.

MOTION TO VACATE

Rep. Andrew Christie moved that the House vacate the reference of SB 324, eliminating the land use board and requiring approval of federal land acquisitions by the governor and executive council, to the Committee on Executive Departments and Administration.

Motion adopted.

The Speaker referred SB 324 to the Committee on Resources; Recreation and Development.

MOTION TO VACATE

Rep. Rowe moved that the House vacate the reference of SB 506, clarifying who may adopt, to the Committee on Judiciary.

Motion adopted.

The Speaker referred SB 506 to the Committee on Children and Family Law.

MOTION TO VACATE

Rep. Tholl moved that the House vacate the reference of SB 539, relative to access to records under the child protection act, to the Committee on Criminal Justice and Public Safety.

Motion adopted.

The Speaker referred SB 539 to the Committee on Children and Family Law.

SENATE MESSAGES**REQUESTS CONCURRENCE WITH AMENDMENTS**

HB 499, permitting New Hampshire farmers to sell farm-raised bison directly to the public. (Amendment printed SJ 3-17-16)

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

Motion adopted.

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. (Amendment printed SJ 1-14-16)

Reps. Andrew Christie and Kurk moved that the House concur.

Rep. Andrew Christie spoke in favor.

Motion adopted.

HB 377, establishing a state geographic information system committee. (Amendment printed SJ 3-24-16)

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

Motion adopted.

HB 1397, establishing a committee to study improvements to the Hannah Duston Memorial and the feasibility of connecting a portion of the rail trail system in Boscawen. (Amendment printed SJ 3-31-16)

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

Motion adopted.

HB 351, exempting historically significant vehicles from emission control requirements. (Amendment printed SJ 3-24-16)

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

Motion adopted.

HB 353, relative to the governance of condominium unit owners' associations. (Amendment printed SJ 1-14-16)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hunt, Harold French, Biggie and Williams.

HB 427, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA1. (Amendment printed SJ 2-4-16)

Rep. Andrew Christie moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Sytek, Andrew Christie, Beaudoin and Gagnon.

HB 285, relative to discussion with legal counsel under the right-to-know law. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

HB 606-FN-L, relative to costs for public records filed electronically. (Amendment printed SJ 1-14-16)

Rep. Rowe moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Rowe, Rouillard, Woodbury and Wuelper.

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee. (Amendment printed SJ 1-21-16)

Rep. Hinch moved that the House nonconcur and request a Committee of Conference.

Motion adopted.

The Speaker appointed Reps. Hinch, Packard, Russell Ober and Weber.

CONSENT CALENDAR

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

SB 498-FN, relative to penalties for possession of certain controlled drugs, removed by Rep. Sylvia.

SB 460, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships, removed by Rep. Ladd.

SB 441-FN, relative to discounts and admission without charge at state parks, removed by Rep. Horrigan. Consent Calendar adopted.

SB 25-FN, relative to the administration of epinephrine. **OUGHT TO PASS.**

Rep. Victoria Sullivan for Education. This bill establishes procedure for the administration of epinephrine, which is a life-saving medication that is administered at the onset of anaphylaxis, by certain authorized entities. This bill also provides immunity to school personnel who administer the epinephrine. Vote 17-0.

SB 312, relative to epinephrine administration in independent schools. **OUGHT TO PASS.**

Rep. John Balcom for Education. This bill extends the placement of auto-injectable epinephrine to independent and postsecondary educational institutions. Vote 17-0.

SB 314, relative to the membership of the higher education commission. **OUGHT TO PASS.**

Rep. Robert Elliott for Education. This bill simply changes the name already in law as the NH Council for Professional Education to the American Council for Professional Education and Training. Vote 16-0.

SB 316, relative to placement decisions by a child's individualized education program team. **OUGHT TO PASS.**

Rep. James Grenier for Education. This bill addresses potential concerns arising from the passage of HB 610 (Chapter 125, Laws of 2015, Relative to a school board vote on the reassignment of a pupil) passed last year. That bill amended RSA 193:3, III to require school boards of both receiving and sending school districts to approve placement for a change of school assignment. Placement of a child with a disability is the responsibility of the IEP team and not the sending school board. This bill clarifies this difference. Vote 17-0.

SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. **OUGHT TO PASS.**

Rep. Ralph Boehm for Education. This bill allows school districts, at their discretion, to have bronchodilators, spacers or nebulizers on hand in the schools. These will most likely be provided by the drug companies as are EPI-Pens. Students currently have the ability to carry their own and/or leave them in the nurse's office. This bill protects students with asthma who forget their inhaler, or fail to provide one to the school nurse for protection in an emergency situation. Vote 17-0.

SB 328-L, relative to school districts and school administrative units exercising joint powers with other public agencies. **OUGHT TO PASS.**

Rep. Barbara Shaw for Education. This bill allows for the possibility of cost saving efforts through a shared business administrator among school districts in transportation, maintenance, purchasing and many other areas. Efficiency and best use of taxpayers money is always a plus. Passing this legislation will give municipalities and schools options which will allow savings in financial administration of the towns funds. Vote 19-0.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. **OUGHT TO PASS.**

Rep. John Balcom for Education. This timely bill establishes a committee to address problems and potential solutions with current threat notification systems linking schools under threat to law enforcement using dependable communications. The committee unanimously supported the bill. Vote 19-0.

SB 371, relative to school lunch meal payment policies. **OUGHT TO PASS.**

Rep. Mary Gile for Education. This bill proposes standards that hold parents responsible for payment of their child's school lunch, not children. Some schools have introduced practices that force students whose parents are delinquent to go to the principal's office, or stand in a different line for a lunch of lesser appeal and quality, or limit the participation in school activities e.g. field trips, etc. Such practices can demean, embarrass and humiliate students and should not be allowed. Although this bill is not a mandate; it does however, set forth criteria for districts to follow in the implementation of school lunch payment policies. Vote 19-0.

SB 373, relative to the information technology infrastructure in public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Christopher Adams for Education. This bill establishes a committee to study the feasibility of using school building aid funds to upgrade the information technology infrastructure in the public schools for the purpose of enabling the establishment of virtual classrooms. Current funding for school building aid is frozen in the current budgeting cycle and if funding begins in future budgeting cycles there are numerous districts with multiple school buildings greatly in need of support to address safety and physical plant issues. While the committee fully recognizes the importance of having adequate broad band access for educational purposes, this bill is not the vehicle needed to satisfy this issue. Vote 19-0.

SB 453-FN, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. **OUGHT TO PASS.**

Rep. Barbara Shaw for Education. This bill requires background checks to conform with federal law as required by CCDBG Act (Child Care and Development Block Grant). This new process is more comprehensive and provides additional safety measures for children within these institutions. A government card will be issued as verification of background check completion. In order to receive the CCDBG funds, states must comply by September 30, 2017. Vote 19-0.

Referred to the Committee on Criminal Justice and Public Safety.

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill allows any retired member of the NH Retirement System (NHRS) to terminate the election of a single non-spouse beneficiary past the current 120-day statutory limit. If this option is exercised, the retiree's pension benefit would change to the amount that would have been paid if no beneficiary had been selected. The amendment allows a retiree to terminate the election of a former spouse as a beneficiary based on the terms of a final divorce decree in which the former spouse renounces any claim to the benefit. Vote 17-1.

Amendment (1109h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:
2 Retirement System; Optional Allowances; Divorce. Amend RSA 100-A:13, II(a)(1) to read as follows:

(1) Terminate such elected option upon the issuance of a divorce decree and subsequent remarriage of the former spouse, ***or in accordance with the terms of the final divorce decree or final settlement agreement which provides that the former spouse shall renounce any claim to a retirement allowance under RSA 100-A.*** Upon termination, the allowance received under the elected option shall be converted to the retirement allowance that would have been payable in the absence of such election. Any supplemental allowance, or COLAs, granted to the retiree and effective before the date of termination of the option shall continue in effect and shall not be adjusted as a result of the termination. Notice of such termination shall be given by the retiree on a form designated by the board. Payment of the converted allowance shall commence on the first day of the month following receipt of termination by the board. For any retiree whose divorce and the subsequent remarriage of the former spouse occurred on or before July 1, 1990, the notice shall be given to the board on or before October 1, 1990. Said termination action shall become effective on the first day of the month following receipt of such notice by the board. If the retiree dies after giving valid notice of such termination but before the effective date, the option shall terminate as of the date of the retiree's death.

2016-1109h

AMENDED ANALYSIS

This bill allows a retired member of the retirement system to terminate the designation of a single, non-spouse beneficiary to receive an optional allowance. The bill also allows for the termination of an optional allowance in accordance with a final divorce decree or final settlement agreement.

SB 237-FN, establishing a reporting requirement for gubernatorial inauguration contributions. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill requires the governor-elect to appoint an inaugural treasurer and report expenditures and contributions related to the inauguration. As the prime sponsor of this bill explained, the core purpose of this legislation is to ensure transparency and permit public access to information about these contributions. Vote 13-0.

SB 313, relative to requirements for licensed estheticians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for Executive Departments and Administration. This bill, as amended, will allow required training credit hours accumulated in order to be licensed as a massage therapist to count toward training credit hours required for an esthetician's license. Coursework may only be applied to the requirements for an esthetician's license as long as the content of the courses has been determined to be equivalent by the Board of Barbering, Cosmetology, and Esthetics. Vote 13-0.

Amendment (1096h)

Amend RSA 313-A:13 as inserted by section 1 of the bill by replacing it with the following:

313-A:13 Qualifications; Estheticians. To be issued an esthetics license by the board, an applicant shall, in addition to satisfying the requirements of RSA 313-A:11, I(a), (b), and (e), have completed a course of at least 600 hours of training in a school approved by the board and have passed an examination conducted by the board. An apprenticeship approved by the board may substitute for the required training. Estheticians who have practiced professionally in this state for a period of at least 3 years prior to July 1, 1989, and who have satisfied the requirements of RSA 313-A:11, I(a), (b), and (e) and the training requirements of this section shall not be required to take the examination provided for in this section to be eligible for licensure

under this chapter. Credit towards the hours requirement for esthetician training may be given to a licensed cosmetologist or barber for equivalent training in the cosmetology or barber program in a school approved by the board upon certification of the training by the school. ***Credit towards the hours requirement for esthetician training may be given to a licensed massage therapist for massage therapy training deemed equivalent by the board.*** Cosmetologists licensed by the board may obtain the training hours in subjects required by the board in increments at separate schools but must present certifications to the board for all required hours and curriculum subjects.

