

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 305, clarifying lessee liability for month-to-month leases.

HB 1278, naming the rest area in Colebrook in honor of Frederick W. King, Sr. and naming a bridge in Farmington in honor of Major John W. Lawrence, Jr.

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

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.

April 12, 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:

Let us pray.

Dear God, we ask that you would bless our country and our state with your wisdom, your love and your compassion. We ask for blessings on our leaders. May these servants who are in positions of authority take that responsibility seriously and do their very best each day. May they make just and wise decisions. May they have passion for people, for truth and for righteousness. We ask for blessings on our service men and women. We ask protection for all our men and women in uniform, both here and around the world. We are grateful for their service and their dedication to keeping our nation safe. We pray that you would keep them safe. We thank you for the blessings of life and liberty. May our country and state continually show love and grace. May our dedication to peace cause us to reach out to all the other nations and people groups with a strong desire for peace and harmony to be displayed whenever possible. And may our desire for peace begin in the New Hampshire state Senate as we work together to make our state better for all of its citizens. Amen.

Senator Lasky led the Pledge of Allegiance.

Senators Soucy and Watters are excused for the day.

INTRODUCTION OF GUESTS

(The Chair recognized Senator Lasky.)

SENATOR LASKY: Thank you, Mister President. I am delighted to introduce my New Orleans branch of the family, my daughter Katie, my granddaughter Ella and my granddaughter Sadie. And then of course my husband Elliot.

(The Chair recognized Senator Cavanaugh.)

SENATOR CAVANAUGH: Thank you, Mister President. I just want to start Mister President, by saying I think the best female soccer players in the state are coming from District 16. I'd like to welcome the Division II 2017 Bow High School Girls State Champs. Bow High School is the smallest school in Division II and it's only the second year that they've

been playing in Division II, they got moved up two years ago from Division III. This past year they've had an impressive 19-1 record, they had a total of seventy-six goals for with only six goals against. Again, New England ranking is, they're number 4 in New England, and in the United States they were ranked number 20. It's incredible to see these high schools doing that. The Head Coach Jay Vogt could not be with us here today, he's a fourteen year coach, but I'd just like to welcome to the Senate and say congratulations. Thank you.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I want to thank the New Hampshire Snowmobile Association for the great breakfast this morning, and recognize we have the leadership of our great, great snowmobile clubs in the New Hampshire Snowmobile Association this year, and I just wanted to recognize them, please stand.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. My grandchildren attend Bow High School, and my granddaughter played soccer, but my grandson was the captain of the hockey team, one of the three captains of the hockey team at Bow High School, so great to have the Falcons here. I realize they're flying low today, but thank you for coming and thank you, Mister President.

PRESIDENT MORSE: You're welcome, Senator D.

INTRODUCTION OF PAGES

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President. It gives me great pleasure to introduce our pages today. We have from Woodsville High School in Haverhill one of the twenty-seven towns that I represent, Roderick Emley. He's the President of the Student Council as well as Youth and Government Club, treasurer of the French Club and involved in Future Business Leaders of America. Plays the trumpet in the band, junior year of high school studied abroad in Leer, Germany. Lived with a German host family and went to a local German high school. Future plans, before attending college he wants to take a gap year to live in France as an au Pair and live with a French family. In college wants to study political science or international affairs and eventually go to law school. Please welcome Roderick Emley.

And also from Woodsville High School in Haverhill we have Nye Adamkowski. Favorite school subject is French and she participates in many sports including, long list, soccer, alpine race skiing, track and field and also does national history day. She's participated in leadership conferences such as YLTA, finally currently a future business leader of America and involved in youth government. Future plans, attending college, hopefully an Ivy League or well-known school after a degree in business, she hopes to attend Boston University Law School, pass the bar and find a position in New York City. Welcome.

SPECIAL ORDER

Without objection, the following bill is special ordered to after HB 1256 in Transportation. Adopted.

TRANSPORTATION

HB 1697-FN, authorizing the Daniel Webster Council of Boy Scouts of America to issue decals for multi-use decal plates.

SPECIAL ORDER

Without objection, the following bills are special ordered to the next Senate session. Adopted.

HEALTH AND HUMAN SERVICES

HB 1807-FN, relative to exploitation of elderly, disabled, or impaired adults and establishing a protective order for vulnerable adults.

HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order.

SPECIAL ORDER

Without objection, the following bill is special ordered to Thursday, April 26, 2018. Adopted.

ENERGY AND NATURAL RESOURCES

HB 1458, relative to exempting certain rules governing marine species from the administrative procedures act.

FN REPORT FOR APRIL 12, 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

HB 1420-FN, relative to a criminal penalty for driving after certification as an habitual offender.

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 1739-FN, prohibiting female genital mutilation.

REGULAR CALENDAR:

HEALTH AND HUMAN SERVICES

HB 1471-FN, relative to telemedicine and establishing a committee to study health care reimbursement for telemedicine and telehealth.

HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order.

TRANSPORTATION

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 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 1697-FN, authorizing the Daniel Webster Council of Boy Scouts of America 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:

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1415-FN-A, establishing a death benefit for a school employee killed in the line of duty.

REGULAR CALENDAR:

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1817-FN, establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; and relative to the inclusion of a demographic analysis as part of the legislative fiscal note process.

HEALTH AND HUMAN SERVICES

HB 1807-FN, relative to exploitation of elderly, disabled, or impaired adults and establishing a protective order for vulnerable adults.

Without objection, the FN Report is adopted.

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.

ENERGY AND NATURAL RESOURCES

HB 1474, designating the New Hampshire Red as the official state poultry. Ought to Pass, Vote 5-0. Senator Avard for the committee.

This bill will designate the New Hampshire Red as the official state poultry. A fourth grade class at Canaan Elementary School researched the chicken and found that it has a rich history in our state and has qualities worthy of recognition. The New Hampshire Red is noted for its intelligence, resilience, and ability to withstand cold winters. Such qualities are representative of New Hampshire residents, making the chicken a good choice for the state's official poultry.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1415-FN-A, establishing a death benefit for a school employee killed in the line of duty.

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

This bill establishes a \$100,000 death benefit for the family of a school employee killed in the line of duty. The Governor, with the consent of the Executive Council, is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

HB 1571, authorizing an alternative recovery monitoring program for nurses licensed by the board of nursing.

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

This legislation authorizes the Board of Nursing to operate or contract for an Alternative Recovery Monitoring Program for nurses impaired by substance use disorders or mental or physical illness. This program is similar to those already in existence for doctors and dentists.

HB 1664, relative to terms of appointment of members of governing boards for allied health professionals.

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

This bill clarifies the eligibility to reappoint a member of a governing board of an allied health profession to an additional full term.

This change will allow an individual who serves a partial term on the Board, less than one-half of that three year term, to be able to serve the partial term plus two full terms.

HB 1665, relative to the authority of the governing boards of allied health professionals.

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

This bill clarifies the authority of the governing boards of allied health professionals concerning individuals who are certified by such boards. This will give the board clear guidelines in addition to clarifying authority to what they can or to what they are allowed to do.

