

Amend RSA 485:17-a, I as inserted by section 18 of the bill by replacing line 10 with the following:

approved by the department, within 30 days of notification of parents or, in consultation with the

Amend RSA 540-A:3-a as inserted by section 19 of the bill by replacing line 5 with the following:

shall notify the tenant or prospective tenant and shall install on the kitchen faucet a filtering

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted. Out of Recess. Call the Senate to Order.

#### MOTION TO ADJOURN FROM LATE SESSION

Senator Bradley moved that the Senate adjourn from the Late Session. Adopted. Adjournment from the Late Session.

## *February 1, 2018*

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

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

Dear God, we start this morning by praying for our colleague, Senator D'Allesandro, who is absent to be with his brother Paul in Boston with pneumonia. Strengthen them; give them the assurance of healing presence.

This morning we give thanks for our government and its leaders. Help them to be men and women acting justly and righteously; that we may lead a quiet and peaceable life in all goodness and honesty. Give our leaders wise and understanding hearts and let knowledge be pleasant to them. Guide them in making wise and just choices. Guard over them with understanding, keeping them out of danger; make their hearts and ears attentive to wise counsel, doing what is right for the people they serve. Give us upright, just and fair men and women in our government that our state will be secure and prosperous. Help them to do justice, love kindness, and walk with humility. Let all of us who enjoy the fruits of liberty and justice having seen their example pitch in and do our part to make our country and state a better place to live. Amen.

Senator Bradley led the Pledge of Allegiance.

Senator D'Allesandro is excused for the day.

#### INTRODUCTION OF GUESTS

(The Chair recognized Senator Avard.)

SENATOR AVARD: Thank you, Mister President. I would like to introduce and congratulate the coach and the team for the Hollis Thunder FIRST LEGO League, and congratulate them on their winning the State Championship in Windham, New Hampshire. Coach Gregory Szczeszynski. Did I say that right? Elliott Miller, Christopher Pyle, and Ania Szczeszynski congratulations! And we're looking forward to them representing our state in the 2018 FIRST LEGO League World Festival in April in Detroit, Michigan. Congratulations!

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Mister President. I would like to introduce two people that are in the Senate chambers today, Melanie Zalman McDonald. Melanie is the Executive Director of The Jewish Federation of New Hampshire, a statewide nonprofit out of Manchester, New Hampshire. The Federation carries out a number of activities serving thousands of people statewide, and among those are the only full day Jewish preschool; the monthly newsletter, the Jewish Reporter, circulated to 4,000 households; provides social services for needy families; produces the Jewish Film Festival, now in its 10<sup>th</sup> year; and is a powerful voice against anti-Semitism in partnership with twenty different agencies across the state. So, Melanie, thank you for being here today, and thank you for bringing your guest, as well.

Her guest is Noam Wolf, who hails from Maccabim-Re'ut, a city between Jerusalem and Tel Aviv in Israel. Noam, she arrived in Manchester, New Hampshire in August through a partnership between The Jewish Federation of New Hampshire and The Jewish Agency for Israel on a Shaliach. A Shaliach means that she is a designated emissary for New Hampshire, and carrying out a variety of educational and public service activities throughout the state. Her goal is to bridge the gap between the people in Israel and in the United States, and to promote a better understanding of Israeli ideals. And in her short seven months in the United States so far she's been able to present 140 different educational programs to people of all ages across the state. Welcome to the Senate chamber.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I'd like to introduce to the body Joseph Mitchell who is a good friend and a freshman at White Mountain Community College who is with us today. Welcome to the Senate, Joe Mitchell.

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: I only see one in the audience so far, because they were so busy providing us a wonderful breakfast this morning, but they might show up later so I'm going to ask for a second accommodation, Mister President. But today some of you may have come down to visit the American Cancer Society, which is the best run cancer society in America; run by the best people in the state of New Hampshire, residing in the best Senate district in the state of New Hampshire, Mister President. And so I welcome all the members of the Cancer Society who were kind enough to give many of us breakfast this morning to talk a bit about their issues. So, if you could please welcome them to the chamber.

#### INTRODUCTION OF PAGES

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Mister President. I would like to introduce Mister Oni Saleh. An eleventh-grade student from Keene High School. He is an outstanding violinist who plays in the Keene State College Orchestra. He's a volleyball player and a math team member. Oni's got a terrific political resume, he's very active and was named an outstanding young Democrat last year for his activism. He is intending to pursue a career in biology, while he continues to be active in politics. Please thank him, welcome Oni for his work today.

#### SPECIAL ORDER

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

**TRANSPORTATION**

SB 402, naming a portion of route 110 in Berlin in honor of Anthony B. Urban.

**FN REPORT FOR FEBRUARY 1, 2018**

Senator Daniels recommends the waiver of referral to the Finance Committee, Senate Rule 4-5, for the following bills with a fiscal note or an appropriation of funds:

**CONSENT CALENDAR:****JUDICIARY**

SB 496-FN, relative to mediation for child support arrearages over \$5,000.

SB 558-FN, relative to discrimination based on pregnancy or lactation—if Interim Study recommendation is overturned.

SB 574-FN, clarifying the repayment period for parental reimbursement.

**REGULAR CALENDAR:****HEALTH AND HUMAN SERVICES**

SB 378-FN, relative to an exemption from the board of registration of medical technicians.

SB 482-FN, relative to confidential emergency medical and trauma services data.

SB 549-FN-A, making an appropriation to the department of health and human services for the Sununu health services center and relative to infants born with substance abuse or withdrawal symptoms resulting from prenatal drug exposure or fetal alcohol spectrum disorder.

**JUDICIARY**

SB 387-FN, relative to liability of governmental units.

**TRANSPORTATION**

SB 521-FN, authorizing Sophia's Fund to issue decals for multi-use decal plates.

Senator Daniels recommends the following bills be ordered to the Finance Committee upon being found Ought to Pass/Ought to Pass with Amendment:

**CONSENT CALENDAR:****COMMERCE**

SB 429-FN, extending the authority of the department of justice to trade or commerce involving insurance.

**EDUCATION**

SB 361, relative to dual and concurrent enrollment agreements between high schools and colleges and universities.

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

SB 531-FN, relative to the office of professional licensure and certification.

SB 534-FN, relative to the classification of certain state employee positions.

**REGULAR CALENDAR:****EDUCATION**

SB 355-FN, relative to the names of colleges in the community college system.

**ENERGY AND NATURAL RESOURCES**

SB 528-FN-L, relative to dam registration fees and relative to permit fees for constructing or reconstructing a dam.

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 457-FN, waiving initial licensure fees for indigent applicants for certain professions—if Inexpedient to Legislate recommendation is overturned.  
SB 465-FN, relative to documentation requirements for the department of labor.

## HEALTH AND HUMAN SERVICES

SB 310-FN, establishing a pilot program for community-based diversion services.

SB 551-FN, relative to deductibles under health insurance policies—if Interim Study recommendation is overturned.

## JUDICIARY

SB 390-FN, establishing the office of solicitor general in the department of justice and establishing an unclassified attorney position in the department of justice.

SB 492-FN, prohibiting bump stocks in New Hampshire—if Interim Study recommendation is overturned.

Without objection, today's FN Report is adopted.

## CONSENT CALENDAR REPORTS REMOVED

## JUDICIARY

SB 496-FN, by Senator Carson

## CONSENT CALENDAR

Senator Bradley moved that the Consent Calendar, with the relevant amendments as printed in the day's Calendar be adopted and that all such bills found Ought-to-Pass be ordered as follows:

FN bills not waived under Senate Rule 4-5, to the Committee on Finance; non-FN bills approved for referral to Finance by the day's FN report, to the Committee on Finance; and all other bills, to Third Reading.

## COMMERCE

SB 303, relative to a security freeze on a consumer's credit report.  
Ought to Pass, Vote 5-0. Senator Lasky for the committee.

This bill is an attempt to allow our consumers to better protect their financial security by eliminating the \$10 fee paid to the credit bureaus. Now the law states in order to take action to protect one's credit one must prove that their credit has been compromised and adds a \$10 fee. This legislation removes that \$10 fee and allows you to freeze your credit for free.

SB 312, clarifying the New Hampshire Foundation Act.  
Ought to Pass, Vote 5-0. Senator Innis for the committee.

This bill makes three simple technical corrections to the Foundation Act. First, it clarifies that the principal office of a foundation need not be located in New Hampshire. This is consistent with the LLC Act, the Corporations Act and the Trust Act. It also adds a missing "and" and corrects a cross reference to the "General Powers" section of the Act. Finally, it adds a cross reference to the "Capital" section of the Act, to clarify that the language in this section limiting a founders powers must be read in conjunction with the "Reserved Power" section.

SB 315, relative to the definition of beverage.  
Ought to Pass with Amendment, Vote 5-0. Senator Innis for the committee.

Mead is fermented with three basic ingredients: honey, yeast and water. It isn't classified as beer or wine, but stands apart in its own rank of alcoholic beverage. The amendment defines "mead" in statute and includes mead in the RSA that allows the commission to approve a malted beverage greater than 6 but not to exceed 8 percent of alcohol.

Commerce  
January 24, 2018  
2018-0283s  
08/04

#### Amendment to SB 315

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

AN ACT relative to the definitions of beverage and of mead.

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

1 Beverage; Definition. Amend RSA 175:1, VIII to read as follows:

VIII. "Beverage" means any beer, wine, similar fermented malt or vinous liquors and fruit juices, and any other liquid intended for human consumption as a beverage having an alcoholic content of not less than 1/2 of one percent by volume and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit and specialty beer as defined in RSA 175:1, LXIV-a. The commission may approve any fermented malt beverage **or mead** greater than 6 percent but not to exceed 8 percent or any cider greater than 6 percent.

2 New Paragraph; Definitions; Mead. Amend RSA 175:1 by inserting after paragraph XLVIII the following new paragraph:

XLVIII-a. "Mead" means an alcoholic beverage primarily made from honey, water, and yeast, and which may contain fruit, fruit juices, spices, or herbs added before or after fermentation as completed, except that the ratio of fermentable sugars from honey must exceed 50 percent of the total fermentable sugars used to produce mead.

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

2018-0283s

#### AMENDED ANALYSIS

This bill defines mead and allows the liquor commission to approve certain meads.

SB 319, relative to exempt securities.

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

This bill modifies the exemption from securities regulation for government issued securities including any industrial development bond or industrial revenue bond. NH is currently one of only 9 states that requires that when these securities are sold to the public a notice needs to be filed. NH is such a small state that it does not make sense for a bond issuer from other states to file a form and pay a fee in NH. The fee is modest but the legal and accounting costs to prepare the form far exceed the amount of the fee. This puts NH at a competitive disadvantage.

SB 348, relative to senior-specific certifications or designations for securities broker-dealers.

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

The Legislature recently recodified the Securities Act but this particular provision was omitted. This bill would prohibit the use of senior designations unless the designation has been issued by a group that has been recognized by the nationally recognized accrediting organization. The original statute dealing with professional designation arose as a result of financial professionals that were falsely implying that they had expertise in senior issues and trying to capitalize on that market by offering products which may or may not have suited senior citizens. It is important to correct this oversight so the bureau can protect this age group that has been targeted in the past. In addition the bill makes technical corrections to federal and state statutory citations.

SB 429-FN, extending the authority of the department of justice to trade or commerce involving insurance.

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

The original intent of this bill was to remove the insurance commissioner from the consumer protection act because although not law or a rule, the commission wouldn't allow anyone to go before the commission who was being represented by an attorney. The committee amendment replaces all and allows the insured to be represented by an attorney in dispute with an insurer in front of the commission as well as codifying other policies of the department. Adding this to statute clears up any confusion with the department.

Commerce  
January 24, 2018  
2018-0279s  
03/01

#### Amendment to SB 429-FN

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

AN ACT establishing a consumer services program within the insurance department.

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

1 New Section; Consumer Services Program. Amend RSA 400-A by inserting after section 15-d the following new section:

#### 400-A:15-e Consumer Services Program.

I. The commissioner shall maintain a program to investigate complaints and respond to inquiries received, and, when warranted, refer matters for enforcement, further investigation, or examination against insurers, producers, or any other entity subject to the regulatory authority of the commissioner. The program shall include, but not be limited to, the following:

(a) A toll-free telephone number dedicated to the handling of complaints and inquiries.

(b) A standardized complaint form designed to assure that complaints will be properly registered and tracked.

(c) Maintenance of a comprehensive database of complaints and inquiries adequate to promote efficient case handling and to allow department analysts to discern potential issues with regulated entities and market trends that require follow up and potential regulatory action.

(d) The commissioner shall, if deemed appropriate, notify insurers, producers, or other regulated entities against whom the complaint is made of the nature of the complaint, may request appropriate relief for the complainant, and may meet and confer with the complainant and the regulated entity in order to mediate the complaint. This section shall not be construed to give the commissioner power to adjudicate claims.

(e) Retention of records on complaints and inquiries consistent with the insurance department's general record retention policy.

(f) Sharing of complaint information, pursuant to RSA 21-U, with other state agencies regulating financial services.

(g) Referral of complaints not within the department's jurisdiction to appropriate public and private agencies.

(h) Complaint handling goals that can be tested against consumer satisfaction surveys carried out pursuant to paragraph V.

(i) Inclusion in the department's annual report to the governor and council, required under RSA 400-A:26, detailed information regarding the program required by this section, that shall include, but not be limited to: a description of the operation of the complaint handling process, listing the number of complaints and inquiries received; enforcement actions taken pursuant to complaints received; the amount of staffing resources devoted to the handling and resolution of complaints; and the amount of recoveries made on behalf of consumers.

II. The commissioner may establish a secure, online complaint response system to distribute and receive complaint information from insurers and other regulated entities. Insurers or other regulated entities shall be required to submit and receive complaint information, including, but not limited to, requested claim files, underwriting files, correspondence, and other supporting documents, using any system established by the commissioner pursuant to this paragraph.

III.(a) In receiving complaints and inquiries, investigating complaints, and responding to complaints and inquiries by members of the public concerning the handling of insurance claims by insurers or producers, or alleged misconduct by insurers or producers, the commissioner shall not decline to investigate complaints for any of the following reasons:

(1) The insured is represented by an attorney in a dispute with an insurer, or is in mediation or arbitration.

(2) The insured has a civil action against an insurer.

(3) The complaint is from an attorney, if the complaint is based upon evidence or reasonable beliefs about violations of law known to an attorney because of a civil action.

(b) Consistent with the principles of res judicata and administration and judicial economy, the commissioner may defer any mediation effort or enforcement proceeding related to a complaint until the finality of a dispute, mediation, arbitration, or civil action involving the claim is known.

(c) Nothing in this section shall be construed to waive the confidential and privileged nature of all documents, materials, or other information in possession of the department pursuant to an investigation of a complaint as provided in RSA 400-A:16.

IV. In coordination with the consumer services program, the commissioner shall provide for the education of, and dissemination of information to, members of the general public concerning insurance matters. The commissioner may in person or through employees of the

department meet with individuals, organizations, and associations interested in insurance for the purpose of securing cooperation in the enforcement of the insurance laws of this state and may disseminate information concerning the insurance laws of this state for the assistance and information of the public. In addition, the commissioner shall arrange for public service announcements, website information, social media statements, and other outreach efforts reasonably designed to inform consumers of the availability of the department's consumer assistance program and how to register a complaint or make an inquiry to the department.