2016-1096h

AMENDED ANALYSIS

This bill allows a licensed massage therapist to satisfy training requirements for licensure as an esthetician with training deemed equivalent by the board of barbering, cosmetology, and esthetics.

SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill adds the definitions of “adult child,” “dependent child,” and “stepchild” for the purposes of determining survivor benefits for families of police officers and firefighters killed in the line of duty. The committee heard testimony of a recent situation involving two daughters of a police officer who died in the line of duty. One daughter was under the age of 18 and the other was over the age of 18. Both, however, were still dependent upon their father’s financial assistance. Because the law relative to survivor benefits referenced only dependent children under the age of 18, only one of his children was eligible to receive these benefits. The committee felt that this was clearly not the intent of the law. Vote 17-1.

Amendment (1210h)

Amend the bill by replacing section 1 with the following:

1 Survivor Benefits. Amend RSA 21-I:29-a, I to read as follows:

I. In this section:

(a) ***“Adult child” means a child, whether by blood or adoption, of the police officer or firefighter, age 18 or older at the time of death of such police officer or firefighter and who does not meet the definition of a dependent child.***

(b) ***“Dependent child” means a child, whether by blood or adoption, or stepchild of the police officer or firefighter who:***

(1) Is under the age of 25 and was dependent on the earnings of the police officer or firefighter at the time of death. For the purposes of this subparagraph, a child is not considered dependent if the child provides more than half of his or her own support, is married, or is legally adopted by another; or

(2) Is any age and is physically or mentally incapacitated and was dependent on the earnings of the police officer or firefighter at the time of death.

(c) “Family” means the surviving spouse of the police officer or firefighter who was wholly or partially dependent, in fact, upon the earnings of the police officer or firefighter; or, if there is no surviving spouse, the surviving dependent child or dependent children, of such police officer or firefighter or, if there is no surviving dependent child, a surviving person qualifying as a common-law spouse pursuant to RSA 457:39, or if there is no surviving common-law spouse, the surviving adult child or adult children, or if there is no surviving adult child or adult children, the surviving parent or parents of such police officer or firefighter. ~~[A surviving dependent child shall include a dependent step-child whose expenses of daily living were substantially paid for by the decedent at the time of the death.]~~

~~[(b)]~~ (d) “Firefighter” means any firefighter, including auxiliary, intermittent, special, part-time, volunteer, call, or reserve firefighters who are employed by a city, town, village district, or precinct within the state of New Hampshire, any firefighter employed by the state of New Hampshire, or any firefighter who is a volunteer for or employed by a non-profit corporation which is the primary provider of fire protection for all or part of a New Hampshire municipality.

~~[(e)]~~ (e) “Killed in the line of duty” means a death of a police officer or firefighter while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death. “Incident” shall include any death that is determined to be occupationally related by the worker’s compensation insurance carrier, a self-insured worker’s compensation plan, or by the labor commissioner for workers’ compensation purposes pursuant to RSA 281-A.

~~[(d)]~~ (f) “Police officer” means any law enforcement officer with the power of arrest, including auxiliary, intermittent, special, part-time, or reserve police officers, or sheriffs and their deputies who are employed by a city, town, village district, county, or precinct within the state of New Hampshire, police officers employed by the university system of New Hampshire, and any state law enforcement officer employed by the state of New Hampshire who has power of arrest as determined by state law.

(g) “Stepchild” means an individual who is the legally adoptive or biological first generation offspring of the police officer’s or firefighter’s current, deceased, or former spouse conceived before the marriage of the police officer or firefighter and the spouse.

Referred to the Committee on Finance.

SB 332, relative to state procurement of goods and services. **OUGHT TO PASS.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill does four separate things: first, the bill increases the spending that can be done via a debit card or field purchase order from \$500 to \$1,000. This is in keeping with the costs for a project where a debit card or field purchase order would be used. The administrative costs for some of these low dollar purchase orders add up quickly. Secondly, the bill establishes an Advisory Committee on State Purchases. This is an ongoing committee looking for ways to improve the efficiency of government. The committee is required to issue a report yearly with their findings. Thirdly, the bill updates the ethics section on bidding and disqualifies someone who violates the statutes from bidding on future proposals. Lastly, the bill keeps bid packages confidential until the bid is awarded either via the Governor and Council or the agency/department. This way, competitors cannot obtain a copy of their competitor’s proposal and seek to undercut them on the bid without doing the work of creating a bid package. Vote 13-0.

SB 390-FN, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Trustees of the retirement system to designate a presiding officer in an appeal of an initial determination relative to a member’s qualification for ordinary or accidental disability benefits. The presiding officer may not be the same person who made the initial determination. Currently, if a member is deemed not eligible for disability benefits, the hearing officer who makes that determination is the same individual who hears an appeal, if one is made. While there was no evidence presented that this process was materially unfavorable to applicants of disability benefits, the committee agreed with the sponsors that on its face the process had the potential to be unfair to the applicant. Vote 17-0.

SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This is a pure housekeeping bill brought to add two members to the Commission on Post-Traumatic Stress Disorder and Traumatic Brain Injury. It also updates the name of one of the organizations represented on the commission from the NH Deployment Cycle Support Program to the Care Coordination Program of NH. Vote 13-0.

SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill changes the fiscal year of the Board of Embalmers and Funeral Directors from a calendar year basis to align it with the NH state government fiscal year that ends in June. It also converts the licenses issued by the board from one year to two years. There is no increase in the cost to licensees on an annualized basis. Thus, this is essentially a housekeeping bill. Vote 13-0.

SB 400, relative to executive branch ethics. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Christie for Executive Departments and Administration. This bill makes several modifications to the Executive Branch Code of Ethics. It clarifies the definition of executive branch official, modifies the restrictions on appointees to the Executive Branch Ethics Committee by permitting them to hold non-partisan elected office, and adds a provision permitting any person to request an interpretive ruling on the applicability of laws under the jurisdiction of the committee. Vote 16-0.

Amendment (1193h)

Amend the bill by replacing section 8 with the following:

8 Executive Branch Ethics Committee; Jurisdiction. Amend RSA 21-G:29, I and II to read as follows:

I. There is hereby established an executive branch ethics committee to issue guidelines, interpretive rulings, and advisory opinions relative to standards for ethical conduct in the executive branch and to resolve, through procedures established under RSA 21-G:32, issues, questions, or complaints involving executive branch officials ~~[who are not classified employees]~~.

II. The jurisdiction of the committee shall consist of matters arising under the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, RSA 15-B, and rules or guidelines adopted thereunder, as applied to current or former executive branch officials ~~[who are not classified employees]~~, provided that the committee may only consider a complaint against a former executive branch official if the complaint is filed no later than 180 days after the day the official resigned, retired, or otherwise left his or her position.

Amend the bill by replacing section 10 with the following:

10 Duties; Ethics Committee. Amend RSA 21-G:30, I to read as follows:

I. The committee shall be authorized to:

(a) Issue guidelines consistent with the executive branch code of ethics, RSA 21-G:21-27, RSA 15-A, and RSA 15-B, relative to proper and appropriate conduct for individuals relating to the performance of their duties as executive branch officials. Such guidelines shall be consistent with statute.

(b) Issue interpretative rulings explaining and clarifying any law, guideline, ~~or rule~~, ~~or regulation~~ within the jurisdiction of the committee.

(c) Render ~~an~~ advisory ~~opinion, in writing within a reasonable time, in response to a written request by a person subject to any law, guideline, rule, or regulation concerning the application of any law, guideline, rule, or regulation within the committee's jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the person complained against acted in reliance upon such advisory opinion. The name of the person seeking an advisory opinion and any information in the opinion that would identify such person shall be nonpublic. A redacted version of the advisory opinion shall be public~~ **opinions in accordance with RSA 21-G:31-a.**

(d) Receive sworn complaints, investigate allegations of violations of this subdivision ~~or guidelines adopted thereunder~~ by executive branch officials and make appropriate findings of fact and conclusions with respect to such conduct.

(e) Investigate any unauthorized disclosure of information by any committee member or assistant and report to the appropriate authority any allegation which it finds to be substantiated.

Amend the bill by replacing section 12 with the following:

12 New Sections; Advisory Opinions; Interpretive Rulings. Amend RSA 21-G by inserting after section 31 the following new sections:

21-G:31-a Advisory Opinions; Procedure.

I. Any executive branch official may request, in writing, an advisory opinion regarding the application of any law, guideline, or rule within the committee's jurisdiction to a specific factual situation pertinent to the requester's conduct or proposed conduct. Notwithstanding any other provision of law, all proceedings, information, communications, materials, papers, files, and transcripts, written or oral, received or developed by the committee in the course of its work in response to a request for an advisory opinion, except for the opinion itself, shall be confidential. The advisory opinion shall be made public but the name of the person seeking the opinion and any information in the opinion that would identify such person shall be nonpublic.

II. Any advisory opinion concerning any person subject to the provisions of this subdivision who acted in reliance thereon, shall be binding upon the committee, and it shall be an absolute defense in any complaint brought under this subdivision or prosecution under RSA 15-A or RSA 15-B that the person complained against acted in reliance upon such advisory opinion.

21-G:31-b Interpretive Rulings; Procedure. The committee may initiate or any person may request an interpretive ruling explaining or clarifying a law, guideline, or rule of general applicability within the committee's jurisdiction. If the committee determines that a requested interpretive ruling will be helpful to those individuals under the committee's jurisdiction, it shall take up the request in public, receive testimony and other information that it deems helpful on the issue, and render a public ruling.