JUDICIARY

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

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

This bill clarifies the procedures for pro se litigants under the right-to-know law. With this bill, all documents filed with a petition and any responses will automatically be considered evidence in the case, and all documents submitted shall be provided to the opposing party prior to a hearing on the merits. The Committee amended the bill to clarify the language.

Senate Judiciary

March 28, 2018

2018-1276s

01/04

Amendment to HB 252

Amend RSA 91-A:7 as inserted by section 1 of the bill by replacing it with the following:

91-A:7 Violation. Any person aggrieved by a violation of this chapter may petition the superior court for injunctive relief. In order to satisfy the purposes of this chapter, the courts shall give proceedings under this chapter high priority on the court calendar. Such a petitioner may appear with or without counsel. The petition shall be deemed sufficient if it states facts constituting a violation of this chapter, and may be filed by the petitioner or his or her counsel with the clerk of court or any justice thereof. Thereupon the clerk of court or any justice shall order service by copy of the petition on the person or persons charged. ***Subject to objection by the parties or ruling by the court, or both, all documents filed with the petition and any response thereto shall be considered as evidence by the court. All documents submitted shall be provided to the opposing party prior to a hearing on the merits.*** When any justice shall find that time probably is of the essence, he or she may order notice by any reasonable means, and he or she shall have authority to issue an order ex parte when he or she shall reasonably deem such an order necessary to insure compliance with the provisions of this chapter.

HB 1420-FN, relative to a criminal penalty for driving after certification as a habitual offender.

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

This bill reinstates the misdemeanor offense for driving after certification as a habitual offender. That offense had been inadvertently repealed during the amending of the mandatory minimum sentences statute and this bill will appropriately reinstate it.

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.

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

This bill amends the definition of aggravated felonious sexual assault when a victim is incarcerated in a correctional facility. These changes affirm the Legislature's established policy on recognizing that sexual relations between someone in a position of power and authority over someone in custody or detention, including during transportation, constitutes as sexual assault.

Senate Judiciary
April 3, 2018
2018-1333s
04/06

Amendment to HB 1564-FN

Amend the bill by replacing section 1 with the following:

1 Aggravated Felonious Sexual Assault. Amend RSA 632-A:2, I(n)(1) to read as follows:

(1) When the actor has direct supervisory [or], disciplinary, **or other authority authorized by law over, or direct responsibility for maintaining detention of**, the victim by virtue of the victim being **detained or** incarcerated in a correctional institution, the secure psychiatric unit, [or] juvenile detention facility [~~where the actor is employed~~], **or any other setting in which the victim is not free to leave**; or

2018-1333s

AMENDED ANALYSIS

This bill amends the elements necessary for charging aggravated felonious sexual assault in cases where the victim is incarcerated in a correctional facility or is detained in any other setting in which the victim is not free to leave.

HB 1739-FN, prohibiting female genital mutilation.

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

This bill would impose criminal penalties on those involved in female genital mutilation. The Committee amended the bill to include female genital mutilation within the definition of 'abused child' in order to ensure proper reporting occurs.

Senate Judiciary
March 28, 2018
2018-1278s
08/04

Amendment to HB 1739-FN

Amend RSA 632-A:10-d as inserted by section 1 of the bill by inserting after paragraph III the following new paragraph:

IV. Any child subjected to conduct prohibited by paragraph I, but which is not justified pursuant to paragraph III, shall be considered an abused child pursuant to RSA 169-C:3, II.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Abused Child; Definition. Amend RSA 169-C:3, II(d) to read as follows:

(d) Physically injured by other than accidental means; **or**

(e) Subjected to an act prohibited by RSA 632-A:10-d.

PUBLIC AND MUNICIPAL AFFAIRS

HB 1215, relative to voting on variances.

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

This bill as amended will require that a municipal zoning board shall use one method consistently for all applications until the board formally votes to change the voting method. This legislation will provide protection from discrimination against applicants.

Public and Municipal Affairs

April 4, 2018

2018-1352s

03/08

Amendment to HB 1215

Amend RSA 674:33, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The board shall use one voting method consistently for all applications until it formally votes to change the method. Any change in the board's voting method shall not take effect until 60 days after the board has voted to adopt such change and shall apply only prospectively, and not to any application that has been filed and remains pending at the time of the change.

HB 1304, relative to the authorization for forensic audits by a county convention.

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

This bill clarifies that a county delegation has the authority to appropriate a contingency fund for the purpose of forensic audits of county financial matters. Further it provides that the county commissioners shall approve the expenditure for the forensic audits.

HB 1533, relative to termination of variances and special exceptions.

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

This bill clarifies the process for termination of variances and special exceptions that were authorized before August 19, 2013. It allows for enough notice before termination, that property owners may exercise the variance or special exception should they wish.

HB 1593, authorizing a school district meeting to adopt an article authorizing the trustees of the trust fund to charge certain expenses against capital reserve funds.

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

This bill will allow school districts to adopt an article authorizing the trustees of the trust fund to charge expenses incurred in employing trust departments of certain financial institutions against capital reserve funds. Municipalities are already allowed to do this and this legislation will extend that authority to the trustee of the school district trust fund.

HB 1638, declaring April 7, 2018 as tabletop gaming day in New Hampshire.

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

This bill as amended declares April 28, 2018 as tabletop gaming day in New Hampshire. Over the last decade there has been a huge increase in the industry of tabletop board gaming. This legislation will bring New Hampshire in line with many other places participating in tabletop gaming day on April 28th.

Public and Municipal Affairs
April 4, 2018
2018-1353s
08/03

Amendment to HB 1638

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

AN ACT declaring April 28, 2018 as tabletop gaming day in New Hampshire.

Amend the bill by replacing section 1 with the following:

1 Tabletop Gaming Day. The general court proclaims April 28, 2018 as tabletop gaming day.

2018-1353s

AMENDED ANALYSIS

This bill declares April 28, 2018 as tabletop gaming day in New Hampshire.

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

REGULAR CALENDAR

EDUCATION

HB 1217, amending the certification requirements for school nurses. Ought to Pass, Vote 4-0. Senator Giuda for the committee.

SENATOR GIUDA: Thank you, Mister President. I move House Bill 1217 Ought to Pass. This legislation modifies the certification requirements for school nurses by reverting these requirements back to the standards that were required before the passing of more restrictive requirements last session. This bill still requires school nurses be registered and licensed in the state of New Hampshire. The changes implemented last year placed unforeseen financial and other burdens on school districts and would have resulted in a shortage of qualified school nurses. The Education Committee asks for your support in the motion of Ought to Pass on House Bill 1217. Thank you, Mister President.

(The Chair recognized Senator Reagan.)