V. The department shall include, with each notification of final action to a complainant, or, at a minimum, with a number of randomly selected notifications of final action sufficient to assure the validity of results, a complaint handling consumer satisfaction evaluation form. This form shall clearly and concisely seek an evaluation of the department's performance in handling the complainant's grievance. The areas of evaluation shall include, but not be limited to: whether the complaint was handled in a fair and reasonable manner, evaluated thoroughly and without bias; the time required for resolution of the complaint; whether the complaint was referred and, if so, whether it was referred within a satisfactory time; whether the staff involved in handling the complaint demonstrated an adequate knowledge of the issues involved in the complaint; whether the complainant was satisfied with the result of the department's intervention; and whether the complainant would recommend the department's complaint handling services to others.

VI. The commissioner shall ascertain patterns of complaints by insurer, geographic area, insurance line, type of violation, and any other valid basis the commissioner may deem appropriate for further investigation, and periodically evaluate the complaint patterns to determine additional examination, investigative, or enforcement actions which may be taken by the commissioner, and report on all actions taken with respect to those patterns of complaints in his or her annual report to the governor and council pursuant to RSA 400-A: 26, and to the public. For the purposes of this paragraph, complaints mean those written complaints received by the commissioner under paragraph I, and written complaints received by the commissioner from any other sources, alleging misconduct or unlawful acts by insurers or production agencies.

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

2018-0279s

#### AMENDED ANALYSIS

This bill establishes within the insurance department a consumer services program to investigate complaints and respond to inquiries.

#### EDUCATION

SB 349, relative to course requirements in a career and technical education program.

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

This bill includes a career and technical education program in the non-mathematics content area courses a student may take to fulfill the competency in mathematics requirement. This legislation seeks to clarify and reassert the intent of the fourth-year math program that was implemented several years ago so that it applies to career and technical education (CTE) programs.

SB 356, adding a representative from the community college system to the apprenticeship advisory council.

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

This bill adds a representative from the community college system of New Hampshire (CCSNH) to the apprenticeship advisory council. CCSNH has made important strides in building apprenticeship programs and relationships with employers and community organizations statewide. Adding a representative from the CCSNH would allow them to expand their work to include others on the council as they work to expand apprenticeships to industries beyond the traditional trades, such as healthcare, IT, and advanced manufacturing.

SB 361, relative to dual and concurrent enrollment agreements between high schools and colleges and universities.

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

As amended, this legislation extends the dual and concurrent enrollment program to high school courses approved for credit by the university system of New Hampshire. It also requires the department of education and the university system to develop a model dual and concurrent enrollment agreement to be used by participating school districts.

Senate Education

January 23, 2018

2018-0244s

06/05

#### Amendment to SB 361

Amend RSA 188-E:25, I as inserted by section 1 of the bill by replacing it with the following:

I. "Concurrent enrollment" means courses taught at the high school by high school teachers approved by the community college system of New Hampshire (CCSNH) **or the university system of New Hampshire**, in which high school students earn both high school and college or university credit while students are still attending high school or a career technical education center.

Amend the bill by replacing section 2 with the following:

2 Dual and Concurrent Enrollment Program; Enrollment Requirements.  
Amend RSA 188-E:27, I to read as follows:

I. An interested high school student in grade 11 or 12 may enroll in a course that is designated by the CCSNH **or the university system of New Hampshire** as part of the dual and concurrent enrollment program.

Amend RSA 188-E:28, I as inserted by section 3 of the bill by replacing it with the following:

I. No later than July 1, 2018, the school board of each school district shall develop and adopt a policy permitting students residing in the district who are in grade 11 or 12 to participate in the dual and concurrent enrollment program. The policy shall, at a minimum, include compliance with measurable educational standards and criteria approved by the CCSNH **and/or the university system of New Hampshire** and that meet

the same standard of quality and rigor as courses offered on campus by the CCSNH *and/or the university system of New Hampshire*. The policy shall also comply with the standards for accreditation and program development established by the National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not be limited to, student eligibility criteria, standards for course content, standards for faculty approval, program coordination and communication requirements, tuition and fees, textbooks and materials, course grading policy, data collection, maintenance, and security, revenue and expenditure reporting, and process for renewal of the agreement.

Amend RSA 188-E:28, III as inserted by section 3 of the bill by replacing it with the following:

***III. The department of education and the university system of New Hampshire shall develop and approve a model dual and concurrent enrollment agreement that shall be used by the school board of a school district participating in the dual and concurrent enrollment agreement program. The model agreement shall include standards established by the university system of New Hampshire, and shall include elements, standards, and criteria that have been approved by the department of education, and shall serve as the framework for the development, implementation, and administration of the dual and concurrent enrollment program in each school district by clearly defining the procedures related to concurrent and dual enrollment of high school students in college classes.***

2018-0244s

#### AMENDED ANALYSIS

This bill:

I. Extends the dual and concurrent enrollment program to high school courses approved for credit by the community college system of New Hampshire and the university system of New Hampshire.

II. Requires the department of education and the university system to develop a model dual and concurrent enrollment agreement to be used by participating school districts.

SB 382, relative to withdrawal from cooperative school districts. Ought to Pass, Vote 5-0. Senator Giuda for the committee.

At the request of the Department of Education, this bill requires certain cooperative school districts to amend their articles of agreement to include a method of withdrawal from the cooperative district. Issues to be considered shall include, but are not limited to, the process for ongoing education following withdrawal or dissolution, maintenance of student records, employment issues, on-going liability issues, capital issues, and bond issues.

#### ENERGY AND NATURAL RESOURCES

SB 448, establishing a commission to study the establishment of a state department of energy.

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

This bill will create a commission to study the establishment of a state department of energy. Currently, state energy policy is ad-

dressed through many different state agencies, leaving the public confused about where to access information regarding energy policy and programs. SB 448 will examine the potential to create a single state agency or consolidation under another agency in order to better provide information and support to an area of policy that is both intricate and complex.

Energy and Natural Resources  
January 16, 2018  
2018-0158s  
06/01

Amendment to SB 448

Amend RSA 162-H:23, I as inserted by section 1 of the bill by inserting after subparagraph (k) the following new subparagraphs:

(l) One representative of the New Hampshire High Tech Council, appointed by the council.

(m) The consumer advocate, or designee.

(n) The commissioner of safety, or designee.

Amend RSA 162-H:23, IV as inserted by section 1 of the bill by replacing it with the following:

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 531-FN, relative to the office of professional licensure and certification.

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

The legislation provides for the Office of Professional Licensure and Certification to establish by rule and collect fees for boards and commissions administered by their office and to deposit these fees in the Office of Professional Licensure and Certification Fund. In addition, this creates one unit for budgetary purposes to track financing and to know when fee structures may need to be reviewed.

SB 534-FN, relative to the classification of certain state employee positions.

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

This legislation, which was a request of the Joint Committee on Employee Classification, revises the salaries and titles of certain unclassified employees in the department of health and human services, in addition to increasing certain salaries in order to recruit and retain qualified personnel. The amendment corrects a typographical error in the original bill.

Senate Executive Departments and Administration  
January 24, 2018  
2018-0275s  
05/04

Amendment to SB 534-FN

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

1 Compensation of Certain State Officers; Salaries Established. Amend RSA 94:1-a, I(b) by deleting the following:

- I. EE Department of health and human services, administrator, bureau of division of elderly services and adult community services
- II. HH Department of information technology, chief information security officer
- III. II Department of administrative services, assistant commissioner
- IV. II New Hampshire hospital, chief executive officer
- V. PP Department of health and human services, unit director, medical

2 Compensation of Certain State Officers; Salaries Established. Amend RSA 94:1-a, I(b) by inserting the following:

- I. FF Banking department, general counsel
- II. HH Department of administrative services, project management, innovation and operational analysis unit, director
- III. HH New Hampshire hospital, chief operating officer
- IV. HH Department of information technology, assistant chief information security officer
- V. II Department of information technology, chief information security officer
- VI. JJ Department of administrative services, assistant commissioner
- VII. JJ Department of health and human services, associate commissioner, operations
- VIII. JJ Department of health and human services, associate commissioner, population health
- IX. KK Department of business and economic affairs, commissioner

Amend RSA 94:3-b, II(b) as inserted by section 3 of the bill by replacing it with the following:

***(b) Associate medical examiner, department of justice, \$160,000 - \$240,000***

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

4 New Section; Bank Commissioner; General Counsel. Amend RSA 383 by inserting after section 5 the following new section:

383:5-a General Counsel. The commissioner shall appoint a general counsel, who shall serve at the pleasure of the commissioner. The general counsel shall perform such duties and exercise such powers as the commissioner may authorize.

5 Effective Date. This act shall take effect 60 days after its passage.  
2018-0275s

#### AMENDED ANALYSIS

This bill revises the salaries for certain unclassified positions and adjusts salaries for recruitment and retention purposes. The bill also establishes the position of general counsel in the banking department.

#### JUDICIARY

SB 338, relative to the growing of cannabis if it becomes legal. Interim Study, Vote 5-0. Senator Hennessey for the committee.

This bill would have allowed New Hampshire farmers to legally grow cannabis if cannabis were to become legal in the State. The

Committee is aware of the ongoing Commission that is reviewing the concept of cannabis legalization and therefore, would like the Commission to have the opportunity to study this issue before moving forward.

SB 386, relative to access to criminal records.

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

This bill will allow a person to request and receive a copy of the criminal conviction of another person without requiring the individual's authorization to be notarized. Fundamentally, this removes the redundancy of confirming the identity of an individual when their identity is already confirmed through fingerprinting.

SB 558-FN, relative to discrimination based on pregnancy or lactation. Interim Study, Vote 5-0. Senator Carson for the committee.

This bill would create a cause of action for a person who believes she has been discriminated against by an employer for breast-feeding. The Committee will be examining this issue in SB497-FN and therefore, requests the bill be moved to Interim Study to prevent any confusion.

SB 574-FN, clarifying the repayment period for parental reimbursement. Ought to Pass with Amendment, Vote 5-0. Senator Gannon for the committee.

This bill clarifies the reimbursement period for which a parent or guardian may be required to reimburse the state for services provided in a juvenile court proceeding. The bill is a request of the Department of Health and Human Services and the Committee amended the bill to place delinquency orders in line with CHINs orders in regards to ending the obligation of parental reimbursement upon the death of a child.

Senate Judiciary  
January 25, 2018  
2018-0314s  
05/01

#### Amendment to SB 574-FN

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 New Subparagraph; Delinquent Children; Parental Reimbursement Obligation. Amend RSA 169-B:40, I by inserting after subparagraph (f) the following new subparagraph:

(g) If at any point during the reimbursement period, the child or recipient of services dies, no future payments from the parent or person chargeable by law for the child's support and necessities shall be required, provided that proof of death has been provided to the department of health and human services, and the reimbursement obligation shall be dismissed for payments beyond the date of death of the child or recipient. Accrued unpaid reimbursements in arrears shall continue to be paid.

2018-0314s

#### AMENDED ANALYSIS

This bill clarifies the reimbursement period for which a parent or guardian may be required to reimburse the state for services provided in a juvenile court proceeding. The bill also provides that in delinquency cases,

the parental reimbursement obligation ends upon the death of the child receiving the benefit of services.

#### PUBLIC AND MUNICIPAL AFFAIRS

SB 339, relative to voting by zoning boards of adjustment.

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

This bill clarifies the number of votes required for a zoning board of adjustment to act. The committee felt that this clarification will bring the petitioner an increased level of certainty about zoning board of adjustment actions.

SB 393, relative to county audits and performance audits.

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

This bill modifies a county's authority for conducting county audits and performance audits. It will combine the county audit statutes into one and allow the county commissioners to facilitate the audits. Language is clarified regarding standards and requires a copy of the audit be sent to the Department of Revenue Administration.

#### Public and Municipal Affairs

January 26, 2018

2018-0317s

06/10

#### Amendment to SB 393

Amend RSA 28:3-a as inserted by section 1 of the bill by replacing it with the following:

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

#### TRANSPORTATION

SB 347, relative to seasonal highway weight limits.

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

This bill would delete the requirement that the district engineer, department of transportation, approve vehicle exclusions from seasonal highway weight limit regulations. The Senate Transportation Committee believes that since the state has a role in maintaining roads throughout New Hampshire, a district engineer should still be consulted in approving these exclusions from seasonable highway weight limit regulations.

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

### REGULAR CALENDAR

#### TRANSPORTATION

SB 402, naming a portion of route 110 in Berlin in honor of Anthony B. Urban.

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

SENATOR WATTERS: Thank you, Mister President. I move Senate Bill 402 Ought to Pass. This bill names a portion of route 110 in Berlin in honor of Anthony B. Urban. Mister Urban was a longtime resident of Berlin, New Hampshire. He was an extremely talented educator and coach in the area and also served on many boards, commissions and the like. Mister Urban also worked in state service after retiring as a principal. As a go to person in the city of Berlin it is an appropriate honor for Mister Urban that this portion of route 110 be named for him. All members of the Transportation Committee ask for your support in the motion of Ought to Pass on Senate Bill 402, and thank you, Mister President.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I rise in support of the motion and grateful to the Transportation Committee. I'd also like to recognize two people that are here; Pamela Urban-Morin who is Tony Urban's daughter. Glad to have her here with us today. Thank you. As well as a great friend of Tony Urban's, a retired colonel of the state police, Fred Booth. It's good to have Fred here. Thank you for your participation.

Tony urban was a legend in the state, in the North Country as an educator, teacher, principal, coach referee, community leader, police commissioner and also his work in the state government, state administrative services, state racing charitable gaming commission. He was an old-fashioned go to guy and in the city of Berlin and around the North Country so many projects bear his name. His quiet influence, his quiet effective influence at building the biomass plant in Berlin, Berlin High School's renovation many years ago in building of a new high school, the Notre Dame Arena, the attraction of Federal Prison in the city of Berlin. Tony was also a skilled political operator who knew how to bend the political system to make things better in his home community, his home town. But most of all Tony was a teacher, a mentor.

I met him on the basketball court many, many years ago when him and his brother, striking resemblance, hard to miss, they had a real presence on the court, but his presence in people's lives is really the testament of his great work. He was always there, always involved with a twinkle in the eye, occasionally a kick in the pants but it always sent you in the right direction. I met Tony and really got to learn politics from Tony as in 1980 working in Governor Hugh Gallen's reelection camp and how to properly put up signs. He was meticulous and he was just a fun person to be around. I spoke to the mayor of Berlin, Paul Grenier on my ride down this morning and he said, and I think said it better than anyone could say and certainly with knowledge that nobody has better than Mayor Grenier, that nobody in my generation has done more for the city of Berlin than Tony Urban. That was Mayor Paul Grenier and I would just conclude that he also said, you're lucky he's not alive, because if he knew you were naming this, he'd be awful mad at you. So, you know what, we said, the mayor said this is not for Tony Urban, this is for us

because we need to remember him, and we need to behave like him, and we need to be inspired by him and we will be forever with the name of this stretch. Thank you very much, Mister President.

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

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

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Sanborn, Daniels, Avar, Lasky, Carson, Feltes, Cavanaugh, Reagan, Soucy, Birdsell, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: (None)

The following Senators were excused: Kahn, D'Allesandro.

Roll Call, Yeas: 22 - Nays: 0. Adopted.

### MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider SB 402, the bill having previously been found Ought to Pass. Adopted.