SB 406-FN, relative to classification of certain state employee positions. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill is housekeeping legislation to implement and codify certain previous decisions of the Joint Committee on Employee Classification (JCEC), as required by statute and requested by the JCEC. This is the final step in the process for designating or reassigning salary grade levels for unclassified positions. Vote 17-0.

Referred to the Committee on Finance.

SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill makes housekeeping changes to laws governing private investigators, security guards and bail recovery agents. In order to simplify the regulatory structure, it puts the regulation of bail recovery agents solely under the jurisdiction of the Department of Safety. It adds a new member to the advisory board to make it more balanced and representative of the regulated professions. The bill also streamlines and updates continuing education and firearm qualification requirements. The amendment extends the term of the license for bail recovery agents from one year to two years. Vote 15-1.

Amendment (1152h)

Amend RSA 597:7-b, II as inserted by section 12 of the bill by replacing it with the following:

II. Any person who operates as a **bail** recovery agent in this state, excluding licensed private detectives, shall be trained and certified through a program approved by the Professional Bail Agents of the United States **or other training program approved by the commissioner of safety** and shall ~~register annually~~ **be licensed** with the ~~secretary of state~~ **department of safety under RSA 106-F. Licensees shall also meet proficiency requirements under RSA 106-F:8-a.** The ~~secretary of state~~ **department of safety**

shall issue to each ~~[registered]~~ **licensed bail** recovery agent proof of such ~~[registration]~~ **licensure**. ~~[Effective July 1, 2000.]~~ Each bail ~~[agency]~~ **recovery agent** operating in this state shall ~~[annually]~~ provide to the ~~[secretary of state]~~ **department of safety** proof of liability insurance coverage in the amount of \$300,000 for bail recovery activities ~~[of the agency's bail agents and bail recovery agents]~~. This proof of insurance coverage shall be provided before the ~~[agency's]~~ bail ~~[agents are]~~ **recovery agent is** licensed or relicensed~~[-, and before the agency's bail recovery agents are registered or reregistered]~~ **by the department of safety**. ~~[Bail recovery agents acting as independent contractors shall provide proof of liability insurance coverage in the amount of \$300,000 to the secretary of state before registration or reregistration.]~~ **Licenses shall be valid for 2 years after the date of issuance and shall be renewed every 2 years thereafter, upon application and payment of the fee and submission of continuing proof of the required liability insurance coverage. The application for renewal shall be submitted at least 15 days before the expiration of the previously granted license.** Any person who operates as a **bail** recovery agent in this state without meeting ~~[such certification, insurance, and registration]~~ **the licensure and relicensure** requirements shall be guilty of a class ~~[A]~~ **B** misdemeanor **for the first offense and a class A misdemeanor for a second offense within a 7-year period.**

SB 257-FN, relative to membership in the judicial retirement plan of judges appointed at age 63 or older. **OUGHT TO PASS.**

Rep. Kurt Wuelper for Judiciary. This bill allows judges who could never become eligible for retirement to opt out of the judicial retirement system. The committee thought it good to offer them this option. Vote 16-0.

SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. **OUGHT TO PASS.**

Rep. Judith Spang for Resources, Recreation and Development. This lot line adjustment was examined and brought to us by the Department of Resources and Economic Development. The Bradford Pines area was established as a state Natural Area which means it is to be retained by the state for future generations. However, an abutter discovered that a previous owner had intruded upon the Natural Area with a corner of a building, driveway and utilities. The landowner has agreed to swap the encroaching land for an equal amount of more valuable land along the Warner River, through a process set forth in RSA 4:40. Vote 15-0.

SB 378, relative to the availability of net metering tariffs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas Thomas for Science, Technology and Energy. This bill will prevent an entity from reserving an undue portion of the new net metering capacity created by HB 1116, as already passed by the House, prior to the Public Utilities Commission (PUC) making a decision on a new net metering tariff and possible cap. It amends RSA 362-A:9 to limit the amount of reserved net metering interconnections that a single entity can hold to 20 percent of the total net metering utility-specific allocation. It requires the PUC to review group net metering agreements, requires each electric utility to make certain information on net metering allocation and capacity available on its website, and requires all persons involved in a net metering interconnection queue application for a project greater than 100 kilowatts to sign a certificate of compliance relative to the 20 percent limit. It contains a non-specific sunset provision that goes into effect upon a final decision by the PUC that sets a tariff and eliminates any cap on net metering. Vote 19-0.

Amendment (1199h)

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

2 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph I the following new paragraph:

I-a. No person, owner, developer, installer of an eligible customer-generator facility, business organization, or any subsidiary thereof, shall reserve capacity space in the net metering interconnection queue more than 20 percent of the total net metering utility-specific allocation pursuant to this section, and the creation of multiple business organizations, including a person, as defined in RSA 366:1, I, by the same shall not defeat this requirement. On a weekly basis each utility shall make public on its website its total net metering allocation, its reserved net metering capacity, and its installed and operating net metering capacity. For project applications of greater than 100 kilowatts, each utility net metering interconnection queue application shall include a certification of compliance with the 20 percent requirement, all persons involved in such an application shall sign the certification of compliance, and no application shall be processed where one or more persons involved in the application did not sign the certification of compliance.

3 Repeal. RSA 362-A:9, I-a, relative to net energy metering, is repealed.

4 Applicability. Section 3 of this act shall take effect upon a final decision of the commission which is not subject to appeal that sets a tariff and eliminates any cap on net metering as certified to the director of legislative services and the secretary of state.

5 Effective Date.

I. Section 3 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.

2016-1199h
AMENDED ANALYSIS

This bill:

I. Requires the public utilities commission to review net metering agreements between group hosts and group members.

II. Requires an electric utility to make certain information on net metering allocation and capacity available on its website on a bi-weekly basis.

III. Requires all persons involved in a net metering interconnection queue application to sign a certificate of compliance.

MOTION TO SPECIAL ORDER

Rep. Cloutier moved that **SB 152**, relative to criminal history records checks for school employees and designated school volunteers, be made a Special Order as the first order of business on the Regular Calendar.

Rep. Cloutier spoke in favor.

Motion adopted.

SPECIAL ORDER

SB 152, relative to criminal history records checks for school employees and designated school volunteers. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John Balcom for the Majority of Education. This bill provides that information relating to any crime committed by a school employee or a designated school volunteer may be used in making a hiring decision. The majority of the committee believed that this legislation is similar to a bill passed by the House in the 2015 session; and for the safety of our students, we need to pass this senate bill. The bill's intent is to prevent known predators or criminals from accessing our schools by allowing the release of information regarding convictions of applicants for any felonies and misdemeanors. Vote 17-2.

Rep. Christopher Adams for the Minority of Education. This bill addresses a critical issue in the hiring of school district staff and ensuring these individuals are properly vetted and have no criminal history that may indicate a danger to students and staff that they will come into contact with on a daily basis. Last year, the house passed a similar bill that would have enacted these protections by widening the scope of reported incidents from felony convictions to both felony and misdemeanor convictions being reported. Unfortunately, this bill narrows the dispersion of the information reported and the scope of decision making process to only the superintendent in a district thus causing potential overwork and an avenue for personal bias in the decision making process. The bill also muddies the water in the application of this law to non-public schools that may not have a superintendent or chief executive officer as defined in the legislation even though they may wish to perform these criminal history checks. If they choose to perform these checks they must comply with the legislation despite not having the prescribed official. They may have a qualified staff professional or agency that is bonded and insured to perform such evaluations do this work for them. This legislation would prohibit that. Last, the legislation broadens discretionary application of this law beyond being convicted of a felony or misdemeanor to any crimes that may potentially have been of a civil or commercial nature, such as being convicted of breach of peace for protesting at a political event or in opposition to building a pipeline through your property.

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

Rep. Adams offered minority committee amendment (1105h).

Minority Amendment (1105h)

Amend RSA 189:13-a, I-V as inserted by section 1 of the bill by replacing it with the following:

I.(a) The employing school administrative unit, school district, or chartered public school shall complete a criminal history records check on every selected applicant for employment in any position in the school administrative unit, school district, or chartered public school prior to a final offer of employment. A public academy approved by the New Hampshire state board of education shall submit a criminal history records check on applicants for employment pursuant to this section. ~~[A school administrative unit, school district, chartered public school, or public academy]~~ ***The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** may extend a conditional offer of employment to a selected applicant, with a final offer of employment subject to a successfully completed criminal history records check. No selected applicant may be extended a final offer of employment unless the school administrative unit, school district, chartered public school, or public academy has completed a criminal history records check. The school administrative unit, school district, chartered public school, or public academy shall not be held liable in any lawsuit alleging that the extension of a conditional or final offer of employment to an applicant, or the acceptance of volunteer services from a designated volunteer, with a criminal history was in any way negligent or deficient, if the school administrative unit, school district, chartered public school, or public academy fulfilled the requirements of this section.

(b) A nonpublic school may elect to require a criminal history records check on selected applicants for employment or selected volunteers. A nonpublic school that elects to conduct a criminal history records check shall comply with the procedures and requirements set forth in this section. ***With respect to a nonpublic school, as used in this section, “superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee” means the person or persons designated by the nonpublic school to fulfill the duties set forth in this section.***

II. The selected applicant for employment or designated volunteer with a school administrative unit, school district, chartered public school, or public academy shall submit to the employer a notarized criminal history records release form, as provided by the division of state police, which authorizes the release of information regarding the presence or absence of any record of convictions of the applicant of felonies ***or misdemeanors***, or of charges pending disposition for or convictions of the applicant of the crimes listed in paragraph V. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the school administrative unit, school district, chartered public school, or public academy. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the school administrative unit, school district, chartered public school, or public academy may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where an applicant has lived during the past 5 years.

III. The school administrative unit, school district, chartered public school, or public academy shall submit the criminal history records release form to the New Hampshire state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. The state police shall examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of volunteer services in that school administrative unit, school district, chartered public school, or public academy, and shall report the presence or absence of any such crime to the ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee.*** ~~[Under no circumstances shall the criminal records be released to the school administrative unit, school district, chartered public school, or public academy. The school administrative unit, school district, chartered public school, or public academy]~~ ***The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph. If the criminal history records information indicates no criminal record, the ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** shall destroy the information received immediately following [its] review of the information. If the criminal history records information indicates that the applicant has been convicted of ~~[a felony]~~ ***any crime*** or has been charged pending disposition for or convicted of a crime listed in paragraph V, the ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such charges pending disposition or convictions. The ~~[school administrative unit, school district, chartered public school, or public academy]~~ ***superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** shall destroy any criminal history record information that indicates a criminal record within 30 days of receiving such information.