SENATOR REAGAN: Thank you, Mister President. I am Chairman of the Education Committee and I know that we were 4-0 Ought to Pass, but I ask my colleagues to reject the Ought to Pass motion so that we may find this bill Inexpedient to Legislate. There was a panic created when another piece of legislation from the Senate increased the requirements in training for school nurses. In administrative rules, we were able to modify the requirements to allow a six-year period of time for nurses to gain increased training. We found that online course so that these nurses that needed that increase in credits, so that they were able to do this over a period of six years. There are, still may be, things that are objected to but by eliminating all the requirements that were carefully thought out and placed in the previous legislation, we know what happens. When we take the heat off, the pot goes cold and we don't boil up any new ideas or

any corrections to what is professionally thought to be the right direction to go for the school nurses. So I ask you to be no on Ought to Pass and at that time I'll offer an Inexpedient to Legislate motion.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President. I rise in support of the Ought to Pass. I do so because I represent towns upon which even the amended version, which is imperfect, will place an undue burden in the North Country. We have declining populations in our schools, property taxes are going up, nurses are scarce to find and what this will do is make it even harder for school districts to afford a nurse. There's not been a single case of a problem recorded because of the current certification standards, not one. No harm done, no deaths, no physical impairments of any kind. If there is a problem, a school nurse can pick up the phone, can call the hospital, a doctor, another school nurse, the School Nurses' Association or an ambulance. So this is a bill that's put forth by the nurses because it will tighten regulation on nurses and make it more difficult to get a job as a school nurse. We don't need that in our schools and certainly not in the North Country. I would ask you to sustain the Ought to Pass 4-0 by the committee. Thank you, Mister President.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you, Mister President. Mister President, briefly to echo my colleague from District 17. I agree we should vote no on Ought to Pass and yes on ITL. This has been worked on for several years. What we arrived at last year with the leadership of the colleague for District 1 and District 14 and others was a reasonable compromise and what we arrived at in Rules after a long drawn out, another long drawn out rulemaking proceeding was a reasonable compromise. And we had another debate last week about coming in after a long debate on policy and a long debate on rules to just upset the apple cart. Where we're at right now is a reasonable balance in my view. This bill is opposed by disability rights advocates who worry about the impact in our schools. We have a careful balance right now reflecting certification requirements on the one hand and the ability to recruit nurses on the other hand and I think we ought to vote no on Ought to Pass and yes on ITL in light of that. Thank you, Mister President.

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Mister President. I rise in opposition to the Ought to Pass and support the suggestion that we try to move to an Inexpedient to Legislate motion as suggested by the Education Committee chair from District 16. And the reasons, I understand the motivations behind this bill and actually why I voted in the committee in favor initially. It's tempting to want to reduce the regulations here to ease the opportunities of filling the school nurse positions. But it defies the role that school nurses are actually playing today. As I reviewed various testimonies that we've received either in JLCAR, either last year or even this year around a Senate bill that we've passed already and then on this one. What the summary of all that testimony is that nursing today in schools is a frontline health official. It is a person who is examining children and trying to avoid the kind of contagious spreading of disease that can happen in a school environment. That is an important public health role and to define the role more specifically and to the duties that today's nurses need to perform in the schools I think requires the kind of guidance that we've gotten so far and that has moved us to a place

in education rules that provides the guidance for the profession. I think we've moved to a reasonable place to fill the needs for schools and I think that these are the kinds of roles that people who've got experience in today's health care professions will want to fill and I don't think that we're going to face that kind of broad shortage that the fear and apprehension of moving to this higher credential is causing. So I think that we're in good ground to reinforce the actions that this Senate has taken previously. Not try to undo all that work that we should defeat this Ought to Pass motion and move to an ITL. Thank you, Mister President.

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

SENATOR SANBORN: Senator, thank you for taking my question. Senator, it's my understanding for the record having I think voted against this policy when it came up last time, specifically because we heard concerns from schools and from the nursing community that the burden would be so great that it would result in a shortage of nurses at schools and raising the question as to whether or not a school should have to license a nurse. Can you confirm, since I wasn't in the committee, that isn't this bill coming forward because of a specific request from school districts around the state and the nursing community that although we passed policy in good faith last year that the burden was truly too high and it's causing an undue harm to finding nurses and having coverage within our schools?

SENATOR GIUDA: Senator, thank you for the question. I can't speak specifically to whether the origins of this bill were as you state. But what I can speak and have concern about is we are essentially mandating an increased cost to school districts, okay? Nurses are in short supply as we speak, should we mandate higher costs potentially it's a 28A issue. We'd have to look at that. Because we're establishing standards that are going to require a greater outlay of cash because it's requiring higher qualifications and I repeat, there's been no harm done. Again we try, we're trying to get into the business of regulation by hopeful preemption of possibilities. With respect to contaminants and contagious diseases, any school nurse will recognize those signs and symptoms. They do take continuing education courses as they go along now regardless of their level. The state nursing statutes are going to require all nurses to be RNs anyway. So again, we are heaping piles of regulation on a system which is working just fine, out of fear that we might somehow miss something, we're going to heap more regulations on our schools, make nurses harder to find and cause I think more harm than good.

SENATOR SANBORN: Thank you, Sir. Thank you

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Thank you, Mister President. I rise in opposition to the motion and I just wanted to respond to my friend from way, way, way down south in Warren, where I don't believe there's any notches in sight. But I was a teacher in Coos County in two different schools in Coos County as well as the Northeast Kingdom of Vermont, and I can tell you how important nurses are, how tremendous the work that they do and we all know that on many study committees about the shortage of nurses and the idea that somehow this is going to make that problem go away is just not the case. There is challenges in that area but we need to have school nurses that are on top of the details, know what's going on, and you know we settled this issue. We settled it last year or two years ago. And we had a little issue and it went to JLCAR

and they fixed that issue, the policy has been set. This year you passed a bill that I introduced to create another fix that we passed it and sent it to the House, okay? So those issues have been addressed and I would just say that the needs of kids today, we certify everybody to do everything. Pretty soon you're going to have to be certified to mow the schools grass, okay? If we ever get grass in the North Country. But we need to follow the Senate Education Chairman's advice and do what we need to do here to keep the policy and not be flip-flopping all over the place changing our policies every two years. Thank you, Mister President.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Mister President, I rise in favor of the Ought to Pass motion. And so that everyone understands, my daughter-in-law is one of the school nurses at Concord High School and has gone back and has been re-educated on a continual basis. There is a process by which they go and get hours of study over a period of time. I've been in schools as a high school teacher, and as a college teacher. I find that the school nurses are terrific, they do a great job. In Manchester, we have twenty-two school nurses in our system, twenty-two. If higher requisites were put in place according to our director of public health, Tim Soucy, who by the way lives next door to me. He says that it would put a terrible burden on the city, financially. And that's something that can't be sustained. What they do is very, very good and they are busy. They're busy from early in the morning until late at night and they're doing their job and they're doing it well. You don't need a BSN to do that. You can be an RN, you can be a diploma RN, like the old days. Then we started eliminating diploma RNs and getting rid of all the nursing schools because we put BSNs in place. Now we're restoring all the diploma RNs and hospitals are asking for the two year situation. Why? Because we can't get nurses. We put a 25 percent premium on getting nurses at New Hampshire Hospital because we couldn't find nurses, couldn't find them so we pay them 25 percent more. So indeed, we shouldn't do things that hinder our schools from getting nurses. They do a great job, they're very, very worthwhile. I've been with the nurses since I sponsored the school nursing act in 1973. But I think this is the right thing to do and I hope that my colleagues will support the Ought to Pass motion. Thank you, Mister President.

INTRODUCTION OF GUESTS

(The Chair recognized Senator Gannon.)