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

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

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Sanborn, Kahn, Daniels, Avar, Lasky, Carson, Feltes, Cavanaugh, Reagan, Soucy, Birdsell, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: (None)

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 23 - Nays: 0. Adopted, bill ordered to Third Reading.

### COMMERCE

SB 428, relative to the payment of weekly and biweekly wages. Ought to Pass, Vote 4-1. Senator Innis for the committee.

SENATOR INNIS: Thank you, Mister President. I move Ought to Pass on Senate Bill 428. Last year the Commerce Committee passed legislation that allowed for employers to pay their employees less frequently than weekly, without requiring approval from the state. This bill works with last year's legislation to require employers to pay their employees who are paid bi-weekly within fifteen days of the completion of overtime work. The purpose of this legislation is to tighten up the statute and to bring the language of the statute into compliance with what the Senate passed last year. This bill does have the support of the Department of Labor. Please support the Commerce Committee recommendation of Ought to Pass for Senate Bill 428. Thank you, Mister President.

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

### EDUCATION

SB 355-FN, relative to the names of colleges in the community college system.

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

Senate Education  
January 23, 2018  
2018-0255s  
04/10

Amendment to SB 355-FN

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

AN ACT relative to the names of the colleges in the community college system and making an appropriation therefor.

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

1 Community College System of New Hampshire; Names of Institutions. Amend RSA 188-F:13 to read as follows:

188-F:13 Names of the Colleges. The ~~[names of the]~~ respective colleges of the community college system of New Hampshire shall ~~[be established, and may be changed, upon approval by the board of trustees and approval by the governor and council]~~ ***each bear the designation "New Hampshire state college." This designation shall be followed by a specific, geographically or regionally appropriate designation to be determined by the board of trustees.***

2 Pre-Engineering and Technology Advisory Council; Membership. Amend RSA 188-E:16, I(d) to read as follows:

(d) The president of the ~~[New Hampshire technical institute]~~ ***New Hampshire state college in the city of Concord***, or designee.

3 Advanced Manufacturing Education Advisory Council; Membership. Amend RSA 188-E:22, I(e) to read as follows:

(e) The president of the ~~[New Hampshire technical institute]~~ ***New Hampshire state college in the city of Concord***, or designee.

4 Appropriation. The sum of \$500,000 for the biennium ending June 30, 2019 is hereby appropriated to the community college system of New Hampshire for the payment of expenses related to the renaming and rebranding of the colleges in the community college system pursuant to section 1 of this act. This sum is in addition to any other sums appropriated to the community college system of New Hampshire for the biennium. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

5 Effective Date.

I. Section 4 of this act shall take effect July 1, 2018.

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

2018-0255s

AMENDED ANALYSIS

This bill changes the names of the colleges in the community college system of New Hampshire, authorizes the community college system board of trustees to determine part of that name, and makes an appropriation for the renaming.

SENATOR REAGAN: I move Senate Bill 355-FN Ought to Pass with Amendment. The bill is an attempt to improve the marketability of the Community College System, met with some resistance from faculty members and then a deal was made to pass this and table this, so the majority of the Education Committee asks for your support in the motion of Ought to Pass with Amendment on Senate Bill 355.

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

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

Senator Bradley moved to Lay on the Table SB 355-FN. Adopted.

#### ENERGY AND NATURAL RESOURCES

SB 444, relative to cutting timber near certain waters and public highways. Ought to Pass, Vote 3-2. Senator Innis for the committee.

SENATOR INNIS: Thank you, Mister President. I move Senate Bill 444 Ought to Pass. This bill makes an exception to the restriction of the amount of trees that may be cut buy certain highways. Senate Bill 444 removes the regulatory basal area restriction adjacent to class 6 roads. A class 6 road is a road that is largely unmaintained, impassible and has seen no municipal investment in five years or more. It does not make sense to maintain an esthetic standard along a road that is not maintained nor traveled. Note that the esthetic buffer serves little purpose in terms of forest management. It is for the appearance for roads with light to heavy traffic. For class 6 roads this esthetic standard is irrelevant in the case of a professionally managed forest. The bill will expand the potential for income for timber owners and save time for the Department of Natural and Cultural Resources. The Senate Energy and Natural Resources Committee asks for your support for the motion of Ought to Pass on Senate Bill 444. Thank you.

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

SB 445, designating the Warner River as a protected river. Ought to Pass, Vote 5-0. Senator Bradley for the committee.

SENATOR BRADLEY: Thank you, Mister President. I move Senate Bill 445 Ought to Pass. This is a bill that designates the Warner River as a protected river under the New Hampshire Rivers Management and Protection Program. The Warner River will become the 19<sup>th</sup> river protected under this program. The river's nomination came about after the discovery of wild brook trout, which is indicative of high-water quality. The designation adds no additional regulations on private landowners beyond what local zoning ordinance requires. Some landowners expressed concerns about their ability to develop their dams on the river. Their input was welcomed into the process and many of their problems were addressed in this bill. The nomination received profound support from the surrounding communities of Sutton, Bradford, Warner, Webster, and Hopkinton. The level of community involvement and profound dedication to this river's nomination is a testament to how far this program has come. And I would just add having been and served in this building a long time, when the early days of the river protection program, the controversy surrounding a designation was significant. As the process has unfolded, as people understand it better as they realize that it does not negatively impact private property rights and it's meant as an enhancement not a detraction. The overwhelming support is indicative to how New Hampshire people have come to view this program and the fact that virtually everybody that testified on our friend from District 15's bill indicates the progress that we've made in protecting not only our rivers but our general environment. Thank you, Mister President. I urge support for the motion of Ought to Pass.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you very much, Mister President. Mister President I rise for two reasons, one is just to echo everything my friend

from District 3 said, second is to thank everybody who's worked on this you know and our friend from District 8 as well has worked on this. A lot of folks locally, the Central Planning Commission, Sam Durfee, the Rivers Council, people worked on this for a number of years Mister President, and what you have is a final product that reflects a lot of local input, municipal input and stakeholder input and I just want to thank everybody who spent so much time and work and effort on this. It was a good final product and as my friend from District 3 noted, that was reflected based on the testimony at the hearing. So, thank you very much, Mister President.

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

SB 528-FN-L, relative to dam registration fees and relative to permit fees for constructing or reconstructing a dam.

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

Energy and Natural Resources

January 24, 2018

2018-0268s

08/03

#### Amendment to SB 528-FN-LOCAL

Amend RSA 482:9, II(a) through (d) as inserted by section 2 of the bill by replacing it with the following:

- (a) Non-hazard potential dam [~~\$2,000~~] **\$2,500**
- (b) Low hazard potential dam [~~\$3,000~~] **\$3,500**
- (c) Significant hazard potential dam [~~\$4,000~~] **\$5,000**
- (d) High hazard potential dam [~~\$4,000~~] **\$6,000**

SENATOR BRADLEY: Thank you, Mister President. I move that Senate Bill 528 Ought to Pass with Amendment. The bill proposes an increase in dam registration fees and permit fees for constructing or reconstructing a dam. The Dam Bureau at the Department of Environmental Services is largely funded through a fee structure on dam permits as well as reconstruction projects of dams. Currently, the bureau faces a significant shortfall based on the current fee structure. Senate Bill 528 increases the fees in order to prevent allocating money to dam inspections in the next budget cycle with general fund dollars. In my opinion this represents a necessary step in ensuring that the Department of Environmental Services can inspect the quality of dams around the state. And let me just add on this bill too having lived through the dam failure in, not that I was personally involved in any way, in Alton, but as a resident of the Lakes Region, one town over from Alton, when that dam failed, somebody was swept in a car into one of the headwaters of Lake Winnepesaukee, died, the damage was extensive and it was out of that dam failure that this program was instituted in 1996. There was a fee increase about ten years ago so there hasn't been a fee increase since then. I know that not everybody likes fees in this room, I get that, but I think we would like it even less if dams failed because we didn't adequately inspect them and so I would imagine all twenty-four of us would agree with that and so it becomes a, how do we pay for it? Is it a general fund expenditure or is it up to the owners of the dams? The purpose of this legislation, why it's filed now and why the effective date is held for a year and I believe is July 1 of 2019 is to get everybody ample notice that these fee increases

are coming. There was no opposition to this bill in front of the Energy and Natural Resources Committee and I think that is a testament to the fact that Jim Gallagher at the Department of Environmental Services has run this program extraordinarily well for years. So, I commend this bill to the body and hope that we will support the unanimous recommendation of the Energy and Natural Resources Committee. Thank you. The question is on the adoption of the Committee Amendment. Adopted.

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: Thank you, Mister President. Mister President I rise with a cautionary position. As my colleague from District 3 said, there are many people in this room that are opposed to just raising fees, fines, penalties, taxes and assessments and in doing so we're looking at a specific group of people to highlight who should be paying these fees. Now I fully understand and agree with the Senator from District number 3 that we should always be concerned about the good for the general public. But in this case, it's looking to raise a fee on a small select group of people of which a dam is on their property with a concern that if the dam falters it's going to affect everyone downstream from the property. So if we are truly concerned that this is a concern for the general good of all of the residents that may or may not be in the path of something bad happening to a dam, I would suggest that if there's going to be a cost associated with that it should be looked at within the general fund and not specifically looking to raise fees on the people that own the dam fully. In addition to that I might point out that some know that this body was very accommodating and I'm very appreciative of that fact when about a year ago I was working on an issue with a dam for a fixed income living retired widow that lives just north of Concord, New Hampshire by which the Federal Government changed how dams are to be looked at and regulated and as a result of that, the state of New Hampshire decided to universally change all of its ratings on the dams in New Hampshire. The result of that action brought forth a position where again, a retired widow on a fixed income could not afford to comply with what the dam examiners wanted. This is not to say that the dam examiners are not good people, I think they're great people, I think they're trying to do a great job. But this body needs to be concerned when we make a decision that we're going to increase a fee, fine, penalty tax or assessment. If we truly believe that it is necessary and we have run our government to its efficiency level that it should be run at, and there's still some sort of a justifying need to do that, that I feel like that should be laid upon all of the people that would benefit or be harmed by it and not just a specific property owners. At that Mister President, I would ask the body to vote down this bill based upon the fee increases and if it's something that they feel they need to do in the next budget they should bring it forward and I would ask for a roll call. Thank you.

(The Chair recognized Senator Daniels for a question of Senator Bradley.)

SENATOR DANIELS: Thank you, Mister President. Thank you for taking the question. Do we know how many of these dams are owned by municipalities and what the effect, what kind of costs we're going to be passing on to local taxpayers?

SENATOR BRADLEY: I don't know how many of these dams are owned by municipalities. I know that some are, some are owned by the state, some are owned privately, some are owned by associations. In the case of the, and I guess this means I have a conflict and need to declare it in

the case of my lake that I live on or small pond, Rust Pond, the dam is owned by the association, so I think the ownership is varied. I can try to find that information out for you before it goes to your committee.

SENATOR DANIELS: Thank you.

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

A roll call was requested by Senator Sanborn, seconded by Senator Avard.

The following Senators voted Yes: Woodburn, Bradley, Watters, Hennessey, Gray, Ward, Kahn, Lasky, Carson, Feltes, Cavanaugh, Reagan, Soucy, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: Giuda, French, Sanborn, Daniels, Avard, Birdsell.

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 17 - Nays: 6. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 371, establishing the Meldrim Thomson, Jr. Memorial Commission. Ought to Pass with Amendment, Vote 3-2. Senator Carson for the committee.

Senate Executive Departments and Administration

January 11, 2018

2018-0106s

08/04

#### Amendment to SB 371

Amend RSA 4:9-o, III as inserted by section 1 of the bill by replacing it with the following:

III. The commission shall select the design for the Meldrim Thomson, Jr. memorial and oversee the construction and maintenance of the memorial.

Senator Carson moved to Lay on the Table SB 371. Adopted.

SB 457-FN, waiving initial licensure fees for indigent applicants for certain professions.

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

SENATOR REAGAN: I move Senate Bill 457-FN Inexpedient to Legislate. This bill would require the boards of nursing, mental health and licensing for alcohol and other drug use professionals to waive the initial license fee for applicants whose income is less than the federal poverty level. The ED&A Committee received no testimony stating license fees were a deterrent to anyone wishing to enter any of these fields due to their costs. It was also brought to the committee's attention that all students would fit in this federal poverty level category which meant all students would not have to pay for licensing fees. The ED&A Committee voted Inexpedient to Legislate and asks for your support in their recommendation.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I would ask the body to reject this so I could have a motion of Ought to Pass and then an amendment that would make this just a not permanent, so we get a two-year review of this idea. Mister President, jobs change lives, work builds people's character and it binds their dreams to their passions.

This bill is a simple bill that would allow people who are applying for a nursing license, mental health practitioner license, license in alcohol and drug professional license to have their fees for that license waived, if they are below the poverty line. Given that New Hampshire has current shortage in the licensed professionals in these areas and the increase in need for their expertise and the services that we continue to use to combat the opioid epidemic we are facing, this legislation addresses a pressing problem with the needs for solution. During a time of crisis there's no logical reason why we should not allow our qualified professionals to assist patients in need as simply because they are currently unable to pay the license fee. So, thank you, Mister President. I hope we look favorably upon this idea. Let's get people to work, let's move people from poverty to professions and let their dreams go wild and save and help people and make this a better state and a better country and a better world. Thank you, Mister President.

(The Chair recognized Senator Gannon for a question of Senator Woodburn.)

SENATOR GANNON: The question Senator would be what if you had, all the republicans in the room echo your sentiment of getting people back to work. Where they're going into honorable professions here that pay well, what of we gave them a deferred six months to pay the fee, would that be something you might consider in your amendment?

SENATOR WOODBURN: Thank you, Senator. I certainly would be open to that and would be supportive of any effort to move people from poverty to work and let their dreams flow and their passions flow to help people. These are all professions that help people and are not the highest professions, we're not getting the lawyers, we're not trying to encourage more lawyers, we're trying to encourage people who are working in the field to help people in need, Mister President. Thank you.

(The Chair recognized Senator Giuda for a question of Senator Woodburn.)

SENATOR GIUDA: Thank you, Senator for taking my question. My question would be do we have a sense of the impact to the board of licensing and professions that this bill might have given that we are adding additional staff so we're actually going to be reducing revenues to a body that we're adding personnel to and costs to?

SENATOR WOODBURN: Very good question, thank you Senator. We have anecdotal information, we don't have the numbers, what they would be, but we know that the process in terms of these professions and the work that's going on and we have some disagreements as to how this process would be initiated in terms of all these students coming in. So, you know that's why I've agreed to an amendment of two years, let's take a look and see if the numbers are such and we need to revise it let's, it would sunset. It would go away. But I think just in this crisis point where we need these workers, let's try this.

SENATOR GIUDA: Thank you, Mister President. Do you know what the cost is for LNA or nursing license in the state?

SENATOR WOODBURN: I don't recall what the license fee for all these professions is.

SENATOR GIUDA: Thank you.

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you very much, Mister President. I rise to support the committee vote Inexpedient to Legislate. The committee seriously considered this issue in fact we had a bill last year from our colleague

from District 7 that really got folks started thinking about it, about reducing fees or waiving fees and one thing struck me during our conversations when we exec'd this bill was the possibility of creating a student fee that would be at a reduced rate. And, Mister President, I would like the body to support our decision, it is something that I am going to work with the OLPC Board about and hopefully we can get something that we can attach to a bill coming over from the House and have a reduced fee rather than no fee whatsoever to minimize that impact that our good friend from District 2 spoke about. Thank you, Mister President.