IV. The school administrative unit, school district, chartered public school, or public academy may require the selected applicant for employment or designated volunteer to pay the actual costs of the criminal history records check.

V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of RSA 630:1; 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene; in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, chartered public school, or public academy. ~~[By decision of the appropriate governing body, a school administrative unit, school district, chartered public school, or public academy]~~ ***The superintendent of the school administrative unit, or the chief executive officer of the chartered public school or public academy, or designee,*** may deny a selected applicant a final offer of employment if such person has been convicted of any ~~[felony]~~ ***crime*** in addition to those listed above. The governing body ***of a school district, chartered public school, or public academy*** may adopt a policy stating that any person who has been convicted of any felony, or any of a list of felonies, shall not be hired.

Rep. Adams spoke in favor.

Rep. Ladd spoke against.

Minority committee amendment failed.

Majority committee report adopted and referred to the Committee on Criminal Justice and Public Safety.

REGULAR CALENDAR CONT'D

SB 464-FN-A, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This bill establishes the statewide drug offender grant program. At the hearing it was determined that the bill title referenced revenue issues. Upon thorough review of the bill the committee concluded that there were no references to taxes or fees required to accomplish the goals of the program. The bill requires expenditure approval in order to implement the drug offender grant program. The vote of the committee is a procedural vote only. The vote of the committee should not be construed as a policy decision because the policy addressed by the bill is not within the jurisdiction of the House Ways and Means Committee. Vote 17-0.

Committee report adopted and referred to the Committee on Finance.

SB 339-FN, relative to required DNA analysis for certain offenses. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. Current law requires that the collection of a DNA sample (a cheek swab) be taken and analyzed upon a person's intake or prior to the release of a person from the state prison. The collection and analysis are allowed under current statute for any person convicted of any sexual offense, or any offense against a child, or any other felony offense prohibited by NH laws, or ". . . another state or federal law, whether on probation, conditional or unconditional release, completion of sentence, or release for any other reason." This bill adds the language ". . . or any person declared not guilty by reason of insanity or civilly committed to the department of corrections." This addition closes a loophole in the statute and would allow the Department of Corrections to collect and analyze a DNA sample if a person committed a felony offense but was found not guilty by reason of insanity. DNA is only collected at the state prison, not at any county jail or other lockup facility. Currently, there are less than 20 persons incarcerated who would fall into this category, as well as a much smaller number of persons who have been civilly committed to the state prison because they are a danger to either themselves or others. It costs about \$100 for collecting and analyzing each DNA swab, but there is a federally-funded program that pays for this so there is no cost to the state. Further, all fifty states have a variation of this law, with some states like California collecting DNA samples upon arrest rather than upon conviction. Both the Department of Corrections and the Department of Safety supported this bill. Tim Pifer, the NH State Police Forensic Laboratory Director, testified that given the substantial recidivism rate of persons who are found not guilty by reason of insanity for serious crimes, this bill would serve both as a deterrent and a useful investigative tool for unsolved crimes. NH Department of Corrections Commissioner William Wrenn also appeared before the committee to voice strong support for this bill. The committee debated the balance between public safety and individual rights to privacy, but the majority of the committee felt this to be a minimal intrusion to an individual with the greater good to society to be of stronger benefit. Over the years, with the perfecting of DNA analysis, many cold cases have been solved and many wrongly convicted persons have been exonerated. Vote 10-3.

Rep. Robert Cushing for the Minority of Criminal Justice and Public Safety. The minority recognizes that this bill would impact some people who have never engaged in, committed, or been charged with a crime, but who have severe mental illnesses that resulted in them being involuntarily committed to state institutions. Under RSA 135-C, people with mental illnesses are involuntarily committed to the state hospital, and under RSA 622:45 some of those acute patients, those whose illness pose a threat to themselves or others, are transferred to and civilly committed to the Department of Corrections Secure Psychiatric Unit. Mental illness is a medical condition, not a crime. The minority believes that, notwithstanding the current practice of the state comingling people civilly committed with those who have been convicted of crimes in the Secure Psychiatric Unit, the legislature should not require those who have never been accused of or committed a crime to submit to have a DNA sample be taken for DNA analysis to determine identification characteristics specific to that person. We should treat all patients the same when it comes to DNA testing for identification characteristics, and singling out those with mental illness for testing violates the concept of health care parity and equal treatment under the law.

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

Rep. Cushing spoke against.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

SB 389-FN, relative to the penalty for possession of multiple firearms. **INEXPEDIENT TO LEGISLATE.** Rep. Dick Marston for Criminal Justice and Public Safety. This bill is a very narrow piece of legislation to amend the armed career criminals statute (RSA 159:3-a). If this change was to be enacted, it would negatively affect the prosecutor's discretion in prosecuting armed career criminals. There was no testimony other than a co-sponsor. The NH Supreme Court has recently upheld the constitutionality of this statute. The majority of the committee, after much deliberation, came to the conclusion that the prosecutor is the best person to decide how to proceed in the prosecution of individual cases of armed career criminals. This bill is looking to solve a problem which does not exist in current law. Vote 8-3.

Committee report adopted.

SB 320, relative to non-academic surveys administered by a public school to its students. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for the Majority of Education. This bill changes current law to require parents, or guardians to give permission (opt-in) on all non-academic surveys or questionnaires except for the Centers of Disease Control and Protection (CDC) risk survey which requires an opt-out by parents or guardians. The amendment fixes language and makes it clear that only the CDC survey is opt-out. The bill also makes it clear that students under 18 cannot give permission for taking the survey. Vote 11-9.

Rep. June Frazer for the Minority of Education. The minority on this bill feel strongly that this matter is an issue of local control and a policy would more appropriately be left to local school districts. The bill also creates confusion in making one exception to the rule opt-in and another opt-out. Finally, it is feared that such a law might interfere with important research.

Majority Amendment (1143h)

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

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. ***The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention.*** The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. ~~[The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically.]~~ In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics. Majority committee amendment adopted.

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

Rep. Horrigan offered floor amendment (1240h).

Floor Amendment (1240h)

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

AN ACT relative to the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

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

1 State Board of Education; Duties. Amend RSA 186:11, IX-b, IX-c, and IX-d to read as follows:

IX-b. Health and Sex Education. Require school districts ***and chartered public schools*** to adopt a policy allowing an exception to a particular unit of health or sex education instruction based on religious objections. Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.

IX-c. Require school districts ***and chartered public schools*** to adopt a policy allowing an exception to specific course material based on a parent's or legal guardian's determination that the material is objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee, ***or designated chartered public school official*** in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district ***or the chartered public school*** and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.

IX-d. Require school districts ***and chartered public schools*** to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts ***and chartered public schools*** to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The school district ***or chartered public school*** shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

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

2016-1240h

AMENDED ANALYSIS

This bill adds references to include chartered public schools in the duties of the state board of education regarding health and sex education, exceptions to specific course material, and administration of non-academic surveys or questionnaires.

Rep. Horrigan spoke in favor and yielded to questions.

Rep. Ladd spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 52 - NAYS 274

YEAS - 52

CARROLL

Butler, Edward

CHESHIRE

Abbott, Michael
Bordenet, John
Robertson, Timothy

Ames, Richard
Eaton, Daniel
Shepardson, Marjorie

Tilton, Benjamin
Ley, Douglas

Berch, Paul
Pearson, William

COOS

Froburg, Alethea

GRAFTON

Abel, Richard
White, Andrew

Cooney, Mary

Maes, Kevin

Townsend, Charles

HILLSBOROUGH

Roberts, Carol
Leishman, Peter
Brown, Pamela

Edwards, Elizabeth
O'Brien, Michael
Shattuck, Gilman

Freitas, Mary
Mangipudi, Latha
Vann, Ivy

Herbert, Christopher
McNamara, Richard
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Hirsch, Geoffrey
Rogers, Katherine

Bartlett, Christy
Frazer, June

Bradley, Paula
Karrick, David

Deloge, Helen
Luneau, David

ROCKINGHAM

Cali-Pitts, Jacqueline
Gordon, Pamela

Cushing, Robert
Prudhomme-O'Brien, Katherine

Edgar, Michael
Sherman, Thomas

Lovejoy, Patricia

STRAFFORD

Cilley, Jacalyn
Stevens, Audrey

DiSesa, Len

Horrigan, Timothy

Spang, Judith

SULLIVAN

Converse, Larry

Oxenham, Lee

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BELKNAP

Aldrich, Glen
Fisher, Robert
Hurt, George
Vadney, Herbert

Dumais, Russell
Flanders, Donald
Spanos, Peter
Varney, Peter

Tilton, Franklin
Gallagher, Brian
Sylvia, Michael

Fields, Dennis
Howard, Raymond
Fraser, Valerie

CARROLL

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

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

Chandler, Gene
McCarthy, Frank
Schmidt, Stephen

Comeau, Ed
McConkey, Mark
Ticehurst, Susan

CHESHIRE

Chase, Cynthia
Mann, John
Sterling, Franklin

Emerson, Susan
McConnell, James
Tatro, Bruce

Hunt, John
Parkhurst, Henry
Weber, Lucy

Roberts, Kris
Sad, Tara

COOS

Fothergill, John
Tholl, John

Moynihan, Wayne
Thomas, Yvonne

Rideout, Leon

Theberge, Robert

GRAFTON

Almy, Susan
Hennessey, Erin
Higgins, Patricia
Hennessey, Martha

Bailey, Brad
Johnson, Eric
Hull, Robert
Nordgren, Sharon

Bennett, Travis
Ford, Susan
Ingbertson, Paul
Piper, Wendy

Darrow, Stephen
Gionet, Edmond
Ladd, Rick
Sykes, George

HILLSBOROUGH

Adams, Christopher
Beaulieu, Jane
Bouldin, Amanda
Coffey, James
Danielson, David
Estevez, Eric
Smith, Gregory
Goley, Jeffrey
Haefner, Robert
Hogan, Edith
Rice, Kimberly
Lachance, Joseph
Martel, Andre
Murotake, David
Long, Patrick
Peterson, Ken
Christie, Rick
Rouillard, Claire
Scontsas, Lisa
Souza, Kathleen
Twombly, Timothy
Wolf, Terry