SENATOR GANNON: Thank you, Mister President. Thank you for the intro. I want to introduce the best elementary school class from the home of the Republican Party, from the home of Las Olas, the best Mexican restaurant, you should all come down, and Memories Ice Cream which I've been to too many times. The Lincoln Street Elementary School from Exeter, New Hampshire and they are, with your indulgence going to sing one verse from a song written in Exeter. Go ahead my singing troop. Thank you, Mister President.

(The Chair recognized Senator Ward.)

SENATOR WARD: Thank you, Mister President. As a nurse, I rise in opposition to the Ought to Pass. I think we saw the handwriting, I saw the handwriting in the 1970s when I was a diploma nurse. It was very hard to get a job. The thing is if you're going to work with other professionals, you need to have an academic level equal to that. So that I'm totally in favor of having schools nurses with a baccalaureate degree. I

like the fact that the center has provided for six years to get to that point and I think it isn't just a hands on, the practical aspect of nursing, of doing certain things but the intellectual understanding of how the body works and what could go wrong. So I am in opposition to the Ought to Pass and later on I will support the ITL. Thank you.

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

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

The following Senators voted Yes: Giuda, French, Sanborn, Daniels, Avard, Cavanaugh, D'Allesandro, Gannon.

The following Senators voted No: Woodburn, Bradley, Hennessey, Gray, Ward, Kahn, Lasky, Carson, Feltes, Reagan, Birdsell, Fuller Clark, Innis, Morse.

The following Senators were excused: Watters, Soucy.

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

Senator Reagan moved Inexpedient to Legislate.

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

HB 1598-L, relative to the vote to withdraw from a cooperative school district.

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

SENATOR WARD: Thank you, Mister President. I move House Bill 1598-L Ought to Pass. This legislation changes the process for withdrawal from the cooperative school district. Currently if a pre-existing district petitions for a withdrawal feasibility study or a cooperative school board undertakes such a study and the plan is approved and sent to the New Hampshire Department of Education, there is no opportunity for the withdrawing district to separately determine if its residents desire to continue with this process. This legislation would make this further consideration possible. The Education Committee asks for your support in the motion of Ought to Pass on House Bill 1598-L. Thank you, Mister President.

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

HB 1674, relative to computer science and digital skills required for an adequate education.

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

SENATOR KAHN: Thank you, Mister President. I move House Bill 1674 Ought to Pass. Currently, a substantive education program delivers opportunity for an adequate education in nine areas. This bill separates one of those areas, the one on technology education and information and communication technology. Follow all that? Separates those into two areas, engineering and technologies; and computer science and digital literacy. Placing these two distinct competencies into the K-12 education will help prepare our students to be career and college ready. Further, this legislation does not dictate any courses of instruction or additional requirements to districts. The Education Committee asks for your support in this motion of Ought to Pass on House Bill 1674. Thank you, Mister President.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1335, relative to the cybersecurity software used by the state of New Hampshire.

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

SENATOR CARSON: Thank you, Mister President. I move House Bill 1335, Ought to Pass. This legislation will prohibit state agencies from using software developed by Kaspersky Lab, which software is most frequently used for anti-virus and cyber security protection. It was brought to the committee's attention that Mister Kaspersky previously worked for the KGB and was trained at the KGB school for cyber security. His company has headquarters in Moscow, under the jurisdiction of the Russian government. In 2017, the National Security Agency reported a successful hack of some computers, by a contract employee who was suspected of taking secret documents home and working on them with a personal computer, which had Kaspersky software installed. Also, the Federal Government is prohibiting their agencies from installing this software. Because of these potential security risks, the ED&A Committee voted favorably, Ought to Pass, and asks for your support in their recommendation. Thank you, Mister President.

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

HB 1599, relative to the governor's commission on disability.

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

SENATOR CAVANAUGH: Thank you, Mister President. I move House Bill 1599 Ought to Pass. The Governor's Commission on Disability is statutorily present to advise the public, the Governor, and the Legislature on the state of affairs that relate to programs and access to those with a disability in New Hampshire. The bill changes the definition of person with a disability to conform with the definition under the Americans with Disabilities Act; it will change the composition of the commission to maximize a diverse representation. It will institute term limits for both the Chair and new commission members and, it will define their quorum in statute. All these changes bring greater flexibility to the commission. The committee voted favorably Ought to Pass and asks for your support in its adoption. Thank you, Mister President.

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

INTRODUCTION OF GUESTS

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you very much, Mister President. We'll do a joint introduction. Roger Brooks' old school, Beaver Meadow School is here, the fourth grade class and it's a wonderful elementary school, it's a wonderful class. I had the opportunity to read to them a couple of weeks ago, and to finish off the introduction and the words welcoming Beaver Meadow School, Roger Brooks, take it away.

DR. ROGER BROOKS, SENATE DOORKEEPER: I'm delighted to see you all in here today and I'll have you know that your teacher, Miss Follansbee was one of our students back in my time, so it's a long, long time ago. Welcome to the Senate.

HB 1622, relative to organization of the department of information technology.

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

SENATOR CARSON: Thank you, Mister President. I move House Bill 1622 Ought to Pass. This legislation is a result from a performance audit report on the Department of Information Technology. Findings in the report were developed to assist DoIT management to improve efficiency and effectiveness of their operations. This legislation allows DoIT management greater flexibility to reorganize their department to maximize efficiency and effectiveness by making the best uses of the resources they presently have in place. The approach to this legislation and reorganization is not to change everything at once, but by incremental changes to the organization. The committee voted favorably Ought to Pass and asks for your support in its adoption. Thank you, Mister President.

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

HB 1817-FN, establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; and relative to the inclusion of a demographic analysis as part of the legislative fiscal note process. Ought to Pass, Vote 4-0. Senator Carson for the committee.

SENATOR CARSON: Thank you, Mister President. I move House Bill 1817-FN Ought to Pass. This legislation will establish the position of a state demographer who initially will work as a part-time contractor. It will establish a commission on demographic trends, it will require specific state agencies to prepare a 10-year current services cost projections for identified programs and require the LBA to include a demographic analysis as part of the fiscal note for specific legislation. This bill proposes common sense steps to supply essential data for decision-making, and tools for evaluating proposed legislation for budget forecasting, which includes a limitation for demographic impact notes to twenty bills per year, selected by both the majority and minority. The ED&A Committee voted favorably on Ought to Pass and asks for your support in their recommendation. 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).

FINANCE

HB 1736, relative to increasing the threshold required for governor and council approval of expenditures from the dam maintenance fund. Ought to Pass, Vote 5-0. Senator D'Allesandro for the committee.

SENATOR D'ALLESANDRO: Thank you, Mister President. I'm big on the dams, always have been. Thank you, Mister President. I move House Bill 1736 Ought to Pass. This bill amends RSA 482:54, by increasing the thresholds at which expenditures of the Dam Maintenance Fund for work on state-owned dams must be approved by the Governor and Council. The current thresholds were set back in 1982. These changes will help the Department of Environmental Services to expedite repairs. The Senate Finance Committee recommends passage of HB 1736, and asks for your support. Thank you, Mister President.

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

HB 1808, repealing certain inactive dedicated funds. Ought to Pass, Vote 5-0. Senator Giuda for the committee.