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

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

The following Senators voted Yes: Giuda, Bradley, Gray, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, French, Kahn, Lasky, Feltes, Cavanaugh, Soucy, Fuller Clark.

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 13 - Nays: 10. Adopted.

SB 460, relative to the terms and qualifications for the adjutant general and deputy adjutant general.

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

SENATOR CARSON: Thank you, Mister President. I move Senate Bill 460 Inexpedient to Legislate. This bill would establish a six-year term of office for the adjutant general and would change the retirement age for the adjutant and deputy adjutant general to age sixty-four. The ED&A Committee members received testimony from those who believe this legislation has more potential negative impact than advantages to these requested changes. In relation to the change in retirement age from sixty-six to sixty-four, title 10 of the US Code of Armed Forces state that the adjutant general is allowed to work until age sixty-six. Term limitations and retirement age in these positions is believed to be unnecessary. The ED&A Committee voted Inexpedient to Legislate and asks for your support in their recommendation. Thank you, Mister President.

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

SB 465-FN, relative to documentation requirements for the department of labor.

Inexpedient to Legislate, Vote 4-1. Senator Soucy for the committee.

SENATOR SOUCY: Thank you, Mister President. Mister President, I move Senate Bill 465-FN Inexpedient to Legislate. This bill would drastically impact all of our state's labor laws. This legislation would significantly amend the youth employment law, repeal rule making authority for the Commissioner of the Department of Labor relative to youth employment and payment of wages, provide that an employer's unintentional documentation errors would not result in the imposition of a fine, repeal the requirement that employers maintain written safety plans and changes the definition of tip sharing by eliminating the prohibition of coercion. This legislation would allow an employer to not pay an employee for up to thirty days without any ramifications or consequences to that employer. This bill would have allowed under a written agreement for an intern to serve for six months without pay as a volunteer for a charitable or learning opportunity, potentially leading to significant consequences in the case of

injury because they would not be covered by workers compensation. The bill would further amend required pay which is in the current statute for employees working a two-hour minimum but would eliminate department's ability to enforce this requirement. The bill would have amended RSA 275: 49 notification requirements to employees of their rate and benefits which currently must be in writing. This legislation would have reduced it to verbal which in fact is a protection that exists now for the benefit of employers. The current statute on tip pooling and tip sharing, which is similar to our federal regulation, except for the legislature having inserted the terms voluntary and without coercion, would be completely re-written and take out those provisions that protect employees. The filing of safety summary forms which was put in place to reduce incidence of injury, it worked, and was part of a comprehensive compromise that was enacted at the time workers' compensation law came into effect is removed from this bill. For all these and many other reasons the ED&A Committee believes it's important to have legislation which protects both the employee and the employer, thus the ED&A Committee voted Inexpedient to Legislate and asks for your support in their recommendation.

Senator Carson moved to Lay on the Table.

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Cavanaugh, Reagan, Soucy, Fuller Clark.

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 13 - Nays: 10. Adopted.

### INTRODUCTION OF GUESTS

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: Thank you, Mister President. And I apologize for the second introduction. As I mentioned this morning, some of you may have had the opportunity to have a wonderful breakfast down in the cafeteria by the New Hampshire Cancer Society which operates in the best state in America, the most effective cancer society in America and I might say in a very jaundiced view, operating in the best Senate District in the state of New Hampshire. My fellow colleagues if you could welcome more members of the New Hampshire Cancer Society to the chambers I'd appreciate it. Thank you, Mister President.

PRESIDENT MORSE: And I'm sure Senator Sanborn was talking about District 22 and Nancy Kearny is here so, thank you.

### FINANCE

SB 63, relative to record management of abuse and neglect reports and establishing a pilot program and making an appropriation therefor. Ought to Pass with Amendment, Vote 4-0. Senator Reagan for the committee.

Senate Finance  
January 24, 2018  
2018-0260s  
05/04

### Amendment to SB 63

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

AN ACT relative to record management of abuse and neglect reports and establishing a pilot program regarding electronic storage of abuse and neglect records.

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

2018-0260s

#### AMENDED ANALYSIS

This bill revises the record retention requirements for founded, unfounded, and screened-out reports of abuse or neglect; establishes a pilot program regarding electronic storage of abuse and neglect records; and establishes certain classified positions within the department of health and human services.

SENATOR REAGAN: I move Senate Bill 63 Ought to Pass with Amendment. This bill revises the record retention requirements for founded, unfounded and screened out reports of abuse and neglect. Senate Bill 63 seeks to establish a pilot program regarding electronic storage of abuse and neglect records and makes an appropriation to fund the program. The bill also establishes certain classified positions within the Department of Health and Human Services. The Senate Finance Committee agrees with the proposed pilot program but recognizes that a funded vacant positions currently available within the department, which could enable them to begin the pilot program. Subsequently the committee amended the bill and removed the appropriation. The committee recommends passage of Senate Bill 63 as amended and asks for your support. (The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you very much, Mister President. Mister President I rise in opposition to the committee amendment. During the testimony before Health and Human Services, John Williams and Diana Baker talked about how the committee needs to be aware that there's a significant fiscal impact to this bill even though there's no fiscal note attached. They also said this is one of the bills that did not pass the House last year on child protection, and that DCYF can use the information in these reports to establish patterns of behavior, but only if we have the information long enough. And they went on to talk about how putting the information electronically into the system is essential to tracking this information. And to be clear the bill tracks information on screened out reports for seven years, unfounded reports for ten years and it puts in place a case management and records management system but the committee amendment unfunds even a pilot of the record system. By a 4-0 vote, the Senate Finance Committee got rid of the funding for even a pilot on tracking reports in child protection. Joe Ribsam, the new head of DCYF was before Senate Finance and said he needs the money for the pilot.

Mister President, the money here to do the pilot, to get the information into the system so we can track, meaningfully track, child protection reports. There's 24,000 in fiscal year ending in FY 2018 and then 154,000 the next year for a total of 180,000. That's for a pilot, that's not even the whole state. It's a pilot. Mister President, I think we ought to put, you know, our money where our mouth is on child protection. If we're going to track these cases lets fund the system to track the cases. This is only a pilot; the committee amendment takes the money out for the pilot and makes it ineffective to track and upload the reports into our computer system. Part of the reason Mister President, myself and I think many

others voted against the budget last year is because it was woefully deficient on issues concerning child protection, including failing to fulfill many of the recommendations in the independent audit report of DCYF which was released in December of 2016. Some of those recommendations Mister President, goes to case tracking and case management which this bill is all about. So, some of the recommendations that didn't get into the budget include voluntary services, family support workers, some of those issues may be addressed this year, hopefully they weren't in the budget and it's a key reason why a number of us voted against the budget. And now we're in a situation where Senate Finance has removed even money for a pilot, a pilot on tracking child protection cases. Mister President, I just strongly disagree with this. I think we ought to vote down the committee amendment and move forward with the bill and move forward to continue our work on dealing with the child protection crisis in the state. Thank you, Mister President.

(The Chair recognized Senator Reagan.)

SENATOR REAGAN: Thank you, Mister President. Just to give some perspective here, the committee has not recommended stopping the program. The Senate Finance Committee is in favor of the program, wants to see it start and believes that the money is in the HHS budget and that there's sufficient personnel available to do it, and so while this makes us all happy to think we're doing a good thing, nothing's going to stop this program from going forward. So, I urge you to oppose the motion to do away with the amendment.

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you very much. I want to stand up and support the Finance Committee recommendation, in disagreement with my good friend from District 15. I think all of us together have taken significant measures to improve our child safety against abuse and neglect of children. Twenty new case workers were hired in the budget, those positions are largely filled. Another bill this year that you and I have co-sponsored would correct the voluntary services issue. I hope that we'll have the resources to do that as well as hire three new judges which is a recommendation of the Attorney General's Office for DCYF. The good news here is I think there's now broad agreement that we ought to do a better job of tracking these reports to have a better opportunity to ascertain when there could be a problem, and because some of the reports that are unfounded but build a pattern will help DCYF be able to better protect kids. But I have to say, when the Department of Health and Human Services came to the HHS Committee wanting eight, let me repeat that, wanting eight full-time positions to do this tracking.

Even me, who a lot of my colleagues think it's liberal Jeb again, even I blanched. Thank God. And so, the department came in with a pilot program. We said okay, knowing that when it got to the Finance Committee there was going to be this discussion over resources. I agree with my friend from District 17, that this is something with today's technology, we ought to be able to do the job of tracking without having to spend what this bill authorizes up to four positions, two for the pilot program, two more if approved by the Fiscal Committee. We ought to be able to do this without having to go to four positions and while I felt that as it came through HHS, all five of us did vote for the policy if you will but knowing the financing would be a problem. I think that the department can do this, should do this, and we ought to have the existing resources

within the department to do it. So, I didn't want to make you blanch Mister President, but that's where it's at and I would suggest you support the Finance Committee recommendation. Thank you.

(The Chair recognized Senator Daniels.)

SENATOR DANIELS: Thank you, Mister President. Just to add to the previous testimony, there was money in the capital budget for buying the scanners that the department needed for scanning in the documentation they're talking about. And what they were looking for is the positions. What happens is, when we passed the budget, there were a number of funded but vacant positions within the department so the department comes in periodically to Fiscal with positions that they they're looking at as priority for what they need and we replace unfunded positions with these funded positions and that's what we recommended that they do in this case here is that this seemed to be a high priority for the department so we recommended that they do that. I will also point out that the 4-0 vote was a bipartisan vote. Thank you, Mister President.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you, Mister President. I don't believe I was one of the four, but I just want to clarify a couple things. One, as HHS made it abundantly clear, that they don't have the resources to do this. Joe Ribsam was there in Senate Finance, the new head of DCYF and said that, and number two, if we're going to put this on existing staff to do this, there's already a backlog of child protection cases, and we're going to ask existing staff to, you know upload boxes of documents into a computer system which is needed. Now this is not just a recommendation and a high priority for the department to my good friend from District 11, this is a recommendation of the independent audit of DCYF released in December of 2016. So, let's start fulfilling our obligations here. I agree that some steps were taken in the budget, I still disagree that it was willfully, I think it's willfully deficient, that's why I voted, partly the reason I voted against the budget, because of the child protection deficiencies. This is one of the issues that we can address today Mister President, and we should address and relieve this burden on the department and fulfill the recommendations of the independent audit. Thank you, Mister President.

(The Chair recognized Senator Fuller Clark for a question of Senator Feltes.)

SENATOR FULLER CLARK: Senator Feltes, would you be able to say what is the amount of money that we're actually talking about, that would be need to fund those positions?

SENATOR FELTES: Thank you very much, Senator Fuller Clark. The pilot, which was trimmed down from the, at the request of the Senator from District 3 and it was made a pilot, is 24,000 for fiscal year ending June 30, 2018 and 154,000 for fiscal year ending June 30, 2019. For a total of 180,000. That's what's needed for the pilot, not a statewide program, so we're not even, in the pilot we're not even doing what was recommended quite frankly, but the pilot, the trimmed down version, the resources, the labor needed to do all this work, to get these documents uploaded and whatnot, is \$180,000.

SENATOR FULLER CLARK: Thank you.

The question is on the adoption of the Committee Amendment.

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

Recess. Out of recess.

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avar, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Cavanaugh, Soucy, Fuller Clark.

The following Senators were excused: D'Allesandro.

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

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

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

The following Senators voted Yes: Woodburn, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Sanborn, Kahn, Daniels, Avar, Lasky, Carson, Feltes, Cavanaugh, Reagan, Soucy, Birdsell, Fuller Clark, Gannon, Innis, Morse.

The following Senators voted No: (None)

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 23 - Nays: 0. Adopted, bill ordered to Third Reading.

SB 240-FN-L, relative to the monitoring and treatment of contaminated wells.

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

Senate Finance

January 17, 2018

2018-0154s

08/03

#### Amendment to SB 240-FN-LOCAL

Amend RSA 485-C:6-c as inserted by section 1 of the bill by replacing it with the following:

485-C:6-c Contaminated Wells; Monitoring. Upon receiving information that a drinking water well that is not a source for a public water system exhibits the presence of a man-made contaminant, other than road salt, but the concentration does not exceed an existing ambient groundwater quality standard, the department shall determine if the contaminant is increasing in the well by primarily measuring the contaminants in the well and comparing such measurements to any previous measurements, and therefore, should be monitored and whether it is possible to identify the source of the contaminant. If a responsible party is identified as the source of the contaminant and the department determines monitoring is warranted, the department shall require the responsible party to monitor the contamination at a frequency sufficient to provide advance warning of any exceedance of the standard. If the department determines that monitoring trends or other available information reasonably suggest that the concentration of the contaminant in the well is likely to exceed the ambient groundwater quality standard prior to the next scheduled monitoring date, the responsible party shall provide treatment or an alternative supply of drinking water that meets all applicable standards and is approved by the department.

SENATOR DANIELS: Thank you, Mister President. I move Senate Bill 240-FN-LOCAL Ought to Pass with Amendment. This bill seeks to require testing of wells if certain contaminants are found. It also requires

the responsible party, if the source of the contaminant is identified, to either treat the water or provide an alternative source of drinkable water. The Senate Finance Committee amended the bill to require measurements be taken of the contaminants in a suspect well to aid the Department of Environmental Services in their determination of increased contaminants, resulting in monitoring of the suspect well. The committee recommends passage of Senate Bill 240 as amended, and asks for your support. Thank you, Mister President.

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

SB 372-FN-A, establishing positions in the office of professional licensure and certification and making an appropriation therefor.

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

Senate Finance  
January 24, 2018  
2018-0262s  
10/01

#### Amendment to SB 372-FN-A

Amend the bill by replacing section 1 with the following:

1 Office of Professional Licensure and Certification; New Classified Positions; Appropriation.

I. Three license clerk positions, labor grade 11, are hereby established as classified positions in the office of professional licensure and certification.

II. The amount necessary to pay for the positions established in paragraph I, which shall be in addition to any sums appropriated in AU 01-21-21-212010-2405 and AU 01-21-21-215010-2406 for the divisions of technical professions and health professions, is hereby appropriated to the executive director of the office of professional licensure and certification. The governor is authorized to draw a warrant for such sum out of any money in the treasury not otherwise appropriated.

2018-0262s

#### AMENDED ANALYSIS

This bill establishes 3 license clerk positions in the office of professional licensure and certification and makes an appropriation therefor.

This bill is a request of the office of professional licensure and certification.

SENATOR REAGAN: I move Senate Bill 372-FN-A Ought to Pass with Amendment. This bill sought authorization to hire three license clerks in the Office of Professional Licensure and Certification to replace two existing clerks. The Senate Finance Committee amended the bill to establish the three classified clerk positions in that office. Funding for the positions is provided via licensing fees. The committee recommended passage of Senate Bill 372 as amended and asks for your support.

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

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

SB 467-FN-A, relative to the state art fund.

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

SENATOR REAGAN: I move Senate Bill 467 Inexpedient to Legislate. This bill sought to place the State Art Fund on a more regular funding level. Supporters of the bill, however, have realized their intention requires much more time and effort in terms of such legislation. They plan to submit a more robust proposal next session. The Senate Finance Committee recommends Senate Bill 467 be found Inexpedient to Legislate, and asks for your support.