Griffin, Barbara
Biggie, Barbara
Burt, John
Cohen, Alan
DiSilvestro, Linda
Ferreira, Elizabeth
Gagne, Larry
Gorman, Mary
Hansberry, Daniel
Infantine, William
Kurk, Neal
LeBrun, Donald
McClarren, Donald
Murphy, Keith
McCarthy, Peggy
Pierce, David
Ober, Russell
Rowe, Robert
Seidel, Carl
Straight, Phillip
Ulery, Jordan
Woodbury, David

Backus, Robert
Boehm, Ralph
Byron, Frank
Cornell, Patricia
Eastman, Eric
Flanagan, Jack
Gargas, Carolyn
Gould, Linda
Hansen, Peter
Jack, Martin
Christiansen, Lars
Manley, Jonathan
McLean, Mark
Notter, Jeanine
Palmer, Barry
Porter, Marjorie
Walsh, Robert
Sanborn, Laurie
Simmons, Tammy
Takesian, Charlene
Sullivan, Victoria
Zaricki, Nick

Balcom, John
Booras, Efstathia
Christensen, Chris
Sullivan, Daniel
Edelblut, Frank
Fromuth, Bart
Gidge, Kenneth
Goulette, William
Hinch, Richard
Judy, Jean
Ober, Lynne
Marston, Dick
Moore, Josh
Ohm, Bill
Pellegrino, Anthony
Proulx, Mark
Rosenwald, Cindy
Schleien, Eric
Snow, Kendall
Smith, Timothy
O'Brien, William

MERRIMACK

Turcotte, Alan
McGuire, Dan
French, Harold
Hoell, J.R.
Kotowski, Frank
Martin, John
Patten, Dick
Shurtleff, Stephen

French, Barbara
Doherty, David
Henle, Paul
Horn, Werner
Kuch, Bill
Moffett, Howard
Ratzki, Mario
Walsh, Thomas

Brewster, Michael
Ebel, Karen
Hess, David
Kenison, Linda
MacKay, James
Myler, Mel
Saunderson, George
Wheeler, Deborah

Carson, Clyde
Gile, Mary
Hill, Gregory
Kidder, David
Marple, Richard
Parent, Jason
Schuett, Dianne

ROCKINGHAM

Christie, Andrew
Azarian, Gary
Berrien, Skip
Cardon, G. Thomas
DeSimone, Debra
Elliott, Robert
Fesh, Robert
Guthrie, Joseph
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
McKinney, Betsy
Packard, Sherman
Gordon, Richard
True, Chris
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Alfred
Borden, David
Cook, Allen
Devine, James
Emerick, J. Tracy
Francese, Paula
Hagan, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Manning, John
McMahon, Charles
Pantelakos, Laura
Tilton, Rio
Tucker, Pamela
Woitkun, Steven

Abramson, Max
Barnes, Arthur
Bush, Carol
Thomas, Douglas
Doucette, Fred
Rice, Frederick
Gannon, William
Harris, Jeffrey
Introne, Robert
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Simpson, Alexis
Vose, Michael

Allen, Mary
Bates, David
Cahill, Michael
Dean-Bailey, Yvonne
Duarte, Joe
Ferrante, Beverly
Green, Dennis
Heffron, Frank
Ward, Joanne
Griffin, Mary
McBeath, Rebecca
Osborne, Jason
Potucek, John
Sytek, John
Welch, David

STRAFFORD

Baber, William
Burton, Wayne
Graham, Robert
Kaczynski, Thomas
Mullen, John
Southworth, Thomas

Berube, Roger
Cheney, Catherine
Gray, James
Kaen, Naida
Schmidt, Peter
Treleaven, Susan

Bickford, David
DeLemus, Susan
Groen, Warren
Turcotte, Leonard
Pitre, Joseph
Wall, Janet

Bixby, Peter
Gardner, Janice
Hannon, Joseph
Leeman, Don
Rollo, Deanna
Wuelper, Kurt

SULLIVAN

Schmidt, Andrew
Grenier, James
Smith, Steven

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
Laware, Thomas

Gottling, Suzanne
Rollins, Skip

and floor amendment (1240h) failed.

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

Rep. Victoria Sullivan spoke in favor and yielded to questions.

Majority committee report adopted and ordered to third reading.

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill establishes the Board of Medical Imaging and Radiation Therapy for the licensure and regulation of magnetic resonance technologists, nuclear medicine technologists, radiation therapists, radiographers, radiologist assistants, and sonographers. The committee heard testimony about the potential dangers and risks to patient health that could result from the practice of inadequately trained operators. This, coupled with a likely increase in the number of independent radiology clinics, led members to support this bill in order to ensure that appropriate training and continuing education are completed and that disciplinary action can be taken for unprofessional or unethical conduct. Vote 16-2.

Rep. Hannon spoke against.

Rep. Sherman spoke in favor and yielded to questions.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 213 - NAYS 113

YEAS - 213**BELKNAP**

Dumais, Russell

Tilton, Franklin

Fields, Dennis

Flanders, Donald

Buco, Thomas
McConkey, Mark
Ticehurst, Susan

Butler, Edward
Nelson, Bill
Umberger, Karen

Chandler, Gene
Parker, Harold

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Parkhurst, Henry
Shepardson, Marjorie

Ames, Richard
Emerson, Susan
Pearson, William
Sterling, Franklin

Berch, Paul
Ley, Douglas
Robertson, Timothy
Tatro, Bruce

Bordenet, John
Mann, John
Sad, Tara
Weber, Lucy

COOS

Fothergill, John
Theberge, Robert

Froburg, Alethea
Tholl, John

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
Ford, Susan
Maes, Kevin
Townsend, Charles

Almy, Susan
Higgins, Patricia
Nordgren, Sharon
White, Andrew

Bennett, Travis
Ladd, Rick
Piper, Wendy

Cooney, Mary
Hennessey, Martha
Sykes, George

HILLSBOROUGH

Griffin, Barbara
Booras, Efstathia
Cohen, Alan
Flanagan, Jack
Gargas, Carolyn
Guerette, C. Lee
Hinch, Richard
Christiansen, Lars
Mangipudi, Latha
Long, Patrick
Pierce, David

Backus, Robert
Byron, Frank
Cornell, Patricia
Freitas, Mary
Gidge, Kenneth
Haefner, Robert
Infantine, William
LeBrun, Donald
Manley, Jonathan
McCarthy, Peggy
Porter, Marjorie

Balcom, John
Christensen, Chris
Sullivan, Daniel
Smith, Gregory
Goley, Jeffrey
Hansberry, Daniel
Jack, Martin
Leishman, Peter
McNamara, Richard
Pellegrino, Anthony
Proulx, Mark

Beaulieu, Jane
Roberts, Carol
DiSilvestro, Linda
Gagne, Larry
Gorman, Mary
Herbert, Christopher
Judy, Jean
O'Brien, Michael
Brown, Pamela
Peterson, Ken
Walsh, Robert

Rosenwald, Cindy
Snow, Kendall
Vann, Ivy

Rouillard, Claire
Straight, Phillip
Williams, Kermit

Rowe, Robert
Takesian, Charlene
Wolf, Terry

Shattuck, Gilman
Smith, Timothy
Woodbury, David

MERRIMACK

Turcotte, Alan
Bradley, Paula
Ebel, Karen
Hirsch, Geoffrey
Kidder, David
Martin, John
Ratzki, Mario
Shurtleff, Stephen

Alicea, Caroletta
Carson, Clyde
Gile, Mary
Frazer, June
Kotowski, Frank
Moffett, Howard
Rogers, Katherine
Walsh, Thomas

French, Barbara
Deloge, Helen
Henle, Paul
Karrick, David
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Bartlett, Christy
Doherty, David
Hess, David
Kenison, Linda
MacKay, James
Patten, Dick
Schuett, Dianne
Wheeler, Deborah

ROCKINGHAM

Christie, Andrew
Berrien, Skip
Cardon, G. Thomas
Doucette, Fred
Fesh, Robert
Harris, Jeffrey
Ward, Joanne
Manning, John
McMahon, Charles
Pantelakos, Laura
Sherman, Thomas

Abrami, Patrick
Borden, David
Cushing, Robert
Edgar, Michael
Francese, Paula
Heffron, Frank
Lovejoy, Patricia
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Simpson, Alexis

Azarian, Gary
Cahill, Michael
Thomas, Douglas
Elliott, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Griffin, Mary
McBeath, Rebecca
Gordon, Pamela
Prudhomme-O'Brien, Katherine
Sytek, John

Barnes, Arthur
Cali-Pitts, Jacqueline
Devine, James
Ferrante, Beverly
Hagan, Joseph
Introne, Robert
Major, Norman
McKinney, Betsy
Packard, Sherman
Tilton, Rio
Woitkun, Steven