SENATOR GIUDA: Thank you, Mister President. I move House Bill 1808 Ought to Pass. This bill repeals twelve inactive, dedicated funds identi-

fied by the Joint Committee on Dedicated Funds. The Senate Finance Committee recommends passage of HB 1808, and asks for your support. Thank you, Mister President.

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

HEALTH AND HUMAN SERVICES

HB 1284, relative to the reports required by the incapacitated and vulnerable adult fatality review committee.

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

SENATOR GRAY: Thank you, Mister President. I move House Bill 1284 as Ought to Pass. This bill changes the reporting requirements of the Incapacitated and Vulnerable Adult Fatality Review Committee from annual to biennial. This committee is charged with reviewing and reporting any trends and patterns of deaths or serious injuries or risk factors, together with any recommendations for changes in the law, policy, and practice that will prevent deaths and related serious occurrences. Changing the reporting requirements will help the committee identify trends and report accurate recommendations to the legislature. The House Health and Human Services Committee asks for your support in the motion of Ought to Pass on House Bill 1284. Thank you, Mister President.

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

HB 1468, establishing a commission to study legislative oversight activities related to the department of health and human services.

Ought to Pass with Amendment, Vote 3-0. Senator Bradley for the committee.

Health and Human Services

April 5, 2018

2018-1366s

01/06

Amendment to HB 1468

Amend RSA 126-A:17-a, V as inserted by section 1 of the bill by replacing it with the following:

V. The commission shall issue an interim report of its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2019, and shall issue a final report on or before November 1, 2020.

Amend the bill by replacing section 3 with the following:

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2020.

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

SENATOR BRADLEY: Thank you, Mister President. I move House Bill 1468 Ought to Pass with Amendment. The bill establishes a commission to study legislative oversight activities related to the Department of Health and Human Services. There are many different committees and commissions that oversee different aspects of the Department of Health and Human Services. This new commission would examine all of them to ensure they are meeting all of their duties and goals. The Health and Human Services Committee asks for your support for the motion of Ought to Pass with Amendment on House Bill 1468. 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 the Committee on Finance (Rule 4-5).
HB 1471-FN, relative to telemedicine and establishing a committee to study health care reimbursement for telemedicine and telehealth. Ought to Pass, Vote 3-0. Senator Avard for the committee.

SENATOR AVARD: Thank you, Mister President. I move House Bill 1471 as Ought to Pass. This bill clarifies the law relating to telemedicine services. This bill also establishes a committee to study health care reimbursement for telemedicine and telehealth. Telemedicine has become an increasingly popular option for healthcare delivery in our state. Telemedicine is very important in the treatment with mental illnesses and for patients that live in rural communities. This bill would also clarify that telemedicine may be delivered into patients' homes, which is important for people who cannot travel for their healthcare. This bill would also establish a committee to study reimbursement rates for telemedicine. The Health and Human Services Committee asks for your support of the motion of Ought to Pass on House Bill 1471. Thank you, Mister President.

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

Recess. Out of recess.

TRANSPORTATION

HB 1256, relative to decal fees for multi-use veterans decal plates. Ought to Pass, Vote 3-0. Senator Birdsell for the committee.

SENATOR BIRDSSELL: Thank you, Mister President. I move House Bill 1256 Ought to Pass. This legislation clarifies the decal fees for multi-use veterans' decal plates. When the veterans' decal plate was passed, it was the intent for veterans to pay \$10. Since there are two decals on a car it was suggested that the Department of Safety define a decal as two stickers. This legislation will bring this change into law. The Transportation Committee asks for your support in the motion of Ought to Pass on House Bill 1256. Thank you, Mister President.

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

HB 1697-FN, authorizing the Daniel Webster Council of Boy Scouts of America to issue decals for multi-use decal plates. Ought to Pass with Amendment, Vote 3-0. Senator Birdsell for the committee.

Senate Transportation

April 3, 2018

2018-1336s

03/04

Amendment to HB 1697-FN

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

AN ACT authorizing the Daniel Webster Council of Boy Scouts of America and the New England Patriots Charitable Foundation, Inc. to issue decals for multi-use decal plates.

Amend RSA 261-B:9 as inserted by section 1 of the bill by inserting after paragraph II the following new paragraph:

III. The New England Patriots Charitable Foundation, Inc.

2018-1336s

AMENDED ANALYSIS

This bill authorizes the Daniel Webster Council of Boy Scouts of America and the New England Patriots Charitable Foundation, Inc. to issue decals for multi-use decal plates.

SENATOR BIRDSSELL: Thank you, Mister President. I move House Bill 1697-FN Ought to Pass with Amendment. This legislation authorizes the Daniel Webster Council of Boy Scouts of America and the New England Patriots Charitable Foundation, Inc. to issue decals for multi-use decal plates. The sale of these decals would allow scouts to go to camp trainings and other onsite location activities. The committee amended to the legislation to add an additional multi-use decal plate for the New England Patriots Charitable Foundation. Over the past five years, the Patriots Organization has provided more than \$125,000 to various organizations. Like the other organizations that are currently going through the decal issuing process, the Patriots Charitable Foundation has filed with the secretary of state's office and has completed the requirements to be a 501(c)(3) here in New Hampshire. The Transportation Committee asks for your support in the motion of Ought to Pass with Amendment on House Bill 1697-FN. Thank you, Mister President.

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

Sen. Birdsell, Dist 19
April 10, 2018
2018-1422s
03/04

Floor Amendment to HB 1697-FN

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

AN ACT relative to organizations authorized to issue decals for multi-use decal plates.

Amend the bill by replacing section 1 with the following:

1 Multi-Use Decal Plates; Authorized Organizations. Amend RSA 261-B:9 to read as follows:

261-B:9 Authorized [~~Organization~~] **Organizations**. The *following organizations are authorized to issue decals under this chapter*:

I. Rotary District 7870 Foundation [is authorized to issue decals under this chapter].

II. The Daniel Webster Council of Boy Scouts of America.

III. The New England Patriots Charitable Foundation, Inc.

IV. Granite Pathways.

V. The New Hampshire Law Enforcement Officers Memorial Association.

VI. Friends of the Hampton Falls Bandstand, Inc.

VII. Seacoast Youth Services.

VIII. New Hampshire Catholic Charities, provided that all proceeds from decals issued by New Hampshire Catholic Charities shall be for the benefit of the New Hampshire Food Bank.

IX. New England Donor Services, Inc.

X. Sophia's Fund.

XI. The New Hampshire Breast Cancer Coalition.

XII. The university system of New Hampshire. Granite state college, Keene state college, and Plymouth state university are each authorized to issue decals, provided that all proceeds shall remain with the issuing institution and be used only for student scholarships.

2018-1422s

AMENDED ANALYSIS

This bill authorizes the following organizations to issue decals for multi-use decal plates:

I. The Daniel Webster Council of Boy Scouts of America.

II. The New England Patriots Charitable Foundation, Inc.

III. Granite Pathways.

IV. The New Hampshire Law Enforcement Officers Memorial Association.

V. Friends of the Hampton Falls Bandstand, Inc.

VI. Seacoast Youth Services.

VII. New Hampshire Catholic Charities, provided that all proceeds from decals issued by New Hampshire Catholic Charities shall be for the benefit of the New Hampshire Food Bank.