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

SB 471, relative to the authority of municipalities to address potential natural threats.

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

Senate Finance  
January 24, 2018  
2018-0261s  
08/04

#### Amendment to SB 471

Amend RSA 21-P:37-c, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) When the President of the United States declares an area a federal disaster area and a municipality has applied for federal emergency assistance from the Federal Emergency Management Administration (FEMA), the governor, with the approval of the executive council, may approve a loan in the amount up to the anticipated assistance from FEMA from funds not otherwise appropriated.

Amend RSA 21-P:37-c as inserted by section 1 of the bill by replacing paragraphs VI and VII with the following:

VI. If the state treasury provides advance funding to a municipality that has applied for and is waiting for FEMA disaster relief funding, the interest rate to be assessed on such advance funding shall be no greater than the prevailing rate at which the state treasury is able to invest its commingled cash.

VII. If the amount of FEMA assistance a municipality receives is less than the exceptional disaster relief loan, the state treasurer, with the advice and consent of governor and council, shall negotiate terms of repayment of the difference. If the municipality and the state treasurer are unable to reach an agreement, the department of revenue administration shall include the amount in the amount apportioned for setting property tax rates.

VIII. The director of homeland security and emergency management shall administer the exceptional disaster relief loan program.

SENATOR GIUDA: Thank you, Mister President. I move Senate Bill 471 Ought to Pass with Amendment. This bill creates a procedure for issuing exceptional disaster relief loans. It provides that the government with the approval of the Executive Council may approve a loan up to the amount of anticipated assistance from FEMA from funds not otherwise appropriated. It also addresses payback of that loan by the community and the interest rate to be assessed on such advance funding. The Senate Finance Committee recommends passage of Senate Bill 471 as Amended and asks for your support. Thank you, Mister President.

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

SB 472, establishing a committee to study the creation of an economic improvement fund.

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

SENATOR REAGAN: I move Senate Bill 472 Inexpedient to Legislate. This bill sought to establish a committee to study the creation of an economic improvement fund to provide researchers at New Hampshire's public universities with additional funds necessary to support research and development activities. Members of the Senate Finance Committee were not convinced such a committee is needed. New Hampshire business entrepreneurs, such as Dean Kamen, were cited as major contributors in supporting research and development efforts in the Granite State. The committee recommends Senate Bill 472 be found Inexpedient to Legislate, and asks for your support.

Senator Bradley moved to Lay on the Table SB 472. Adopted.

SB 539-FN-A, making appropriations to the department of education for adequate education grants.

Ought to Pass with Amendment, Vote 6-0. Senator Daniels for the committee.

Senate Finance

January 24, 2018

2018-0273s

06/10

#### Amendment to SB 539-FN-A

Amend the bill by replacing section 1 with the following:

1 Appropriation; Department of Education; Additional Adequate Education Grants to Certain Municipalities. The sum of \$1,483,428 for the fiscal year ending June 30, 2018 is hereby appropriated to the department of education for the purpose of providing additional adequate education grants to certain municipalities as calculated in RSA 198:40-a and 198:41 in the amount of \$684,498 for the fiscal year ending June 30, 2016 and \$798,930 for the fiscal year ending June 30, 2017, specifically related to amounts calculated pursuant to RSA 198:40-a, II(e) which were not distributed to those municipalities in that fiscal year. Said sum shall be a charge against the education trust fund established in RSA 198:39. Notwithstanding RSA 198:42, the commissioner of the department of education shall disburse a lump sum to each municipality.

SENATOR DANIELS: Thank You, Mister President. I move Senate Bill 539-FN Ought to Pass with Amendment. This bill makes an appropriation of \$1,483,428 in Fiscal Year 2018 for the Department of Education to provide additional adequate education grants to certain municipalities. The additional funding is specifically related to amounts calculated for differential aid attributable to each third-grade pupil in the average daily membership with a score below the proficient level on the reading component of the state assessment, which was not distributed in Fiscal Year 2016 and Fiscal Year 2017. The appropriation will be a charge against the Education Trust Fund. The Senate Finance Committee amended the bill as the amounts identified for each year in the original bill were inverted. The committee recommends passage of Senate Bill 539-FN as amended, and asks for your support. Thank you, Mister President.

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

HB 549-FN, relative to beverage vendor fees.

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

Senate Finance  
January 17, 2018  
2018-0153s  
03/08

#### Amendment to HB 549-FN

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

1 Repeal. RSA 178:29, III(b), relative to beverage vendor license fee, is repealed.

2 Effective Date. This act shall take effect July 1, 2018.

2018-0153s

#### AMENDED ANALYSIS

This bill eliminates beverage vendor license fees.

SENATOR GIUDA: Thank you, Mister President. I move House Bill 549-FN Ought to Pass with Amendment. The bill sought to establish a new fee schedule for beverage vendor licenses. Initially an agreement was reached to reduce the current license fee for small distributors and increase the fee for larger distributors. The Liquor Commission revenue's currently at a very healthy level, elimination of some distributor operating fees may encourage production of additional products. The Senate Finance Committee amended House Bill 549-FN to repeal RSA 178:29 III-b, the beverage vendor license fee. The committee recommends passage of the bill as amended and asks for your support. Thank you, Mister President.

(The Chair recognized Senator Feltes for a question of Senator Giuda.)

SENATOR FELTES: Thank you, Mister President. Thank you Senator Giuda, for taking my question. This amendment that was put on in committee erases the bill and then repeals 178:29 III-b, the beverage vendor licenses. Do you know what the fiscal impact is of repealing the beverage vendor licenses?

SENATOR GIUDA: Thank you for the question and yes, I do. Currently the Liquor Commission is bringing in about \$144.3 million. This bill would in fact reduce by 300,000 that's the totality of revenues realized by the beverage vendor licenses.

SENATOR FELTES: Okay. Thank you.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you very much, Mister President. I speak in opposition to the committee amendment. You know at the same time that we're not funding \$180,000 for case tracking of child protection we're getting rid of beverage vendor license which generates \$300,000 a year. There was no, from what I can recall, reason to take this kind of departure from the bill Mister President, it's a radical departure from the bill that came over to us from the House. And instead of looking at the bill that came over from the House, what happened here is that got erased

and then the beverage vendor licenses all got erased. And that's 300,000 that's erased from our state's resources. So, I think we ought to be cautious about this Mister President, especially at a time when we can't find the money to fund case tracking for child protection, we shouldn't be getting rid of a system that seems to be working right now. Thank you, Mister President.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President. The Senator from District 15 has asserted that this repeals the licensure, it does not repeal licensure, it merely repeals the vendor fees. And with respect to the fiscal impact, we are seeing our economy really roar under a Republican Governor with Republican initiated initiatives to reduce taxes and fees on businesses, our numbers are up, the time to cut taxes and fees is when you're healthy. We have an opportunity to do that, even as the Liquor Commission's revenues are increasing because of the additions we've made to their plants with new structures around the state, \$300,000 is not going to bankrupt anyone, if we're going to take that ploy then let's just add taxes and fees to everything to cover all the expenses that everybody wants. But the vendor fee of \$300,000 will not cause any material harm to the Liquor Commission or to the revenues of the state. Thank you, Mister President.

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: Thank you, Mister President. I will stand with a polite and lovingly comment in dispute to my good friend from District number 2; this is not a cut of fees on the business community, this is a cut on fees for all those wonderful people that actually drink beer. We actually know that when there are fees imposed by our government, laid on to individuals of the business community, those fees, fines, taxes, penalties and assessments are always then laid on to the customer. We see an increase on the cost of operation for public service, or the generation of power, the consumer pays more money. We see higher fees, higher regulations, higher cost of doing business and they ultimately fall onto the backs of the consumer. So, I am sure, at least I hope Mister President, that no one wants to be raising taxes on beer drinkers. Now for the record Mister President, based upon our ethics laws that need to be changed, I am a licensee in this business and I actually sell beer, so therefore I may or may not have a conflict on this bill but clearly, I'm still participating, but the Super Bowl is on Sunday. Who wants to be raising the cost of beer and taxes on those people that are going to be drinking Bud Light this weekend, or any other beer for that matter? So, Mister President, again a polite loving retribution to my friend from District 2, this is a tax on drinkers in this state, not a tax on business owners, it should be repealed, and I would ask for a roll call.

(The Chair recognized Senator Soucy.)

SENATOR SOUCY: Thank you, Mister President. Mister President, I rise in opposition to this bill and to this motion because this was a bill that the Commerce Committee actually heard and listened to a lot of thoughtful testimony on, none of which I would point out was in opposition. If anything, what this bill was designed to do was to attract more small businesses. This bill sponsored by a Republican committee chair in the House was actually brought to us as an effort to allow more vendors to bring their product into the state. What it does is graduate the fee schedule so only the largest manufacturers would pay a higher

rate, but it reduces fees for all of the smaller manufacturers, allowing them to bring more different products into the state and to give beer drinkers more choices. So, this is actually business friendly legislation, that as I said, no one opposed where a hearing was held. I don't know that Finance held another hearing, but where the hearing was held and people had an opportunity to weigh in, no one opposed this legislation. But lastly let me say what concerns me the most about this change is that this is a department whose primary charge is to generate revenue.

We keep asking the Liquor Commission to generate revenue and part of the reason we're doing that is because we know that there is an incredible need in this state for drug and alcohol treatment. And the funds that go to drug and alcohol treatment, the funds for the alcohol fund come from the revenues of this department. Why would we in the midst of an opioid crisis be taking away a tool for this very department charged with generating revenue? A tool that's been expanded yes, but a better-defined tool. Why would we be taking that away? This makes absolutely no sense to me. How can we promote that we are going to spend more to deal with the crisis if we take away the ability of the department that's generating money to collect the money? This makes no sense. And as I said, nobody was opposed to this. A very, very well represented industry in our state, they supported this in Commerce, so why today we have this change I don't understand, I think it's a grave mistake on our part if we support this motion. I would encourage my colleagues to think twice before we take this action. Thank you very much, Madam President.

President Pro Tempore Carson presiding.

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: So, I rise a second time to give comment to the fact there was opposition on this bill in committee because in fact I was opposed to it, spoke about it in committee several times, spoke about it in the exec session. This bill raised the cost of the fee from \$1,200 to \$15,000. Now the amendment done by the Finance Committee, and I compliment the chair, my good friend from the wonderful town of Milford does the right thing and it does something even better than what the Commerce Committee did; it eliminated the fee. So if we are concerned about bringing more businesses to the state of New Hampshire, if we want to lift that shingle up and open that window and say we recognize that our existing fee structure is prohibitive to encourage other businesses to come to our state, we are going to open up the open for business sign. We are going to make it even more attractive to be here. To make a suggestion that this is going to discourage businesses from coming here, to make a suggestion that this is going to reduce the revenue the state of New Hampshire is going to see by making it easier for businesses to come here, I have a gentleman I like to read a lot named Milton Friedman, I think he would disagree with that statement. We do recognize the fact that the current fee structure that we had made the fees higher than the total revenue that some companies would have by selling their products in our state. Let me repeat that for the record; our fee structure was so high, it was higher than the gross revenue that some companies would have if they came to our state. Clearly there is a problem with this.

There was a move to make it more affordable for those small businesses, the Commerce Committee went some distance, and what we have seen now from the Finance committee is the Finance Committee went the rest of the way to join the Governor in saying our state is open for busi-

ness, our state is going to do things to encourage and welcome more companies to come to our state, and if they come to our state what will happen? They'll sell more product. The result of selling more product in the economy we understand means revenue goes up not down. So if we are concerned about ensuring there is sufficient revenue, in order to address our opioid problems, address our educational problems, pay for the \$125 million road bond we have which is sucking money out of the liquor fund, so I would contend if people are truly concerned about ensuring we have enough money to pay for our opioid crisis we're facing, some might want to look at why we took \$125 million out of that fund to buy a road. This bill will bring new companies, this bill will bring new business, this bill will bring new revenue and if the percentage of what we're looking for to help those that are in need in our state is predicated on more revenue, there should be absolutely no reason why people should support this bill. Thank you, Madam President.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: I would like to remind the body that under the leadership of this Governor and with the assistance of this body and the House we have doubled the funding. It's not the 5 percent yet, but with 3.4 percent for the alcohol abuse fund, whatever we want to call it, and that will continue, and I believe very strongly that by eliminating these fees we will see more businesses in the state generating more revenues for the state and aiding us in reaching that 5 percent threshold. Thank you, Madam President.

(The Chair recognized Senator Kahn for a question of Senator Sanborn.) President Morse presiding.

SENATOR KAHN: Thank you for taking my question. Would you agree that the fiscal note on this bill, relative to the \$15,000 fee only applies to four businesses in the state?

SENATOR SANBORN: Senator, thank you so much for the question, and I'll agree the fact that the way that the fiscal note and the bill as amended, were structured, it did completely change from a single fee for everyone to make a graduated fee based upon how big a company is. But we also have to recognize that if enacted, it would actually double, nearly double the overall cost of the fee. So, while we dropped it on the lower end and it went up much higher on the higher end, it would essentially almost double the total income to the state of New Hampshire. So, in the end anyone with a strong background in math as I know that you have would see that if the revenue is doubling it means the fee is doubling.

SENATOR KAHN: Did any of the four vendors affected by the largest fee change, did any of them testify at the Commerce Committee?

SENATOR SANBORN: Senator, thank you so much for the question. I don't believe that they did, none of the four businesses testified because as we see so often, so often in our body, so often in our public hearings that the business community actually works for a living, hence the business community, and being able to show up between nine to five Monday through Friday can be very difficult for businesses to do.

SENATOR KAHN: Just that the fiscal note just seems pretty clear as to what's going up, what's going down. It looks like we've got about 300 firms in the state that are distributing beer affected by these fees about 200 of them would see a decrease, so I guess back to the testimony. Was there any objection from any of the industry to this bill?

SENATOR SANBORN: Senator, thank you so much for the question, and there's no question that by cutting fees, which is what this bill looks to do at some level. There is a hope and prayer that it's encouraging more economic success, because we want more companies to come here. Two-hundred is not enough for me, 300 is not enough for me. I want to see this state the place that all manufacturers come, so if we can position the state of New Hampshire as a business-friendly state and make the burden and the hurdle to get over to come here lower we will ultimately do more business and more money. Now my colleagues I hope I don't have to remind you that in addition to this fee we are still collecting thirty cents per gallon on every single gallon we sell. And in addition to that, even though I'm not a supporter and I don't advocate for it and I think it's too high, in addition to the thirty cents per gallon, we are charging 9 percent for every single penny of beer that is drawn in our state, and Senator we are tied as the highest, highest cost of rooms and meals tax in America. Tied only with our good friends on the other coast in California. So if there is a concern that our net result from this, whether or not we will see more revenue or less revenue, I would contend that the math on this of bringing more companies to New Hampshire, having more selections of people to drink to celebrate the Patriots win on Sunday, that we will have more companies, people who will buy more beer and the thirty cent per gallon tax and the 9 percent tax on top, we will actually see a net increase.