STRAFFORD

Baber, William
Burton, Wayne
Gardner, Janice
Kaen, Naida
Spang, Judith

Berube, Roger
Cheney, Catherine
Gray, James
Schmidt, Peter
Stevens, Audrey

Bickford, David
Cilley, Jacalyn
Horrigan, Timothy
Rollo, Deanna
Treleaven, Susan

Bixby, Peter
DiSesa, Len
Ward, Kenneth
Southworth, Thomas
Wall, Janet

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Rollins, Skip

Cloutier, John
Grenier, James
Smith, Steven

Converse, Larry
Irwin, Virginia

Gagnon, Raymond
Oxenham, Lee

NAYS - 113

BELKNAP

Aldrich, Glen
Hurt, George
Vadney, Herbert

Fisher, Robert
Spanos, Peter
Varney, Peter

Gallagher, Brian
Sylvia, Michael

Howard, Raymond
Fraser, Valerie

CARROLL

Avellani, Lino
Wright, Ted

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Tilton, Benjamin

Hunt, John

Roberts, Kris

McConnell, James

COOS

Rideout, Leon

GRAFTON

Bailey, Brad
Gionet, Edmond

Darrow, Stephen
Hull, Robert

Hennessey, Erin
Ingbretson, Paul

Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Burt, John
Edelblut, Frank
Fromuth, Bart
Hogan, Edith
Martel, Andre
Murphy, Keith
Christie, Rick
Scoutsas, Lisa
Twombly, Timothy
Zaricki, Nick

Biggie, Barbara
Coffey, James
Edwards, Elizabeth
Gould, Linda
Rice, Kimberly
McClarren, Donald
Notter, Jeanine
Ober, Russell
Seidel, Carl
Ulery, Jordan

Boehm, Ralph
Danielson, David
Estevez, Eric
Goulette, William
Lachance, Joseph
Moore, Josh
Ohm, Bill
Sanborn, Laurie
Simmons, Tammy
Sullivan, Victoria

Bouldin, Amanda
Eastman, Eric
Ferreira, Elizabeth
Hansen, Peter
Marston, Dick
Murotake, David
Palmer, Barry
Schleien, Eric
Souza, Kathleen
O'Brien, William

MERRIMACK

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

McGuire, Dan
Horn, Werner

French, Harold
Kuch, Bill

Hill, Gregory
Marple, Richard

ROCKINGHAM

Abramson, Max
Bush, Carol
Duarte, Joe
Green, Dennis
Kolodziej, Walter
True, Chris

Allen, Mary
Cook, Allen
Emerick, J. Tracy
Hodgdon, Bruce
Osborne, Jason
Tucker, Pamela

Baldasaro, Alfred
Dean-Bailey, Yvonne
Rice, Frederick
Kappler, Lawrence
Potucek, John
Welch, David

Bates, David
DeSimone, Debra
Gannon, William
Katsakiores, Phyllis
Gordon, Richard
Weyler, Kenneth

STRAFFORD

DeLemus, Susan
Kaczynski, Thomas
Pitre, Joseph

Graham, Robert
Turcotte, Leonard
Whitehouse, Joshua

Groen, Warren
Leeman, Don
Wuelper, Kurt

Hannon, Joseph
Mullen, John

SULLIVAN

Laware, Thomas

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

Reps. McLean and Vose declared conflicts of interest and did not participate.

SB 392, relative to the special training licenses issued by the board of podiatry. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill allows the Board of Podiatry to issue special training licenses to persons enrolled in an accredited residency program in NH. The committee heard testimony that this bill is needed to address the growing shortage of podiatrists in NH. Our neighboring states currently offer residency for a podiatrist in training, giving them an edge in the recruitment of these medical professionals and greater certainty of these individuals remaining in state to practice following their residency. The license established by this bill provides NH with the same advantage. Vote 11-2. Committee report adopted and ordered to third reading.

SB 446, relative to requirements of the state building code. **OUGHT TO PASS.**

Rep. J.R. Hoell for Executive Departments and Administration. The bill adds a small provision to the statutes so that when the Building Code Review Board adopts new rules about the permit application process, the new rules are "reasonable." The committee heard testimony that some building inspectors have asked for extensive information during the application process and this slows down and or delays the issuance of permits. The only process in place to appeal is through the local zoning board and this could take a month or more creating real issues for getting a project started before a deadline. For example, if a permit is issued late enough in the fall to delay construction, it may not be possible to construct a foundation before the frost sets in. The balance of the process remains the same and the renovation or construction still needs to meet all necessary codes and still goes through the same inspection process, this bill just affects the ability to get the permit issued in a timely manner so construction can begin. Vote 9-6. Committee report adopted and ordered to third reading.

SB 545, proclaiming August as Cure all Cancer month. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Raymond Gagnon for the Majority of Executive Departments and Administration. The goal of this bill is to reinforce that an ounce of prevention is worth a pound of cure. The legislation serves as a tool in raising the public's attention in combating cancer. Testimony in support of this bill stressed how increasing the public's knowledge and awareness about cancer can have an effective impact and that statistics indicate enhanced education and awareness could reduce cancer by 50%. Proclaiming February as Cancer Prevention Month and February 4 as Cancer Prevention Day will complement federal cancer prevention efforts thus providing coordinated national, state and local efforts. Cancer prevention/education events provide added opportunities for anti-cancer groups to reach out to the general public. Lastly, this bill also recognizes August as Cure all Cancer Month in honor of the many people who have lost their lives to cancer or who are battling this dreaded disease. The rising incidence of cancer needs to be met with increased efforts both to implement prevention practices now and to find a cure as soon as possible. New Hampshire has demonstrated that it can be a leader in promoting cancer prevention and should do so with the passage of this legislation. Vote 9-8.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill as amended sets aside two different months and one particular day for cancer awareness. The minority applauds the purpose behind the bill and has no concerns regarding the desire to encourage people to live happier and healthier lives. The minority also has no concerns about promoting cancer awareness. However, we felt that this bill will not yield the intended results. The ED&A Committee sees a plethora of requests for special days and events and we felt that designating two months for this purpose would water down the message and in the end hurt the

cause more than help it. The result of all of these requests is that every day will be a “special” day for some cause and then none of those days will be considered special as every day or month will be devoted to some cause and the importance of the individual issues will be lost in the noise.

Majority Amendment (1107h)

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

AN ACT proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

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

1 Statement of Intent. The general court recognizes that October is Breast Cancer awareness month which is laudable. The general court further recognizes that there should be a focus on cancer prevention and finding a cure for all cancers and that having only one month for a specific cancer may detract from many other deadly cancers. Therefore, the general court hereby proclaims February as cancer prevention month, February 4th as cancer prevention day, and August as Cure all Cancer month in honor of the many people who have lost their lives to cancer or who are battling cancer. The general court specifically dedicates this act to Tierra Brewster VanCise who lost her battle with lung cancer in October of 2010.

2 New Section; Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. Amend RSA 4 by inserting after section 13-u the following new section:

4:13-v Cancer Prevention Month, Cancer Prevention Day, and Cure all Cancer Month. The governor shall annually proclaim February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month and shall urge cities and towns throughout the state to observe these dates in an appropriate manner in recognition of the thousands of citizens of this state affected by all types of cancer and the need for public awareness, research, and support for victims and their families.

2016-1107h

AMENDED ANALYSIS

This bill proclaims February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

Majority committee amendment adopted.

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

On a division vote, with 174 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 498-FN, relative to penalties for possession of certain controlled drugs. **OUGHT TO PASS.**

Rep. David Welch for Criminal Justice and Public Safety. This bill is a result of a study of stakeholders such as law enforcement, public defenders, the courts and substance abuse organizations. They determined that reducing the penalty for possession of small amounts of marijuana and hashish to an unclassified misdemeanor with a minimum fine of \$500 would enable the court to treat first time offenders as a violation, enable substance abuse counseling or establish a criminal record based on the individual's conduct or record. Vote 13-0.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

SB 460, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ralph Boehm for Education. This bill authorizes the state board of education to adopt rules relating to preventing child sexual abuse and promoting healthy relationships. The amendment removes the terms child sexual abuse and healthy relationships and replaces it with the reference to existing law, RSA 169-C, which covers and defines: sexual, psychological and physical child abuse. Vote 20-0.

Amendment (1196h)

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

AN ACT authorizing the state board of education to adopt rules relative to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse *under RSA 169-C*, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

2016-1196h
AMENDED ANALYSIS

This bill authorizes the state board of education to adopt rules relative to child abuse pursuant to the child protection act.

Committee amendment adopted.

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

Rep. Ladd offered floor amendment (1241h).

Floor Amendment (1241h)

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

AN ACT relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, especially physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse ***as established in the definition of "abused child" under RSA 169-C:3, II***, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

2016-1241h
AMENDED ANALYSIS

This bill requires a school board to ensure that health and physical education as it relates to abused children is taught in schools.

Rep. Ladd spoke in favor.

Floor amendment (1241h) adopted.

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

Rep. Hoell offered floor amendment (1270h).

Floor Amendment (1270h)

Amend RSA 189:10 as inserted by section 1 of the bill by replacing it with the following:

189:10 Studies. The school board shall ensure that health education and physical education are taught to pupils as part of the basic curriculum. The school board shall ensure that all studies prescribed by the state board of education are thoroughly taught, [especially] ***including*** physiology, hygiene, and health and physical education as they relate to the effects of alcohol and other drugs, child abuse ***under RSA 169-C***, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

Rep. Hoell withdrew floor amendment (1270h).

Majority committee report adopted and ordered to third reading.

SB 441-FN, relative to discounts and admission without charge at state parks. **OUGHT TO PASS.**

Rep. John Mullen for Resources, Recreation and Development. The bill was brought forth to modify the Division of Parks and Recreation's ability to offer admission without charge to persons 65 years of age and older to state parks and other areas, and repeals a requirement for the division to issue discount coupon books for state parks in the summer months. The premise behind this bill is to resolve a conflict between two statutes. RSA 218:5-c describes who and what park activities shall provide those 65 years and older free admission to state parks, historical sites, beaches and state operated ski areas. RSA 216-A:3-g instructs the division to charge fees that are comparable with fees for use of similar privately owned ski and campground facilities and should be according to market conditions. In addition, the fees are to be used to offset expenses to maintain these state facilities and be able to adjust to market conditions. This bill gives the division the ability to set limited fees for those over 65 subject to approval of the Fiscal Committee. These fees would allow the division to ensure the continued operation and improvement of state parks, historical sites, beach and ski areas while not violating the intent of current legislation to not unfairly compete with private facilities. Vote 17-0.

Rep. Bailey spoke against.

Rep. Mullen spoke in favor and yielded to questions.