VIII. New England Donor Services, Inc.

IX. Sophia's Fund.

X. The New Hampshire Breast Cancer Coalition.

XI. The university system of New Hampshire. Granite state college, Keene state college, and Plymouth state university are each authorized to issue decals, provided that all proceeds shall remain with the issuing institution and be used only for student scholarships.

SENATOR BIRDSELL: Thank you, Mister President. This amendment actually just adds all of the decal plates that we passed, the Senate decal, the bills that we put through the Senate on decals and it also includes all of the House Bills that had decals on it. So we have everything on one so they're numbered appropriately. With that I ask for your vote. Thank you.

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.

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

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

SENATOR WARD: Thank you, Mister President. I move House Bill 1509-FN Ought to Pass. This legislation authorizes Granite Pathways to issue decals for multi-use decal number plates. This organization was founded in 2009 and provides services for recovery for mental illness and substance abuse. The Transportation Committee asks for your support in the motion of Ought to Pass on House Bill 1509-FN. Thank you, Mister President.

Senator Birdsell moved to Lay on the Table HB 1509-FN. Adopted.

HB 1513-FN, authorizing the New Hampshire Law Enforcement Officers Memorial Association to issue decals for multi-use decal plates.
Ought to Pass, Vote 3-0. Senator Gannon for the committee.

SENATOR GANNON: Thank you, Mister President. I move House Bill 1513-FN Ought to Pass. This legislation authorizes the New Hampshire Law Enforcement Officers Memorial Association to issue decals for multi-use decal plates. The sale of these decals would serve as a way to support the association's mission of honoring those who have fallen in the line of duty. The Transportation Committee asks for your support for the motion of Ought to Pass on House Bill 1513-FN. Thank you, Mister President.

Senator Birdsell moved to Lay on the Table HB 1513-FN. Adopted.

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

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

SENATOR GANNON: Thank you, Mister President. I move House Bill 1538-FN Ought to Pass. This legislation authorizes Friends of the Hampton Falls Bandstand to issue decals for multi-use decal plates. This organization provides entertainment during the summer months in Hampton Falls. Come on down with Martha and enjoy a good old time in Hampton Falls. These events are very well attended by those from the seacoast. The money from these decals will be used to continue to fund their programs. The Transportation Committee asks for your support for the motion of Ought to Pass on House Bill 1538-FN. Thank you, Mister President.

Senator Birdsell moved to Lay on the Table HB 1538-FN. Adopted.

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

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

SENATOR WARD: Thank you, Mister President. I move House Bill 1546-FN Ought to Pass. This legislation authorizes Seacoast Youth Services to issue decals for multi-use decal plates. This organization provides shoplifting prevention programs, an after school program, and substance abuse prevention programs to many youths in the Seacoast Area. The Transportation Committee asks for your support in the motion of Ought to Pass on House Bill 1546-FN. Thank you, Mister President.

Senator Birdsell moved to Lay on the Table HB 1546-FN. Adopted.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

SB 539-FN-A, making appropriations to the department of education for adequate education grants and relative to certain provisions for Medicaid waivers.

Senator Daniels moved Concurrence. Adopted.

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 252, HB 1215, HB 1217, HB 1256, HB 1284, HB 1304, HB 1335, HB 1415-FN-A, HB 1420-FN, HB 1458, HB 1468, HB 1471-FN, HB 1474, HB 1509-FN, HB 1513-FN, HB 1533, HB 1538-FN, HB 1546-FN, HB 1564-FN, HB 1571, HB 1593, HB 1598-L, HB 1599, HB 1622, HB 1638, HB 1664, HB 1665, HB 1674, HB 1697-FN, HB 1736, HB 1739-FN, HB 1807-FN, HB 1808, HB 1817-FN, HB 1822-FN, SB 539-FN-A

ANNOUNCEMENTS

(The Chair recognized Senator Avar.)

SENATOR AVARD: Thank you, Mister President, personal privilege? We have a colleague who recently passed away, in the House, this Sunday. He was my State Rep at one point, and I served with him in the House. Mister Sean McGuinness established his career as a mortgage banker, and he was dedicated to thirty years in the industry, which also included owning and operating his own business in Downtown Nashua. Sean is a former Ward 1 Alderman, which he served two terms. He was also a former State Rep in Ward 1, and he was a member of the Board of Harbor Homes for many years. In his free time, Sean enjoyed fishing and skiing. I'm going to add he also liked Scotch, and he was a good man. He will be forever missed for the loyal and faithful friend and family man that he was. He truly enjoyed his time with his family and he cherished every minute. And one final note, Mister President, there are very few people that I can say that I've never heard him say a bad word about a single soul. He worked well with both sides of the aisle, and he was a kind man, and he's surely going to be missed. So, I ask that it be put into the permanent record, please. Thank you, Mister President.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Just a notice: Stewart Lamprey, former Speaker of the House, and former President of the Senate passed. Stewart's services are on Tuesday in Meredith, and the funeral is on Wednesday. I hope, Mister President, that we might be able to get a group of Senators to either attend the wake or the funeral. Stewart, one of the few men in the history of this state, served three terms as Speaker of the House, and three terms as President of the Senate; resigned as President of the Senate to become Under Secretary of Commerce in the Nixon Administration; but a great public servant, and a great, really a great friend to democracy. So I hope we can do something on his behalf, Mister President. Thank you.

(The Chair recognized Senator Woodburn.)

SENATOR WOODBURN: Mister President, I rise to pay tribute to Clayton Hinds of Colebrook; graduated Colebrook Academy, served in the United States Army, varied career as an aviation mechanic at Pratt Whitney, TW Express before returning home to Colebrook in 1991 to take over his family's business, the Colebrook Country Club, which was a gathering place for all social organizations and community causes of which he was an instrumental part, including the Kiwanis, the Ski-Bees, the Trail Master, the Vershire Center, the 45th Parallel EMS. He is survived by his wife, Michelle, and his two daughters, Megan and Elizabeth, as well as his parents and siblings.

As well, I'd like to pay tribute and honor to George, better known as Dave Roberts, formerly of Lancaster; graduate of local schools; White

Mountain Regional High School. Longtime coach—actually coached me many years ago. In 1983 Class I State Championship Team from White Mountain Regional High School. Longtime sports reporter for the *Coos County Democrat*, and just a great all-around person who cared about people, who cared about kids. I could still see his twinkle in his eye as he rode the mower around the Colonel Town fields in Lancaster, and I just wanted to pay tribute to him.

And, finally, Mister President, we have a birthday that just occurred: Eleanor Brady turned 99 years old. She is the *Boston Post Cane* recipient in the town of Jefferson. And she is the founder of Six Gun City, and a member of the Hall of Fame of the New England Amusement Park Associations. She is the mother of the big “Brady Bunch” from Jefferson, who spread all over New Hampshire doing many, many great things including Commissioner Tom Brady, and former Secretary in the Reagan Administration, Larry Brady, and many, many other more Brady’s, which she very much leaves her impression on all of them, and all of us. So thank you, Mister President, for your attention.