SENATOR KAHN: Wow. Thank you, Mister President.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you, Mister President. There were a number of things that I was going to respond to, but I'm just going to move on and say this was not given a public hearing; it's a dramatic departure from the base bill. It may have merit, it may not. I don't think it does, but maybe the Senator from District 2 is right, that it does, but let's have a public hearing, the base bill had a public hearing in Senate Commerce, it was voted out and went to Finance, dramatic change. At a minimum this should be referred back to Senate Finance for an actual public hearing on this pretty dramatic departure from the base bill but existing law too Mister President, erasing the fees for beverage vendor licenses but keeping the fees on all the rest of the licenses. So, I think there's probably going to be some people that are going to have some input on that and so it makes sense Mister Chairman to at a minimum, re-refer this to Senate Finance for a public hearing. Thank you, Mister President.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President. I would just submit to the body, that the absence of a complaint about a change to a fee structure is in no way correlatable to the enthusiasm that will be found within the businesses and by the drinkers of beer for the removal of the fee, and so for that reason I ask the body to support the amendment and the bill as amended. Thank you, Mister President.

(The Chair recognized Senator Soucy.)

SENATOR SOUCY: Mister President, I just want to make one more point, because it was raised by my colleague from District 15. Without a public hearing and without any input the fact that we're making a significant change simply to one section of the fees affecting one small group is going to open the floodgates to every other entity within this category. So, we're just doing this for one category of beer vendors. Now the wine people, they

didn't have any say. Why didn't we do something to reduce their fees? How about the spirits people? Where were they? Did anybody ask them if they wanted their fees reduced? So, we're narrowly, just because we had one little section in front of us, going to carve out and say no fees whatsoever and think that's responsible to the rest of the industry in the three tier system? I personally don't believe that's responsible, that's why I oppose this amendment, that's why I support the work of the House Commerce Committee, the Senate Commerce Committee to rework these fees in a fair and equitable manner and that's why this amendment should be voted down. Thank you, Mister President.

The question is on the adoption of the Committee Amendment.

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Cavanaugh, Soucy, Fuller Clark.

The following Senators were excused: D'Allesandro.

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

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

A roll call was requested by Senator Sanborn, seconded by Senator Avard.

The following Senators voted Yes: Giuda, Bradley, Watters, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Hennessey, Kahn, Lasky, Feltes, Cavanaugh, Soucy, Fuller Clark.

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 15 - Nays: 8. Adopted, bill ordered to Third Reading.

#### HEALTH AND HUMAN SERVICES

SB 310-FN, establishing a pilot program for community-based diversion services.

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

SENATOR AVARD: Thank you, Mister President. I move Senate Bill 310 Ought to Pass. This bill establishes a pilot program through which the Department of Health and Human Services shall contract with local organizations to provide community-based diversion services to prevent the need for foster care and out-of-home placements. There has been an exponential rise in the amount of children entering into foster care and one way to curb this trend is to ensure that the resources are available to families before DCYF needs to intervene. This will keep children safe and healthy at home with their families. This would be a 2-year pilot program and the department feels it could be up and running in about 3 months. So please support the committee's recommendation of Ought to Pass. Thank you, Mister President.

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

SB 378-FN, relative to an exemption from the board of registration of medical technicians.

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

SENATOR GRAY: Thank you, Mister President. I move Senate Bill 378 Ought to Pass. This bill would remove the requirement for certain care providers to register with the board of medical technicians. Personal care assistants are currently required to register with the board of medical technicians even though they are not providing medical care. These care providers often help with bathing, dressing and other needs a patient might have. Personal care assistants are already required to obtain a criminal background check prior to starting work. The Office of Professional Licensure and Certification as well as the Department of Health and Human Services are confident that there is enough protection in place for patients and that the requirements of registering with the board does not offer any additional benefit. Please support the committee's recommendation of Ought to Pass. Thank you, Mister President.

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

SB 477, establishing a therapeutic cannabis medical oversight board. Ought to Pass with Amendment, Vote 4-0. Senator Hennessey for the committee.

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#### Amendment to SB 477

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

1 New Paragraph; Use of Cannabis for Therapeutic Purposes; Rules. Amend RSA 126-X:6 by inserting after paragraph III the following new paragraph:

IV. The department shall adopt rules relative to the therapeutic cannabis medical oversight board's public hearing process pursuant to RSA 126-X:12, IV.

2 New Section; Use of Cannabis for Therapeutic Purposes; Therapeutic Cannabis Medical Oversight Board. Amend RSA 126-X by inserting after section 11 the following new section:

126-X:12 Therapeutic Cannabis Medical Oversight Board Established; Membership; Duties.

I. There is hereby established the therapeutic cannabis medical oversight board which shall monitor and contribute to the oversight of the clinical, quality, and public health related matters of the use of cannabis for therapeutic purposes under this chapter.

II. The board shall consist of the medical director, department of health and human services, or designee, a qualifying patient, appointed by the commissioner of the department, a clinical representative from an alternative treatment center, appointed by the commissioner, and 10 medical providers also appointed by the commissioner. The medical provider members shall represent the following fields:

- (a) Neurology.
- (b) Pain management.
- (c) Oncology.
- (d) Psychiatry.
- (e) Pediatrics.
- (f) Family or Internal Medicine.
- (g) Obstetrics and Gynecology.

- (h) Addiction.
- (i) Palliative care.
- (j) Physiatry/orthopedics.

III. At its first meeting the board shall elect by majority vote a chairperson and an alternate. A quorum shall consist of a majority of members.

IV. The board shall convene at least 2 times per year to monitor and contribute to the oversight of the clinical, quality, and public health related matters of therapeutic cannabis under this chapter by:

(a) Reviewing medical and scientific evidence pertaining to currently approved and additional qualifying conditions.

(b) Reviewing laboratory results of required testing of cannabis cultivated and/or processed by an alternative treatment center and the use of pesticides on products under RSA 126-X:6, III(a)(16).

(c) Monitoring clinical outcomes.

(d) Reviewing training protocols for dispensary staff based on models from other states.

(e) Receiving updates from alternative treatment centers on effectiveness of various strains, types of cannabinoids, and different routes of administration for specific conditions.

(f) Reviewing best practices for medical providers regarding provider education, certification of patients, and patient access to the program.

(g) Reviewing any other clinical, quality, and public health related matter relative to use of cannabis under this chapter.

V. The board may make recommendations to the commissioner to add or remove qualifying medical conditions under RSA 126-X:1, IX based on the findings pursuant to subparagraph IV(a) and after receiving input from the public through a public hearing process. The commissioner may recommend legislation based on the board's findings.

VI. On or before January 1 of each year, the board shall make a report to the president of the senate, the speaker of the house of representatives, the oversight committee on health and human services established under RSA 126-A:13, the board of medicine, the board of nursing, and the therapeutic use of cannabis advisory council established in RSA 126-X:9.

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

2018-0306s

#### AMENDED ANALYSIS

This bill establishes the therapeutic cannabis medical oversight board which shall monitor and contribute to the oversight of the clinical, quality, and public health related matters of the use of cannabis for therapeutic purposes law under RSA 126-X.

SENATOR HENNESSEY: Thank you, Mister President. I move Senate Bill 477 Ought to Pass with Amendment. This bill establishes the therapeutic cannabis medical oversight board to monitor the clinical, public health, and consumer related matters of the use of cannabis for therapeutic purposes. The therapeutic cannabis program has been greatly expanded in the last few years and it's important to make sure that healthcare providers are monitoring the effectiveness of the program. This board will review and research additional conditions and symptoms that have been requested for inclusion in the program and make recommendations to the legislature. The committee amendment added representation from alternative treatment centers and the physiatry or orthopedic community. Please support the committee's recommendation of Ought to Pass with Amendment Thank you, Mister President

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

SB 482-FN, relative to confidential emergency medical and trauma services data.

Ought to Pass, Vote 3-0. Senator Hennessey for the committee.

SENATOR HENNESSEY: Thank you, Mister President. I move Senate Bill 482-FN Ought to Pass. This bill establishes a privacy committee to review and approve requests for the use of emergency medical and trauma services records data for research purposes. Setting up this committee would allow the Office of Emergency Medical Services more efficient use of the data they are collecting. They would also be able to provide data to other agencies such as the Center for Disease Control and local hospitals for research purposes. This promises to improve health care outcomes for all in our state. Please support the committee's recommendation of Ought to Pass. Thank you, Mister President

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

SB 488, relative to licensure of health care professionals employed at the Manchester Veterans Affairs Medical Center.

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

SENATOR BRADLEY: Thank you, Mister President. I move Senate Bill 488 Ought to Pass. This bill would continue allowing physicians that work with or at the Manchester Veteran's Administration hospital to continue working without obtaining a New Hampshire license. With the flooding disaster that occurred at the VA, other hospitals have taken over veteran's care and many of the VA providers, health care providers have been given privileges at area hospitals to help treat patients. As some of you may recall, Governor Sununu in August issued an executive order to deal with this licensure issue. What this bill does is continue the Governor's executive order through July 1 of 2019 to ensure that as the necessary construction happens at the VA to be able to restore service that there's not a licensure problem for the health care providers at the VA. So, Mister President, I ask the body support the unanimous recommendation of the HHS Committee. Thank you.

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

SB 549-FN-A, making an appropriation to the department of health and human services for the Sununu health services center and relative to infants born with substance abuse or withdrawal symptoms resulting from prenatal drug exposure or fetal alcohol spectrum disorder.

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

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#### Amendment to SB 549-FN-A

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

AN ACT relative to plans of safe care for infants affected by substance abuse or withdrawal symptoms from prenatal drug exposure or fetal alcohol spectrum disorder.

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

1 New Section; Protection for Maternity and Infancy; Plan of Safe Care. Amend RSA 132 by inserting after section 10-d the following new section:

132:10-e Notification and Development of a Plan of Safe Care. Health care providers involved in the delivery or care of infants born with and identified as being affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder shall notify the department of health and human services of the occurrence of such condition. The health care provider shall develop a plan of safe care, in cooperation with the department of health and human services, division of public health services and division for children, youth and families, as appropriate, and with the infant's parents or guardians to ensure the infant's safety and well-being following release from the care of the health care provider. The plan shall take into account whether the infant's prenatal substance exposure is a result of the use of medication prescribed for the mother by a health care provider. Such exposure shall not form the basis for a referral to the department for potential abuse or neglect, but shall be included in the plan of safe care provided to the department to ensure the safety and well-being of the infant, to address health and substance use treatment needs of the infant and affected family member or caregiver, and to ensure that appropriate referrals are made and services are delivered to the infant and affected family member or caregiver.

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

2018-0310s

#### AMENDED ANALYSIS

This bill directs health care providers to develop, in conjunction with the department of health and human services and the child's parent or guardian, a plan of safe care for a child born with substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder.

SENATOR GRAY: Thank you, Mister President. I move Senate Bill 549 Ought to Pass with Amendment. This bill directs health care providers to develop, in conjunction with the Department of Health and Human Services and the child's parents or guardian, a plan of safe care for the child born with substance abuse or withdrawal symptoms resulting from parental drug exposure or a fetal alcohol spectrum disorder. There has been a large increase in the number of babies being born addicted to drugs or alcohol. This bill seeks to create safe plans of care to ensure that the baby receives all the care he or she needs to recover. The committee amendment removes the appropriations to the Sununu Center and adds in protections for mothers in recovery. And I might note that this could be legal drugs or illegal drugs. Please support the committee's recommendation of Ought to Pass with Amendment. Thank you, Mister President.

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

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

SB 551-FN, relative to deductibles under health insurance policies. Interim Study, Vote 4-0. Senator Bradley for the committee.

SENATOR BRADLEY: Thank you very much Mister President. I move that Senate Bill 551 be Referred for Interim Study. This bill would allow

health insurance policy holders to claim treatments deemed medically necessary by their provider but not covered by their insurance to be able to claim those costs against their deductible. The committee felt there were a lot of unanswered questions including whether it would apply to medical marijuana that might be recommended by a provider. The committee moved Interim Study to at least have a little bit more opportunity to discuss this. I would just say that all the insurance companies in the state sent letters to members of the committee and I just want to read one sentence from the letter from AHIP, the America's Health Insurance Plans, it's a umbrella group for the insurers in New Hampshire. "Efforts such as Senate Bill 551 to limit health plan design would only result in higher premiums and/or higher cost sharing. It would do nothing to address the root cause of high prescription drug prices." So, based on that information even though there would be some merit to being able to deduct any medically necessary drug as ordered by your physician against your co-pay, the committee was well aware that this would drive up the cost of health insurance which as we have heard repeatedly, is among the highest in the nation and so for that reason I ask that we Interim Study this bill. Thank you, Mister President.

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: Mister President, thank you so much and I'd like to compliment the Committee on Health and Human Services for taking up this policy issue and discussing it, acknowledging when I put the bill in, it's a very complicated issue. But I'm hoping that raise the question and have the debate about what are we doing about the cost of health insurance. And more importantly, what are we doing about the cost of health care, because granted we are seeing across the nation and we're seeing as a result of policy decisions made in this building and in Washington D.C. that the cost of health insurance continues to skyrocket. What's more concerning to me is even with the increased cost of insurance, the cost of insurance should not be confused with the cost of health care. In order to slow down the increases in the cost of insurance, we're seeing more and more, and more expenses being laid on everyday people. You know it used to be Mister President, before the implementation of the Affordable Care Act, my health insurance was \$748 a month, and I paid a \$5 co-pay. That was it. Today I am paying some \$1,700 a month, a \$75 co-pay, a \$12,000 deductible on each of my family members, plus an 80/20 what they call co-insurance which means no matter what, you're still paying 20 percent of the bill and an ever increasing amount of services that are provided that are "not covered services" anymore.

This body has not gone into this discussion about what is a covered service and what should not be a covered service. We are allowing the insurance industry in an effort to give an illusion of smaller increases and premiums to lay those costs directly on the hard-working people of this state, who actually have to pay for their own insurance. So, at what point do I ask this body that we see the pain of working families, that we see the pain that they can no longer financially afford their cost of health care. How often have you as members heard someone say well, I have health insurance, but I can just no longer afford to use it? Because I can't afford the co-pay, I can't afford the co-insurance, I can't afford the deductible and for the record all the things that I need are no longer covered by the insurance. Again, I applaud the committee in looking at this bill, I do hope they study it because I do recognize it's a very complex issue. But this body, this legislature has got to come to the realization that there are just

as many people who can no longer afford their health care as there are that we're giving it to free with a fully government subsidized product. If someone needs medical care, if their doctor says for your health you need this product or you need this service or you need this prescription or you need whatever it is to get you healthy or to keep you healthy, and your insurance carrier says we don't want to cover that, shouldn't that person be allowed to deduct that expense against their deductible or their payments.

While recognizing that the insurance industry would come back and say well if people reach their deductibles early, that means we're going to have to start paying more money in the system so yes, rates might go up and I agree with that Mister President, they might go up. But at what point do we need to look at the root cause of this, something the good Senator from District number 3 just said. New Hampshire now has the highest cost of health care in America. Meaning we have the highest cost of health care on Earth. The fact that our health insurance costs are equally the highest, is nothing more than a subset of the root cause that our cost of care is the highest in America. I believe it is incumbent upon this body and our friends next door Mister President, that we have to start asking the questions, why? And what are we going to do to help cut the cost of health care? So again Mister President, I begrudgingly support the motion of Interim Study because I do know it's complex and I support the committee's position, but I do implore onto this body at some point we need to stare something in the eye and recognize it is incumbent upon us that if we are truly serious about medical care in America and medical care in this state, that it's time we start doing something. Thank you, Mister President.