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

YEAS 171 - NAYS 158

**YEAS - 171
BELKNAP**

Dumais, Russell
Hurt, George

Tilton, Franklin
Sylvia, Michael

Fields, Dennis
Vadney, Herbert

Flanders, Donald

CARROLL

Chandler, Gene
Schmidt, Stephen

Comeau, Ed
Umberger, Karen

Crawford, Karel

McConkey, Mark

CHESHIRE

Bordenet, John
Mann, John
Sterling, Franklin

Emerson, Susan
McConnell, James
Tatro, Bruce

Hunt, John
Pearson, William

Ley, Douglas
Shepardson, Marjorie

COOS

Fothergill, John

Tholl, John

Thomas, Yvonne

GRAFTON

Almy, Susan
Hull, Robert
Piper, Wendy

Darrow, Stephen
Ladd, Rick
White, Andrew

Johnson, Eric
Hennessey, Martha

Higgins, Patricia
Maes, Kevin

HILLSBOROUGH

Adams, Christopher
Biggie, Barbara
Coffey, James
Ferreira, Elizabeth
Gagne, Larry
Haefner, Robert
Rice, Kimberly
LeBrun, Donald
Murotake, David
Brown, Pamela
Pierce, David
Rowe, Robert
Straight, Phillip
Wolf, Terry

Griffin, Barbara
Boehm, Ralph
Danielson, David
Flanagan, Jack
Gargas, Carolyn
Hansen, Peter
Kurk, Neal
Marston, Dick
Murphy, Keith
McCarthy, Peggy
Ober, Russell
Scotsas, Lisa
Takesian, Charlene

Balcom, John
Byron, Frank
DiSilvestro, Linda
Freitas, Mary
Gidge, Kenneth
Herbert, Christopher
Christiansen, Lars
McLean, Mark
Notter, Jeanine
Palmer, Barry
Rosenwald, Cindy
Seidel, Carl
Ulery, Jordan

Beaulieu, Jane
Christensen, Chris
Edwards, Elizabeth
Smith, Gregory
Gould, Linda
Hinch, Richard
Ober, Lynne
McNamara, Richard
Ohm, Bill
Pellegrino, Anthony
Rouillard, Claire
Simmons, Tammy
Williams, Kermit

MERRIMACK

Bradley, Paula
Ebel, Karen
Hess, David
Kenison, Linda
MacKay, James
Shurtleff, Stephen

Brewster, Michael
Gile, Mary
Hill, Gregory
Kidder, David
Marple, Richard
Walsh, Thomas

McGuire, Dan
French, Harold
Hoell, J.R.
Kotowski, Frank
Martin, John

Deloge, Helen
Henle, Paul
Horn, Werner
Luneau, David
Moffett, Howard

ROCKINGHAM

Christie, Andrew
Barnes, Arthur
Thomas, Douglas
Rice, Frederick
Gannon, William
Hoelzel, Kathleen
Manning, John
Packard, Sherman
Schroadter, Adam
Woitkun, Steven

Abrami, Patrick
Bates, David
DeSimone, Debra
Ferrante, Beverly
Green, Dennis
Ward, Joanne
Matthews, Carolyn
Peckham, Michele
Sherman, Thomas

Allen, Mary
Berrien, Skip
Devine, James
Fesh, Robert
Hagan, Joseph
Katsakiores, Phyllis
McKinney, Betsy
Potucek, John
Sytek, John

Azarian, Gary
Cook, Allen
Elliott, Robert
Francesca, Paula
Heffron, Frank
Major, Norman
Osborne, Jason
Prudhomme-O'Brien, Katherine
Vose, Michael

STRAFFORD

Baber, William
Graham, Robert
Kaen, Naida
Schmidt, Peter
Wuelper, Kurt

Bickford, David
Gray, James
Turcotte, Leonard
Southworth, Thomas

Bixby, Peter
Groen, Warren
Leeman, Don
Spang, Judith

Cheney, Catherine
Kaczynski, Thomas
Mullen, John
Whitehouse, Joshua

SULLIVAN

Schmidt, Andrew
Rollins, Skip

Gottling, Suzanne
Smith, Steven

Grenier, James

Irwin, Virginia

**NAYS - 158
BELKNAP**

Aldrich, Glen
Spanos, Peter

Fisher, Robert
Fraser, Valerie

Gallagher, Brian
Varney, Peter

Howard, Raymond

CARROLL

Avellani, Lino
McCarthy, Frank
Wright, Ted

Buco, Thomas
Nelson, Bill

Butler, Edward
Parker, Harold

Cordelli, Glenn
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Robertson, Timothy

Ames, Richard
Eaton, Daniel
Sad, Tara

Tilton, Benjamin
Roberts, Kris
Weber, Lucy

Berch, Paul
Parkhurst, Henry

COOS

Froburg, Alethea
Rideout, Leon

Hatch, William
Theberge, Robert

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Abel, Richard
Hennessey, Erin
Sykes, George

Bailey, Brad
Ford, Susan
Townsend, Charles

Bennett, Travis
Gionet, Edmond

Cooney, Mary
Nordgren, Sharon

HILLSBOROUGH

Backus, Robert
Roberts, Carol
Eastman, Eric
Goley, Jeffrey
Hansberry, Daniel
Jeudy, Jean
Mangipudi, Latha
Moore, Josh
Proulx, Mark
Schleien, Eric
Smith, Timothy
O'Brien, William

Booras, Efstathia
Cohen, Alan
Edelblut, Frank
Gorman, Mary
Hogan, Edith
Lachance, Joseph
Manley, Jonathan
Long, Patrick
Christie, Rick
Shattuck, Gilman
Twombly, Timothy
Woodbury, David

Bouldin, Amanda
Cornell, Patricia
Estevez, Eric
Goulette, William
Hopper, Gary
Leishman, Peter
Martel, Andre
Peterson, Ken
Walsh, Robert
Snow, Kendall
Sullivan, Victoria
Zaricki, Nick

Burt, John
Sullivan, Daniel
Fromuth, Bart
Guerette, C. Lee
Jack, Martin
O'Brien, Michael
McClarren, Donald
Porter, Marjorie
Sanborn, Laurie
Souza, Kathleen
Vann, Ivy

MERRIMACK

Turcotte, Alan
Carson, Clyde
Karrick, David
Patten, Dick
Schuett, Dianne

Alicea, Caroletta
Doherty, David
Kuch, Bill
Ratzki, Mario
Wallner, Mary Jane

French, Barbara
Hirsch, Geoffrey
Myler, Mel
Rogers, Katherine
Wheeler, Deborah

Bartlett, Christy
Frazer, June
Parent, Jason
Saunderson, George

ROCKINGHAM

Abramson, Max
Cahill, Michael
Dean-Bailey, Yvonne
Emerick, J. Tracy
Introne, Robert
Griffin, Mary
Gordon, Pamela
Simpson, Alexis

Baldasaro, Alfred
Cali-Pitts, Jacqueline
Doucette, Fred
Guthrie, Joseph
Kappler, Lawrence
McBeath, Rebecca
Pantelakos, Laura
True, Chris

Borden, David
Cardon, G. Thomas
Duarte, Joe
Harris, Jeffrey
Kolodziej, Walter
McMahon, Charles
Gordon, Richard
Tucker, Pamela

Bush, Carol
Cushing, Robert
Edgar, Michael
Hodgdon, Bruce
Lovejoy, Patricia
Nigrello, Robert
Tilton, Rio

STRAFFORD

Berube, Roger
DiSesa, Len
Ward, Kenneth
Wall, Janet

Burton, Wayne
Gardner, Janice
Pitre, Joseph

Cilley, Jacalyn
Hannon, Joseph
Rollo, Deanna

DeLemus, Susan
Horrigan, Timothy
Treleven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Converse, Larry

Gagnon, Raymond

Laware, Thomas

and the committee report was adopted and referred to the Committee on Ways and Means.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, April 20, 2016 at 10:00 a.m.

LATE SESSION**Third Reading and Final Passage**

SB 25-FN, relative to the administration of epinephrine.

SB 312, relative to epinephrine administration in independent schools.

SB 314, relative to the membership of the higher education commission.

SB 316, relative to placement decisions by a child's individualized education program team.

SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools.

SB 328-L, relative to school districts and school administrative units exercising joint powers with other public agencies.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat.

SB 371, relative to school lunch meal payment policies.

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

SB 237-FN, establishing a reporting requirement for gubernatorial inauguration contributions.

SB 313, relative to requirements for licensed estheticians.

SB 332, relative to state procurement of goods and services.

SB 390-FN, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits.

SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission.

SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers.

SB 400, relative to executive branch ethics.

SB 467-FN, relative to private investigators, security guards, and bail enforcement agents, and relative to unsworn falsification on agency forms.

SB 257-FN, relative to membership in the judicial retirement plan of judges appointed at age 63 or older.

SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area.

SB 378, relative to the availability of net metering tariffs.

SB 320, relative to non-academic surveys administered by a public school to its students.

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists.

SB 392, relative to the special training licenses issued by the board of podiatry.

SB 446, relative to requirements of the state building code.

SB 545, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention day, and August as Cure all Cancer month.

SB 460, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

UNANIMOUS CONSENT

Rep. Notter requested Unanimous Consent of the House regarding memorial remarks for the former member from Amherst, the Honorable Carol Holden.

Rep. Notter addressed the House.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Amherst, the Honorable Carol Holden.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Notter during Unanimous Consent be printed in the Permanent Journal.

Motion adopted unanimously.