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Mister President. I rise for a moment of personal privilege to remember Katie Metzger; don’t know if folks recall Katie; a ten year veteran in the House, and representing Fitzwilliam and Richmond in Cheshire County. Katie, who was born in 1923 died March 29th in Concord. Katie moved and retired to Fitzwilliam in 1976; we were lucky. She fell in love with New England, and it soon became evident to everyone in Fitzwilliam that she was a leader and a talented one, at that. She served on Fitzwilliam’s Town Board as Chairwoman of the Planning Board, and on the Board of Selectmen, and as Chairwoman of the Conservation Commission, always identifying herself as an environmentalist. She was an incorporator of the Cheshire Medical Center as Chairwoman of the Executive Committee, and she was on the Southwest Regional Planning Commission, and the Fitzwilliam Town Library where she helped lead an effort to raise substantial funds for the library’s renovation and expansion. Although a go-getter, she was always humble and quick to acknowledge that it takes many people working collaboratively for the success of any project. From 1988 to 1998, Katie served in the New Hampshire House of Representatives. She ended her career in the legislature as the Chairwoman of the Municipal and County Government Committee. She was known as a good listener, fair in her deliberations, and accessible to her constituents. A memorial service will be held in the Fitzwilliam Community Church on Saturday, June 16th at 11 a.m. and the Reverend Curtis Metzger, her son and a resident of Boscawen, will be presiding. It’s in deep respect and memory that I ask for that privilege, and thank you, Mister President.

SENATOR BRADLEY: Just an announcement for the HHS Committee members. We will meet at one o’clock for a hearing. Thank you.

(The Chair recognized Senator Innis.)

SENATOR INNIS: Thank you, Mister President. As some of you may know, I have two sons who received three degrees from the University of New Hampshire. They made the choice to come to the University on their own, and I’m very pleased to let you know that my daughter is just as smart as her brothers. She’s coming to UNH this fall; studying pre-med. So, we will have a fourth degree across three children in four years. I’ll keep you updated. Thank you, Mister President.

(The Chair recognized Senator Gannon for a question of Senator D'Allesandro.)

SENATOR GANNON: Thank you, Senator. I heard that there is a major book announcement. Could you tell us about that, Sir?

SENATOR D'ALLESANDRO: Thank you very much, Senator. As some of you know, for the last two years I've been writing a book, and the book will be published on the 16th of May. Down at the Common Man Restaurant, we'll have the initial book signing of the book. The book talks about my life in politics, and my involvement in presidential campaigns. So thank you, Senator Gannon, that's wonderful of you and you get a free copy. So certainly you're all invited. I'm honored that you would ask, and you're all invited. And the book was reviewed by Mark Shields, who is with National Public Television; Walter Shapiro, who was a writer for the *New York Times*, and he's a lecturer at Yale University in communications; Tom Sanders, who played for the Celtics for a number of years, and was my business colleague for a number of years. So, hope that you will come. Hope you'll enjoy it, and my wife deserves a lot of the credit because she's lived with me for the last fifty-seven years, and done a pretty good job. She makes good oatmeal, too. So, if you're interested in that I welcome you all to get that oatmeal. Thank you, Senator, I appreciate it. Thank you, Mister President.

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.

PRESIDENT MORSE: I just want to speak to the body for a moment. I got up at 3:30 this morning and went to work at 4:00. I still have my wool socks on because I forgot to bring black socks. I've unloaded a truck, I've answered every phone call, I've dealt with four House members and one of the things I really respect about myself and I do with all of you is that I treat this job with total respect and total honor. And one of the most humbling moments I've ever had in my life is when the Senate went to the floor and met the public back in '04 or '05, Senator, you remember those days and the next morning they were lined up in front of my office in Finance and to thank me for how we handled the Senate. Well, I can tell you in the last couple of weeks, I've had a lot of complaints. Now I don't know if it's because everybody's living a schedule like mine and we're just too busy and we're forgetting about how we talk to the public and to our colleagues, but I honestly believe we can do better. And I also believe we can do better with attendance. I've certainly been called by Chairs to talk about attendance in their committee, because they're having a tough time getting bills out. I made it very clear in the Republican caucus yesterday, that if I replace a member on a committee, it's not for a day. It's forever, because I'm not going to start alternating memberships every day. So as we go forward I would think, we could treat the business of the state in the next five weeks with total honor and total respect, because I believe in that greatly or I wouldn't be here. Thank you.

LATE SESSION

Third Reading and Final Passage

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

HB 1215, relative to voting on variances.

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

HB 1284, relative to the reports required by the incapacitated and vulnerable adult fatality review committee.

HB 1304, relative to the authorization for forensic audits by a county convention.

HB 1335, relative to the cybersecurity software used by the state of New Hampshire.

HB 1420-FN, relative to a criminal penalty for driving after certification as an habitual offender.

HB 1471-FN, relative to telemedicine and establishing a committee to study health care reimbursement for telemedicine and telehealth.

HB 1474, designating the New Hampshire Red as the official state poultry.

HB 1533, relative to termination of variances and special exceptions.

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 1571, authorizing an alternative recovery monitoring program for nurses licensed by the board of nursing.

HB 1593, authorizing a school district meeting to adopt an article authorizing the trustees of the trust fund to charge certain expenses against capital reserve funds.

HB 1598-LOCAL, relative to the vote to withdraw from a cooperative school district.

HB 1599, relative to the governor's commission on disability.

HB 1622, relative to organization of the department of information technology.

HB 1638, declaring April 28, 2018 as tabletop gaming day in New Hampshire.

HB 1664, relative to terms of appointment of members of governing boards for allied health professionals.

HB 1665, relative to the authority of the governing boards of allied health professionals.

HB 1674, relative to computer science and digital skills required for an adequate education.

HB 1697-FN, relative to organizations authorized to issue decals for multi-use decal plates.

HB 1736, relative to increasing the threshold required for governor and council approval of expenditures from the dam maintenance fund.

HB 1739-FN, prohibiting female genital mutilation.

HB 1808, repealing certain inactive dedicated funds.

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 concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 410, relative to the legislative youth advisory council.

HB 1252-FN, relative to certificates of insurance.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 333, relative to pharmacy interns and vaccinations.

SB 345, naming a bridge in the town of Lincoln in honor of the Clark Family.

SB 360, establishing a commission to study whether the department of education should be required to conduct criminal history records checks, via a fingerprint check, on all applicants for teacher certification.

SB 392, establishing a commission to study and evaluate the impact of the discharge of state prisoners.

SB 436, relative to tuition in the community college system.

SB 442, relative to surety indemnification requirements for private post-secondary career schools.

SB 470-FN, relative to positions within the insurance department.

SB 484, reestablishing the commission to address child hunger in New Hampshire.

SB 516, prohibiting motorcycle-only checkpoints.

SB 517, establishing an electric vehicle charging stations infrastructure commission.

HOUSE MESSAGE

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

SB 301-FN, temporarily reducing the real estate transfer tax for first-time home buyers.

SB 514-FN, establishing a commission to create a New Hampshire recovery memorial.

SB 518, relative to agency reports of real property owned or leased by the department.

SB 524-FN, relative to head injury policies for the community college system of New Hampshire and the university system of New Hampshire.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 164-FN, establishing a commission to study repealing the statute of limitations and limitations on actions for sexual assault.

SB 532-FN, relative to group II status of certain department of corrections officials.

SB 559-FN-A, establishing a committee to study the construction of sound barriers on type I and type II highways.