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you very much. I just got up a second time to maybe explain why you know drug pricing is something that is driving the cost of insurance and health care and what insurance companies are doing, they create formularies, not every drug is on a formulary, but the reason for a formulary is to try and manage better the cost of not only the health care but the health insurance. While well-intended, this legislation would undermine exactly why insurance companies create formularies, whether we like it or not. And I just have to say, having you know, listened to an awful lot of arguments about health care, about cost, about where this country is going to go or where this state is going to go with health care, the arguments that we just heard sound strikingly similar to those who are advocating for a single payer system. I hope that's not the case, from our friend from District 9 and I know that he sponsored other pieces of legislation like associated health plans and cross state purchase of health insurance to lower the cost of health care, unfortunately Senate Bill 551, would drive that in the other direction and raise the cost of health care. Thank you, Mister President.

(The Chair recognized Senator Sanborn.)

SENATOR SANBORN: Mister President, I rise and frankly take exception to the point that someone would suggest that I support single payer health care. I am offended by that.

The question is on the adoption of the motion of Interim Study. Adopted.

Recess. Out of recess.

#### JUDICIARY

SB 387-FN, relative to liability of governmental units.

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

SENATOR CARSON: Thank you, Mister President. I move Senate Bill 387-FN Ought to Pass. This bill modifies several provisions of law relating to bodily injury actions against governmental units and raises liability limits in such actions to keep pace with inflation. Although a good portion of this bill is simply housekeeping, the main aspects are the product of long hours of work and compromise from a commission of stakeholders. The bill increases the liability of governmental units for bodily injury, personal injury, and property damage sustained by any one person from \$275,000 to \$325,000, and for an overall incident from \$925,000 to \$1 million. It is important Mister President, to note that the legislature has not raised this liability for thirty years. There are those that argue these changes are too small and those that argue that they are too large which truly reflects the compromise inherent in this bill. This is a much-needed change to our statutes, and therefore, the majority of the Judiciary Committee asks for your support in the motion of Ought to Pass on Senate Bill 387-FN. Thank you, Mister President.

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

SB 390-FN, establishing the office of solicitor general in the department of justice and establishing an unclassified attorney position in the department of justice.

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

SENATOR CARSON: Thank you, Mister President. I move Senate Bill 390-FN Ought to Pass. This bill establishes the office of the solicitor general in the division of legal counsel at the Attorney General's Office, and establishes a full-time attorney position in the Attorney General's Office for the purpose of implementing and establishing a training program for regional, county, and state prosecutors. Establishing a New Hampshire solicitor general will enhance the quality of appellant work of the state in front of the New Hampshire Supreme Court, the United States Courts of Appeals for the First Circuit, and the US Supreme Court, by combining those practicing criminal and civil law within one office. Furthermore, the bill will consolidate the training programs of regional, county, and state prosecutors. This creation of a uniform training program will not only achieve efficiencies, but will also enhance the training program to have an added emphasis on knowledge basis and skill development of those prosecutors representing the State. Therefore, the majority of the Judiciary Committee asks for your support in the motion of Ought to Pass on Senate Bill 390-FN. Thank you, Mister President.

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

SB 492-FN, prohibiting bump stocks in New Hampshire.

Interim Study, Vote 3-2. Senator Carson for the committee.

SENATOR CARSON: Thank you, Mister President. I move that Senate Bill 492-FN be Interim Studied. This bill would establish a misdemeanor offense for the sale, manufacture, possession, or use of a multi-burst trigger activator, known as bump stock. While it is clear that the intention of this legislation comes from wanting to protect our citizens from mass shootings, the reality is that this bill will not achieve that. For decades it has been possible to create bump fire with something as simple as a belt loop or a wooden dowel and attempting to ban a bump stock will not change that fact. Furthermore, various parts of this legislation are incredibly broad and vague, creating multiple unintended consequences,

including unnecessarily prohibiting devices New Hampshire citizens lawfully use in competitions, hunting, and self-defense that have nothing to do with bump fire. Finally, Mister President, the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives recently opened a federal rulemaking procedure regarding regulating bump stocks, which included a public comment period that closed earlier this week. Therefore, it is important to take the time to hear what the Federal Government proposes before moving forward on this issue. Due to these reasons and concerns, the majority of the Judiciary Committee asks for your support in the motion of Interim Study on Senate Bill 492-FN. Thank you very much, Mister President.

(The Chair recognized Senator Lasky.)

SENATOR LASKY: Thank you, Mister President. I rise in opposition to the committee motion of Interim Study. After the hearing on Senate Bill 492, it did become evident that there was much work needed on this proposed bill. But the minority of the Judiciary Committee does not feel that Interim Study will accomplish that work. What I would like to do is I hope that I urge you to overturn the committee report of Interim Study so that I may offer an amendment that proposes a bipartisan commission with differing groups of people in it to work on a meaningful study of this subject of bump stock devices. So again, I hope you will overturn the Interim Study so that I may propose an amendment. Thank you.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I come from a place where there's more guns than people. And my rural North Country district includes 28 percent of the state's land mass, an area larger than two states and seventeen foreign countries. Guns are part of our culture and are recognized as an essential tool. There also comes a lot of common sense and it is that understanding of the culture and the value of my region that I insert myself in this debate and this discussion. Bump stocks are devices that convert semi-automatic weapons to automatic ones. These are the ones that became famous as a result of the deadly shooting in Las Vegas last October. It was the deadliest mass shooting in American history, fifty-eight people were killed and over five-hundred were injured. And after that tragedy, Governor Sununu was quoted in the Union Leader as saying that he would be happy to take a look at it. It is that spirit of compromise that is essential and I appreciate that. I look forward to working with him. Republican governors of Massachusetts and New Jersey have most recently passed legislation with their support to ban bump stocks. In the few minutes that I've spoken a bump stock gun could spray 1,600 to 3,200 bullets in that short period of time that I've spoken. Now this is a hard one, because we have a bill that we have three options; we can kill it, we can pass it, or we can study it. And I appreciate the Republican majority's willingness to have a meaningful study, I applaud their recognition of the validity of this issue and this is a great day for those people who believe in common sense gun safety legislation because the true options that we have are studies, we have a study that is an interim study which we have an opportunity to review this because they believe in the merits of the bill and need to work on some of the details, we need to make change that brings everybody along, leaves no one out. And we also have, thanks to the Senator from Nashua, we have another study which would bring in opponents and proponents and other stakeholders into the process. Either one I think, the common sense demonstrated by our Governor of being open to

banning bump stocks, and the legislature to be able to look at how we can craft something that's truly the New Hampshire way. So, I think we can't lose. The only way we lose is if we defeat it and we're not doing that today. So, this is a great, great day, common sense prevails in the great state of New Hampshire and we are, I'm pleased, I'm happy, whichever direction we go is a great day for New Hampshire. So, thank you, Mister President.

Recess. Out of recess.

### INTRODUCTION OF GUESTS

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you very much, Mister President. A very special person is here today. I introduced her a year ago and now I get to introduce Karen McNiff as my fiancée. The only other thing I have to say is thank you for saying yes.

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY. Thank you very much, Mister President. You know I think it's very important that we look back at the hearing report that occurred on this bill. The Judiciary Committee heard from an engineer who works I believe at Sig Arms which is a large manufacturer in New Hampshire of some of the best firearms in the world, arms that police force and the members of our military use routinely. But just going from the hearing report from what Mister Spreadbury said, who is a manufacturing engineer, the bill was poorly written by someone who doesn't understand the workings of the firearm. Bump stocks are what bump fire is. Or it was written so vaguely as to encompass an astounding number of things. And he goes on to say it's another attempt to turn law-abiding gun owners into criminals overnight. I think that's pretty precautionary and a lot of testimony that the Judiciary Committee heard is that with the exception of muzzleloaders, bolt action rifles or single shot rifles the vagueness of the legislation, the way it's written, the fact that it used a definition that is used multi-burst trigger activator in California is confusing, it's vague and it's problematic.

So, while our friend introduced this legislation, this needs a lot more work and way more work I think than we can do at this point in time without, as our friend from Londonderry said, the Bureau of Alcohol, Tobacco and Firearms doing extensive research and the public comment period actually just ended on this legislation. I'm very afraid listening to some of the other testimony about all the other rifles that people use routinely for hunting, for target practice and other things in New Hampshire that are not muzzleloaders, single shot, or bolt action that under this definition could potentially have been banned and confiscated. I don't think that's what any of us intend, I don't think it's what any of us want, and that's why I think that the current motion of Interim Study is exactly where we should go so that we can wait for the Bureau of Alcohol, Tobacco and Firearms to fully explore this subject and make a recommendation that all fifty states potentially would abide by as opposed to state by state. So, with that and wanting to protect the second amendment and not take away people's constitutional rights and ban guns or some guns I would urge the body to vote for Interim Study.

(The Chair recognized Senator Lasky.)

SENATOR LASKY: Thank you, Mister President. The Majority Leader from District 3 is correct. We do need further work on this bill. It was

obvious from the testimony, which I sit on Judiciary that we did hear, that there could be and with the passage of the bill as it is, could be some unintended consequences. But in my mind and as I said before, Interim Study is not the way to go because it will not bring in the various stakeholders, we will not have the time to listen to what the Federal Government may do or have our Governor fully weigh in. Defeating Interim Study shows that we are wanting a really meaningful study or commission on this subject, which so many people after the heinous acts in Las Vegas and Connecticut are aware of, that something needs to be done. So again, I urge you to vote down Interim Study so that we can bring stakeholders from both positions on board, have a number of people weighing in and we can come up with really a good bill that does what I believe everybody in this body wants to do. So, I thank you, Mister President.

(The Chair recognized Senator Hennessey for a question of Senator Bradley.)

SENATOR HENNESSEY: My question is whether you are aware that the National Rifle Association who obviously hold the second amendment dear have come out saying something needs to be done about bump stocks and that it is part of, that it needs to be studied in a more complete way?

SENATOR BRADLEY: I'm not aware of that, but if that is the case, I think what the Bureau of Alcohol, Tobacco and Firearms is doing in the comment period that just closed is the appropriate way to proceed. I think that you and I, I hope you and I would agree that we need to protect and defend the second amendment and people's constitutional right to protect their lives, their loved ones and their liberties, that we shouldn't be, whether deliberately or inadvertently, banning guns and I think that where this was approved under the prior administration and that Bureau of Alcohol, Tobacco and Firearms I believe in 2010, that's the appropriate place at least in my humble opinion for that kind of discussion to take place.

SENATOR HENNESSEY: Yes, I believe that the second amendment is an important document. I also believe that the intent of the second amendment did not include devices such as bump stocks. So, I think it has to do with your interpretation of the second amendment and not my interpretation which is common sense.

SENATOR BRADLEY: And again, the reason why I go back to the second amendment and the actual language is that the committee, and you sit on it, heard pretty significant testimony that the way this bill was written with the exception of muzzleloaders, single shot rifles and bolt action rifles could ban all other rifles in New Hampshire. I don't think that's the sponsor's intent, at least I hope it isn't. I don't think it's the Judiciary Committee's intent, at least the minority, I hope it isn't. But this is a complicated issue, it's a highly technical issue and obviously it's a fundamental constitutional issue. I think that with Alcohol, Tobacco and Firearms, yeah, ATF looking at this now, we should wait and see what happens and, yeah wait and see what happens and take whatever course of action in the future is appropriate.

SENATOR HENNESSEY: Thank you.

(The Chair recognized Senator Woodburn for a question of Senator Bradley.)

SENATOR WOODBURN: First congratulations, Senator.

SENATOR BRADLEY: Thank you.

SENATOR WOODBURN: I'm just trying to understand that if your concern is this is a poorly written bill and if you're concerned that it jeopardizes the second amendment, why would you want to study it, either a good deep study or a light study? I mean why not defeat it if it's a bad bill?

SENATOR BRADLEY: Well I hope you're concerned that your language may deprive people of their constitutional rights to own, you know, the kind of guns that people in your district routinely own because they hunt, they target shoot, they defend their lives, loved ones and liberties. I don't think that we, I think that we should wait for the Alcohol, Tobacco and Firearms Bureau to make recommendations and remember, bump stocks were approved in 2010 by the prior administration and I think it's appropriate since that's where the manufacturers of the so-called bump stocks sought the approval, that's where this discussion needs to happen in my opinion and I think we'd be better served in New Hampshire to have a, if there's going to be any action on this, to have very tight definition that everybody knows what they want and we're not you know using California's definition of multi-burst trigger activator which no one really knows what it means. When I talk to people in the second amendment community, it's not defined they don't know what it means and that's where I think your legislation if we were to go forward with it is problematic and that's why I think Interim Study's the right course and we wait and see what ATF does if anything and react to it in the future.

SENATOR WOODBURN: I just want to make sure I understand, but the issue we're facing here today is not to pass my bill, it is do we study it in a deep dive as Senator Lasky is suggesting or do we do a more shallow dive as the committee has recommended. Either one is a win for gun safety. So, I appreciate any direction we go. There's no, in my belief any effort here today to pass this legislation, it's which way we study it.

SENATOR BRADLEY: And the deep dive I think is what's happening at ATF and that's the appropriate thing.

SENATOR WOODBURN: Thank you.

(The Chair recognized Senator Soucy for a question of Senator Lasky.)

SENATOR SOUCY: Senator I just want to make sure since there are many questions mentioned about the technology and I for one can't speak to that myself. If we were to vote down Interim Study and you were to have the opportunity to offer your amendment, do you include as one of the stakeholders a gun manufacturer who could speak to the issue of technology?

SENATOR LASKY: Thank you for the question. Absolutely and I don't know if I'm permitted to read from the amendment but if I were and that I can speak to it there would be somebody from the gun manufacturer, there would be stakeholders of all kinds that we heard from at the hearing.

SENATOR SOUCY: Thank you.

(The Chair recognized Senator Fuller Clark for a question of Senator Bradley.)

SENATOR FULLER CLARK: Thank you very much, for taking my question. I just heard you say that this was a highly technical and complex issue, and by recommending Interim Study it's going to go back to a committee that doesn't really have that technical expertise. They would just be dependent upon whatever would be recommended you're saying from the ATF. Why wouldn't we want to bring together a group of stakeholders from all sides of the issue and work out a solution that

won't jeopardize the second amendment rights but at the same time is going to deal with this issue of trying to take automatic weapons out of the hands of ordinary citizens? I mean I got an email that said please kill this bill because what it will do is prevent hunters from being able to go out into the woods. Now would you tell me does a hunter need an automatic weapon? So, that's one part of the question but the larger part of the question is why doesn't it make more sense given how highly complex and controversial this issue is, that we should put together a true study committee to bring together voices from all sides and all experts?

SENATOR BRADLEY: I appreciate the spirit in which the question was asked and one of the things that as I have read the hearing report repeatedly, the engineer from Sig Arms said that the bump stock does not make a gun do anything that the gun cannot already do without it. And in listening to some of the other testimony, bump stocks, I mean people are talking about attaching rubber bands to the trigger somehow and dowels, I mean it's things I don't understand, I'll tell you that. So I think it's more than just an implement and you know I guess I would say that if it was good enough in the prior administration to leave this to ATF, I think it's good enough for us now to leave the expertise to ATF and then react to that and that's why I think the study of the specific study committee in New Hampshire is just not necessary. I think, you know let's wait for the process at ATF to unfold and go from there.