REMARKS

Rep. Notter: Thank you, Mr. Speaker. I would like to invite the Representatives who were involved with the Vesta Roy Series, or the Federation of Republican Women, to stand with me at the podium to remember and honor our friend, Commissioner Carol Holden. Mr. Speaker, when I first got involved with New Hampshire politics I felt a bit "star struck," I guess is the term, when I met elected officials. I was nervous the first time I met with Commissioner Holden. A television show called, "The Commish," came to mind while I was having coffee at a Dunkin Donuts, in Merrimack, with an actual commissioner. Somehow our conversation led to a discussion of passing the time while waiting in line at the grocery store. When Commissioner Holden told me that she also enjoys reading the tabloid headlines, I felt more at ease and began to realize that perhaps, just maybe, elected officials are also just regular people. This past Friday, April 1, 2016, Commissioner Carol Holden died peacefully at her home after

a brief illness. The news left many of us shocked and saddened, especially for her husband, Don. I just saw Carol, what seems like, days ago. She was wearing one of her signature hats and looked just fine. Yesterday, at the viewing, I saw the hat before I noticed her family in the receiving line. I'm happy to report that Carol Holden went to her eternal rest sporting a pink straw hat with a good Republican elephant pin at the top. She looked like she was sleeping. Several of us knew Carol through Vesta Roy. Vesta Roy was the NH State Senate President when Governor Hugh Gallen died in office in 1982. Vesta succeeded him, making her the first female governor of NH. Her portrait is at the base of the stairs that leads to the Senate Gallery. The first female Speaker of the NH House of Representatives was Donna Sytek. Speaker Sytek was one of the founders of a political educational program called, "Vesta Roy Excellence in Public Service." Carol Holden was on the Vesta Roy Board of Directors and a mentor to several of us serving in the House today. We call ourselves, "Vesties." Sometimes we wear a specific gold star to identify ourselves. It was Carol who taught me to how to politic a room. She taught me the proper wording when asking for an endorsement. She stressed what is essential when running for office. And when things were not to her liking, she let me know. In addition to the Vesta Roy Series, Carol had a long history with the Federation of Republican Women. The National Federation is based in Washington, D.C. Each state has its own chapter. Carol is a past President. We have five federated groups in our state. I think she supported them all. When I was a club president, Carol was my parliamentarian. It was her job to make sure that I ran the meetings the way that Donna Sytek taught me to in Vesta Roy. Carol gave me booklet of notes on Robert's Rules for Parliamentary Procedure, to refer to as needed. Honestly though, if Carol was at one of our meetings, it was a lot easier to just look her way for a nod of approval than it was to look at my notes. A few weeks ago I was informed that as the current state president of the NH Federation of Republican Women, I had to fill the positions required by Nationals. Wasn't it just days ago that I received an email from Carol accepting the position of, you guessed it, Parliamentarian? Carol's obituary had a long list of Republican boards and activities that she ran or served. She was one of three commissioners for Hillsborough County. Merrimack was one of the towns in her district. She always marched in our 4th of July parade. She worked the Republican booth at county fairs and was always seen at various Republican events, the like the Federation's annual Lilac Luncheon. Did you know that she was related to President George Bush? Yeah, both of them, #41 and #43. Carol is from the Walker branch of the family. We had coffee with Doro Bush this past December. For those who don't know, Jeb is not George W's only sibling. There is also Neil, Marvin, and Doro. When I introduced Carol to Doro, Doro called her "Cousin" for the rest of the visit. Carol held many offices. She was a NH State Rep from 1984-1997. She chaired and co-chaired committees and served as Assistant Majority Leader in her last two years. Female legislators are automatically members of the Order of the Women Legislators. I believe you know them by the term, "The OWLS." Sometime last fall I was browsing in the Capitol Visitor's Center. Debbie Rivers pointed to a stack of books on the floor, in the corner, that were being given away. She handed me one. I took it home and added it to a stack of books sitting on the floor, in the corner, of my room. It was a book about the OWLS. I didn't know what to do with it. At Christmas time, the Merrimack Town Republican committee had a fundraiser. Carol was there, because Carol went to most Republican meetings. When she saw the book on the table with giveaways and political literature, she asked me about it. When I told her that she could have it, I saw her face light up like I've never seen before. The book covered the years that she served in this House, and her name was in it. I will always remember how happy and pleased she looked that evening. I can't believe she is gone. Her friend, local photographer Glynis Citarelli, posted the following on Facebook: "Madam Commissioner, you truly wore many hats. A tireless public servant. Godspeed my dear friend." To that I'd like to add, "May her memory be eternal." Thank you, Mr. Speaker.

RECESS MOTION

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

The House recessed at 12:20 p.m.

RECESS

(Rep. Barbara French in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 527, 1145, 1438 and Senate Bills numbered 110 and 238.

Rep. Hinch, Sen. Prescott for the Committee

SENATE MESSAGES

CONCURRENCE

HB 1116, relative to net metering.

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws.

HB 1197, relative to conservation number plate funds.

HB 1208-FN, relative to administration of the tobacco tax.

HB 1219-FN-L, relative to the repurchase of tax-deeded property by the former owner and the costs therefor.

HB 1225, permitting high school students who are members of the armed forces to wear their uniforms at graduation.

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

HB 1283, relative to school notification of a change in placement.

HB 1285, relative to the donation of food that has passed its expiration date.

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.

HB 1665-FN, adopting the interstate medical licensure compact.

REFERRED FOR INTERIM STUDY

HB 1689, relative to operator requirements under the meals and rooms tax.

RECESS

(Speaker Jasper in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 295, 536, 1171, 1199, 1315, 1355 and 1418.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENTS

HB 242, relative to the statewide improvement and assessment program.

Amendment (1291-EBA)

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

1 Statewide Education Improvement and Assessment Program. Amend RSA 193-C:3, IV(i) to Adopted.

HB 1388-FN, expanding crossbow use into muzzleloader season.

Amendment (1316-EBA)

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

AN ACT expanding crossbow use into muzzleloader season.

Adopted.

RECESS

(Rep. Ladd in the Chair)

ENROLLED BILL AMENDMENTS

SB 25-FN, relative to the administration of epinephrine. (Amendment printed SJ 4/21/16)
Adopted.

SB 312, relative to epinephrine administration in independent schools. (Amendment printed SJ 4/21/16)
Adopted.

SB 332, relative to state procurement of goods and services. (Amendment printed SJ 4/14/16)
Adopted.

SB 370, establishing a committee to study real time threat notification systems to link schools with law enforcement when schools are under direct threat. (Amendment printed SJ 4/21/16)
Adopted.

SENATE MESSAGES

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 427, relative to the definition of the New Hampshire fire code and establishing a committee to study the 2015 edition of the Uniform Fire Code NFPA 1.

The President appointed Sens. Carson, Reagan and Soucy.

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

The President appointed Sens. Sanborn, Carson and Kelly.

CONCURRENCE

HB 535-FN, relative to signs advising motorists approaching highway emergencies.

HB 1181, relative to designating an alternate cemetery trustee.

HB 1220, relative to disqualification of election officers.

HB 1239, relative to certain terminology in the education statutes.

HB 1244-L, relative to municipal cemeteries.

HB 1289, making technical corrections to certain tax laws.

HB 1290, relative to filing dates for business taxes.

HB 1300, relative to the content of patriotic exercises in public schools.

HB 1497, relative to the limits on disclosure of information used on college entrance exams.

HB 1553-FN, transferring the administration of the telecommunications accounting unit.

NONCONCURRENCE

HB 1313-FN, relative to eligibility to vote and relative to availability of voter information.

HB 1529-FN, relative to reporting of felony convictions for voter checklist updates.

LAID ON THE TABLE

HB 1156, relative to interference with traffic devices.

HB 1247, relative to poker in private residences.

CONCURRENCE WITH AMENDMENTS

SB 313, relative to requirements for licensed estheticians.

SB 400, relative to executive branch ethics.

SB 460, relative to a school board's duty to ensure the teaching of health and physical education as it relates to abused children.

RECESS

(Rep. Mangipudi in the Chair)

ENROLLED BILL AMENDMENTS

HB 1116-FN, relative to net metering.

Amendment (1443-EBA)

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

2 Public Utility. Amend RSA 362:2, II to read as

Adopted.

HB 1165, changing "incapacitated" to "vulnerable" in the adult protective services laws.

Amendment (1441-EBA)

Amend RSA 21-M:16, IV-a as inserted by section 7 of the bill by replacing lines 1-2 with the following:

IV-a. For the purposes of this section, "vulnerable adult" means an adult who was the reported victim of abuse, neglect, self-neglect, or exploitation which was reported to

Amend section 11 of the bill by replacing lines 2-3 with the following:

the term vulnerable in the following RSA sections: 161-F:42, 161-F:73, I, 639-A:1, III, and 639-A:2, II, III.

Adopted.

HB 1197, relative to conservation number plate funds.

Amendment (1408-EBA)

Amend section 4 of the bill by replacing line 2 with the following:

261:97-b Conservation Number Plate [Trust] Fund.

Adopted.

HB 1208-FN, relative to administration of the tobacco tax.

Amendment (1440-EBA)

Amend RSA 78:12-a, II as inserted by section 7 of the bill by replacing line 2 with the following:

evidence tax paid under this chapter in this state to licensed wholesalers.

Adopted.

HB 1245-FN, relative to petitions for adoption of rules under the administrative procedures act and incorporation of documents by reference.

Amendment (1433-EBA)

Amend RSA 541-A:21, IX as inserted by section 3 of the bill by replacing line 2 with the following:

the state highway aid program, adopted under rulemaking authority of the commissioner of the

Adopted.

HB 1283, relative to school notification of a change in placement.

Amendment (1389-EBA)

Amend RSA 169-C:20-a, II as inserted by section 1 of the bill by replacing line 1 with the following:

II. The department and school district shall develop a transition plan for the child. The
Adopted.

HB 1332, adding a member to the aquatic resources compensatory mitigation site selection committee.

Amendment (1427-EBA)

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

A:32, II(e) to read as follows:

Adopted.

HB 1665-FN, adopting the interstate medical licensure compact.

Amendment (1407-EBA)

Amend RSA 329-C:2, XII as inserted by section 1 of the bill by replacing it with the following:

XII. "Offense" means a felony, misdemeanor, or crime of moral turpitude.

Amend RSA 329-C:4, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) The state of primary residence for the physician; or

Amend RSA 329-C:4, I(d) as inserted by section 1 of the bill by replacing line 1 with the following:

(d) If no state qualifies under subparagraph I(a), (b), or (c), the state designated as

Adopted.

SB 330-FN, relative to licensure of medical imaging professionals and radiation therapists. (Amendment printed SJ 4/14/16)

Adopted.

RECESS