SENATOR FULLER CLARK: Time and time again I've heard that New Hampshire needs to go its own way and craft recommendations and legislations that are suitable to our state. So why in this case would we not want to take the recommendations from the ATF but have them examined closely and debated within a true study committee?

SENATOR BRADLEY: Well and remember, ATF approved this when they were asked by a manufacturer to determine if it was an implement that was legal or not. ATF approved these in 2010 so I think that's where you know the process should unfold, especially in light of the fact that the definition apparently in the bill came from California and a lot of people seem to think it would deprive people of the ability to own any kind of rifle except the three I've cited; muzzleloaders, bolt action, single shot. So, we may disagree on who would be best to study, but I think if it was good enough in 2010 for ATF to do it, I believe it's more than adequate in 2017.

SENATOR FULLER CLARK: Thank you.

(The Chair recognized Senator Hennessey for a question of Senator Bradley.)

SENATOR HENNESSEY: This is just a quick clarifying question for my benefit and maybe the benefit of others here. Do you believe that New Hampshire citizens have a second amendment right to own bump stocks?

SENATOR BRADLEY: I think, again, let me say what the engineer said, okay? The bump stock does not make a gun do anything the gun cannot already do without it. So, in order to answer your question, the question I think you're trying to get at is a bump stock turn a semi-automatic gun which is allowed under the second amendment because every time you want to shoot the gun you have to pull the trigger, that's allowed. The bump stock doesn't, if my understanding is correct, override the fact that it still requires a trigger pull. It just changes the pace of that trigger pull and it's used in particular in target shooting, and so that's a question I think would be best and should be best answered by the ATF. They answered it once already in 2010 under the prior administration, they ought to look at it again in light of you know new information if you will and answer it again.

SENATOR HENNESSEY: Thank you, so just because I'm not sure what your answer just told me, you do believe that I as a citizen of New Hampshire have a second amendment right to own a bump stock rifle?

SENATOR BRADLEY: I think we all have under the second amendment the right to protect our lives, our loved ones and our liberties with the protections that the second amendment affords. There have been some machine guns for instance that have long been illegal. So, I need more information to answer your question.

SENATOR HENNESSEY: Thank you.

The question is on the adoption of the motion of Interim Study.

A roll call was requested by Senator Sanborn, seconded by Senator Avard.

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Sanborn, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Innis, Morse.

The following Senators voted No: Woodburn, Watters, Hennessey, Kahn, Lasky, Feltes, Cavanaugh, Soucy, Fuller Clark.

The following Senators were excused: D'Allesandro.

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

#### PUBLIC AND MUNICIPAL AFFAIRS

SB 507, proclaiming June as post-traumatic stress injury (PTSI) awareness month.

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

SENATOR BIRDSSELL: Thank you, Mister President. I move Senate Bill 507 Ought to Pass. This bill establishes June 27<sup>th</sup> as post-traumatic stress injury awareness day and June as post-traumatic stress injury month. The committee found it a beneficial opportunity to create a PTSI awareness month and day to educate citizens on the realities of this affliction. New Hampshire citizens who serve our state and our country, our military and veterans, our first responders, police officers, fire fighters and anyone who suffers from the PTSI deserve dignity in their treatment free from the stigma often associated with it. Please support the committee recommendation of Ought to Pass. Thank you, Mister President.

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

#### TRANSPORTATION

SB 521-FN, authorizing Sophia's Fund to issue decals for multi-use decal plates.

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

SENATOR GANNON: Thank you, Mister President. I move Senate Bill 521-FN Ought to Pass. This bill authorizes Sophia's Fund to issue decals for multi-use decal plates. Sophia's Fund is dedicated to helping families in their crusade against cancer, either financially or otherwise. This organization assists with life changes, raising awareness to gain greater support in the local and national communities and ultimately strives to help families to focus their energy on the battle. I brought this forward, this legislation on behalf of a constituent and friend of mine, Tony Stoddard and his family. The Stoddard's lost their young son and brother Cole to neuroblastoma six years ago. This bill would allow their family and others to purchase a decal supporting Sophia's Fund, an organization that gave so much to their family during such a difficult time. Honoring Cole and other children in this way would bring great joy to the Stoddard family, especially to Mrs. Stoddard who longs to see that decal on the plate, as well as countless other New Hampshire citizens. Since there are other pieces of legislation

this session that deal with decals for multi-use decal plates, some of which need amendments in order to be passed into law properly, a subsequent motion will be offered, but I hope each of you can support. All members of the Transportation Committee ask for your support in the motion of Ought to Pass on Senate Bill 521-FN. Thank you, Mister President.

The question is on the adoption of the motion of Ought to Pass. Adopted. Senator Birdsell moved to Lay on the Table SB 521-FN. Adopted.

#### CONSENT CALENDAR REPORTS REMOVED

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

#### JUDICIARY

SB 496-FN, relative to mediation for child support arrearages over \$5,000. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

Senate Judiciary  
January 25, 2018  
2018-0301s  
04/05

#### Amendment to SB 496-FN

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

AN ACT relative to mediation for certain child support arrearages.

Amend the bill by replacing section 1 with the following:

1 Parental Rights and Responsibilities; Support. Amend RSA 461-A:14, XVIII to read as follows:

XVIII. Any motion for contempt of a court order regarding nonpayment of child support, if filed by a parent, shall be reviewed by the court within 30 days. ***Any claim involving an arrearage for a period of 8 weeks or more may be scheduled for mediation through the court within 30 days of the filing of the motion for contempt of court unless a hearing on the motion is scheduled earlier.***

2018-0301s

#### AMENDED ANALYSIS

This bill permits mediation for child support arrearages for a period of 8 weeks or more to be scheduled through the court.

SENATOR CARSON: Thank you very much, Mister President. This bill would permit mediation for child support arrearages on any claim involving an arrearage for a period of eight weeks or more. The committee amended the bill in order for the filing of the motion to be time based rather than amount based. Thank you, Mister President.

The question is on the adoption of the Committee Amendment. Adopted. Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14  
February 1, 2018  
2018-0419s  
04/01

#### Floor Amendment to SB 496-FN

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

AN ACT relative to mediation for certain child support arrearages.

Amend the bill by replacing section 1 with the following:

1 Parental Rights and Responsibilities; Support. Amend RSA 461-A:14, XVIII to read as follows:

XVIII. Any motion for contempt of a court order regarding nonpayment of child support, if filed by a parent, shall be reviewed by the court within 30 days. ***When the arrearage equals or exceeds the equivalent of 8 weeks of child support under the existing order, the matter may be scheduled for mediation through the court within 30 days of the filing of the motion for contempt of court unless a hearing on the motion is scheduled earlier.***

2018-0419s

#### AMENDED ANALYSIS

This bill permits mediation for child support arrearages for a period equaling or exceeding 8 weeks to be scheduled through the court.

SENATOR CARSON: Thank you, Mister President. What this amendment does is merely tweaks the language a bit. It came from the court system and they said they needed to make just a few word changes here and there in order for it to work for them, so thank you very much.

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

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

#### MOTION TO ADJOURN FROM EARLY SESSION

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

Adopted. Adjournment from the Early Session.

#### LATE SESSION

##### LIST OF RULE 6-25'S FOR THE DAY

Senator Sanborn: HB 549-FN, SB 63, SB 240-FN-L, SB 303, SB 310-FN, SB 312, SB 315, SB 319, SB 338, SB 339, SB 347, SB 348, SB 349, SB 355-FN, SB 356, SB 361, SB 371, SB 372-FN-A, SB 378-FN, SB 382, SB 386, SB 387-FN, SB 390-FN, SB 393, SB 428, SB 429-FN, SB 444, SB 445, SB 448, SB 457-FN, SB 460, SB 465-FN, SB 467-FN-A, SB 471, SB 472, SB 477, SB 482-FN, SB 488, SB 492-FN, SB 496-FN, SB 507, SB 521-FN, SB 528-FN-L, SB 531-FN, SB 534-FN, SB 539-FN-A, SB 549-FN-A, SB 551-FN, SB 558-FN, SB 574-FN,

#### ANNOUNCEMENTS

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. In the spirit of last week's 300<sup>th</sup> anniversary of the New Hampshire State Library, I wanted to just recognize a few books that were written and published. There's one by our former colleague, Senator Wayne King, who has authored *Sacred Trust*, which is described in its introduction as a monkey-wrench gang meets third industrial revolutions. It's a fictional account of unlikely compatriots who tackle a power line project; and a great read, great interesting story, and thanks, Senator King, for bringing that to us.

And another one in my home area of the North Country town of Groveton, Jamie Sayen has written a book. *If You Had a Job for Life: Story of a Company Town*, which is an oral history of the town, the village of Groveton within the town of Northumberland and the mill that dominated, and has since come down, and it captures the story of the history of that place, and I would recommend it to all of you. Thank you, Mister President.

PRESIDENT MORSE: I just want to make sure that I congratulate Jeb and Karen, and look forward to using that Jeb and Karen term for a long time. Congratulations!

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

SENATOR BRADLEY: Before I get to the motion, Mister Chairman, I want to thank Senator Woodburn for supplying food today. Senator Woodburn and I have discussed moving forward, a way of dealing with the food having the cafeteria downstairs supply us with food. I'm seeing a lot of heads nod. Kristy, our crack Chief of Staff, has estimated it will cost each of us somewhere between \$65 and \$70 for the rest of the session. Brother, do you like to eat? There's no free lunch. So, if anybody has a problem, please either see myself or Senator Woodburn, but I think that is what we want to do going forward. Alright, thank you Mister President. For your side, Senator Woodburn, for our side, me, okay, or Kristy. Does that work, Jeff? Okay.

#### LATE SESSION

##### Third Reading and Final Passage

HB 549-FN, relative to beverage vendor fees.

SB 63, relative to record management of abuse and neglect reports and establishing a pilot program regarding electronic storage of abuse and neglect records.

SB 240-FN-LOCAL, relative to the monitoring and treatment of contaminated wells.

SB 303, relative to a security freeze on a consumer's credit report.

SB 312, clarifying the New Hampshire Foundation Act.

SB 315, relative to the definitions of beverage and of mead.

SB 319, relative to exempt securities.

SB 339, relative to voting by zoning boards of adjustment.

SB 348, relative to senior-specific certifications or designations for securities broker-dealers.

SB 349, relative to course requirements in a career and technical education program.

SB 356, adding a representative from the community college system to the apprenticeship advisory council.

SB 372-FN-A, establishing positions in the office of professional licensure and certification and making an appropriation therefor.

SB 378-FN, relative to an exemption from the board of registration of medical technicians.

SB 382, relative to withdrawal from cooperative school districts.

SB 386, relative to access to criminal records.

SB 387-FN, relative to liability of governmental units.

SB 393, relative to county audits and performance audits.

SB 402, naming a portion of route 110 in Berlin in honor of Anthony B. Urban.

SB 428, relative to the payment of weekly and biweekly wages.

SB 444, relative to cutting timber near certain waters and public highways.

SB 445, designating the Warner River as a protected river.

SB 448, establishing a commission to study the establishment of a state department of energy.

SB 471, relative to the authority of municipalities to address potential natural threats.

SB 477, establishing a therapeutic cannabis medical oversight board.

SB 482-FN, relative to confidential emergency medical and trauma services data.

SB 488, relative to licensure of health care professionals employed at the Manchester Veterans Affairs Medical Center.

SB 496-FN, relative to mediation for certain child support arrearages.

SB 507, proclaiming June as post-traumatic stress injury (PTSI) awareness month.

SB 539-FN-A, making appropriations to the department of education for adequate education grants.

SB 549-FN-A, relative to plans of safe care for infants affected by substance abuse or withdrawal symptoms from prenatal drug exposure or fetal alcohol spectrum disorder.

SB 574-FN, clarifying the repayment period for parental reimbursement.

#### MOTION TO RECESS TO CALL OF THE CHAIR

Senator Bradley moved that the business of the day being completed, that the Senate recess to the Call of the Chair for the purposes of introducing legislation, referring bills to committee, scheduling hearings, sending and receiving messages, and processing enrolled bill reports and amendments and when we recess, we recess to the Call of the Chair.

Adopted. The Senate is in recess to the Call of the Chair.

#### HOUSE MESSAGE

The House of Representatives has referred for Interim Study the following entitled Bills sent down from the Senate:

SB 205-FN-A, establishing the small business jobs fund and tax credit.

#### HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 587-FN, relative to conversion therapy seeking to change a person's sexual orientation.

HB 1202-LOCAL, relative to town revolving funds for group net metering.

HB 1251, relative to indicia for payment of taxes on the transfer of real property.

HB 1256, relative to decal fees for multi-use veterans decal plates.

HB 1260, relative to the payout value of bingo games at private campgrounds and hotels.

HB 1276, adding an exemption for certain raffles conducted by charitable organizations.

HB 1292, relative to the effective dates of changes to the rates for the business profits tax and the business enterprise tax.

HB 1322, relative to risk-based capital for health maintenance organizations.

HB 1332, allowing warrant articles to be split by the deliberative session.

HB 1334, establishing a commission to review the structure of motor vehicle laws.

HB 1346, establishing a commission to study the New Hampshire veterans cemetery.

HB 1349, relative to biological products and diagnostic reagents for animal use.

HB 1357, relative to the delivery of articles to a prisoner in a state or county correctional facility.

HB 1364, relative to use of amber lights on vehicles.

HB 1370, relative to a school's emergency management plan.

HB 1392, relative to tallies of votes on budget items or warrant articles.

HB 1402, relative to ordinances regarding forestry activities.

HB 1407, repealing the prohibition on the use of milk containers.

HB 1455, relative to vehicle operation at uncontrolled intersections.

HB 1509-FN, authorizing Granite Pathways to issue decals for multi-use decal number plates.

HB 1513-FN, authorizing the New Hampshire Law Enforcement Officers Memorial Association to issue decals for multi-use decal plates.

HB 1518, repealing the requirement that motor vehicle lighting and safety equipment be approved by the director of the division of motor vehicles.

HB 1537, relative to a second opinion on health care matters for state or county prisoners.

HB 1538-FN, authorizing Friends of the Hampton Falls Bandstand, Inc. to issue decals for multi-use decal plates.

HB 1546-FN, authorizing Seacoast Youth Services to issue decals for multi-use decal plates.

HB 1551, relative to the retention of records of individualized education programs.

HB 1564-FN, relative to sexual assault of a victim who is incarcerated in a correctional institution by a person with supervisory or disciplinary authority over the victim.

HB 1614, relative to the international registration plan.

HB 1651, establishing a committee to study the use of liquid de-icers on roads.

HB 1675, relative to state house Internet service and relative to calendars and journals of the house and senate.

HB 1731-FN, relative to regulating bicycles.

HB 1739-FN, prohibiting female genital mutilation.

HB 1785, changing "hearing impaired" to "deaf" or "hard of hearing" in the New Hampshire laws.

HJR 5, that the New Hampshire house of representatives and senate reject hate, bigotry, and violence in all their forms.

### INTRODUCTION OF LEGISLATION

Senator Bradley offered the following Resolution:

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

#### First and Second Reading and Referral

HB 101-FN, relative to certification for solid waste operators. (Energy and Natural Resources)

HB 134-FN, relative to causes for divorce. (Judiciary)

HB 135, relative to the submission of evidence prior to hearings in divorce cases. (Judiciary)

HB 169-FN, relative to limits on wagers in charitable games of chance. (Ways and Means)

HB 252, relative to pro se litigants under the right-to-know law. (Judiciary)