April 12, 2018
2018-1496-EBA
06/03

Enrolled Bill Amendment to SB 315

The Committee on Enrolled Bills to which was referred SB 315

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

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 315

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 315

Amend RSA 175:1, XLVIII-a as inserted by section 2 of the bill by replacing line 3 with the following:

has completed, except that the ratio of fermentable sugars from honey must exceed 50 percent of the

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

April 11, 2018
2018-1460-EBA
08/04

Enrolled Bill Amendment to SB 469

The Committee on Enrolled Bills to which was referred SB 469

AN ACT relative to the appropriation of funds from the equipment inventory fund.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 469

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to SB 469

Amend RSA 228:24-b, III inserted by section 1 of the bill by replacing line 13 with the following:

fund [tø] **within** the mechanical services bureau.

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

April 12, 2018
2018-1498-EBA
03/01

Enrolled Bill Amendment to HB 1258

The Committee on Enrolled Bills to which was referred HB 1258

AN ACT relative to the advanced manufacturing education advisory council.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1258

This enrolled bill amendment inserts omitted statutory text.

Enrolled Bill Amendment to HB 1258

Amend RSA 188-E:23 as inserted by section 2 of the bill by replacing lines 4-8 with the following:

[I-] **(a)** Curriculum expansion and revision.

[H-] **(b)** Curriculum eligibility requirements.

[HH-] **(c)** Curriculum quality.

[IV-] **(d)** Fund raising from private and other sources.

[V-] **(e)** Allocation of funds necessary for the curriculum.

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

April 12, 2018
2018-1494-EBA
06/05

Enrolled Bill Amendment to HB 1378

The Committee on Enrolled Bills to which was referred HB 1378
AN ACT relative to domestic insurance company investments.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1378

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1378

Amend RSA 402:29-d, I(a) as inserted by section 1 of the bill by replacing line 4 with the following:

guaranteed by a single person; ***provided, that this subparagraph shall not apply to general***

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

April 10, 2018
2018-1423-EBA
04/05

Enrolled Bill Amendment to HB 1389

The Committee on Enrolled Bills to which was referred HB 1389
AN ACT relative to commercial lines modernization.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1389

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 1389

Amend RSA 412:5, I-a(c)(2) as inserted by section 2 of the bill by replacing line 2 with the following:

established under RSA 404-C.

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

April 12, 2018
2018-1493-EBA
10/05

Enrolled Bill Amendment to HB 1453

The Committee on Enrolled Bills to which was referred HB 1453
AN ACT relative to the traffic safety commission.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1453

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1453

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

2 Traffic Safety Commission. Amend RSA 21-P:64, II and III to read as follows:

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

April 13, 2018
2018-1509-EBA
03/01

Enrolled Bill Amendment to HB 1551

The Committee on Enrolled Bills to which was referred HB 1551

AN ACT relative to the retention of records of individualized education programs.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1551

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1551

Amend RSA 186-C:10-a as inserted by section 1 of the bill by replacing lines 4-10 with the following:

program destroyed at that time or request that the records be retained until the student's twenty-sixth birthday. The parents may, at any time prior to the student's twenty-sixth birthday, request, in writing, that the records be retained until the student's thirtieth birthday.

II. Absent any request by a student's parents at the time of graduation, the local education agency shall destroy a student's records and final individualized education program within a reasonable time after the student's twenty-sixth birthday, provided that all such records be destroyed by the student's thirtieth birthday.

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted.

April 12, 2018
2018-1497-EBA
05/03

Enrolled Bill Amendment to HB 1575

The Committee on Enrolled Bills to which was referred HB 1575

AN ACT permitting hunting with an air rifle.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1575

This enrolled bill amendment inserts a gender neutral reference and makes a grammatical correction.

Enrolled Bill Amendment to HB 1575

Amend RSA 210:13 as inserted by section 7 of the bill by replacing line 3 with the following:

beaver through the ice during the open season therefor, shall visit his **or her** traps once in each 72 hours.

Amend RSA 210:13 as inserted by section 7 of the bill by replacing line 6 with the following:

traps at night by the use of a rifle, revolver, or pistol larger than a .22 caliber long rifle, **or air rifle**

Senator Avar moved adoption of the Enrolled Bill Amendment. Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 1271, changing the name of Industrial Drive at the Hugh Gallen Office Park to Ratification Way.

HB 1278, naming the rest area in Colebrook in honor of Frederick W. King, Sr. and naming a bridge in Farmington in honor of Major John W. Lawrence, Jr.

HB 1663, establishing a committee to study reimbursement rates under automobile insurance policies.

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

SB 539-FN-A, making appropriations to the department of education for adequate education grants and relative to certain provisions for Medicaid waivers.

SB 561-FN, naming a bridge over the Little River between the towns of Plaistow and Atkinson the Lance Corporal Dimitrios Gavriel bridge.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 305, clarifying lessee liability for month-to-month leases.

HB 492, relative to electric personal assistive mobility devices.

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

HB 1227, relative to an unattended idling vehicle on private property.

HB 1228, removing the limitation on a chartered public school incurring long term debt.

HB 1280-FN, relative to bow and arrow hunting licenses for permanently disabled military veterans.

HB 1281, establishing an executive order registry.

HB 1290, relative to vehicle registration for new residents to New Hampshire.

HB 1303, relative to the purposes of revolving funds in towns.

HB 1308-FN, relative to non-renewal of lines of business.

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 1363, relative to the waiver of vehicle registration suspension fees.

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

HB 1374, relative to financial regulation technicals.
HB 1379, relative to confidentiality of forms and rates.
HB 1421-FN, relative to the regulation of event tents.
HB 1446, relative to childhood cancer awareness month.
HB 1454, eliminating the commission to study recommendations of the National Transportation Safety Board.
HB 1455, relative to vehicle operation at uncontrolled intersections.
HB 1493, relative to the statewide assessment system of performance in schools.
HB 1494, relative to the definition of academic standards.
HB 1517, relative to vehicle inspection failures for rust.
HB 1518, repealing the requirement that motor vehicle lighting and safety equipment be approved by the director of the division of motor vehicles.
HB 1523, relative to heavy duty recovery vehicles.
HB 1683-FN, relative to the definition of child abuse.
HB 1731-FN, relative to regulating bicycles.
HB 1785, changing "hearing impaired" to "deaf" or "hard of hearing" in the New Hampshire laws.
HB 1795, eliminating the oversight commission on motor vehicle fines.
HB 1823-FN, relative to layered amortization of retirement system liabilities.
SB 324-FN, allowing an optional retirement system allowance to include a subsequent remarriage of a divorced retiree.
SB 328, relative to attorney general membership on certain committees and repealing the criminal justice information system.
SB 340, relative to the commissioner of revenue administration's assessment report.
SB 349, relative to course requirements in a career and technical education program.
SB 359, relative to notice to school districts of out-of-home placements.
SB 384, relative to written certification under the use of cannabis for therapeutic purposes law.
SB 406-FN, requiring background checks for access to Internal Revenue Service federal tax information.
SB 471, relative to the authority of municipalities to address potential natural threats.
SB 536-FN, relative to eligibility for death benefits for court security officers.
SB 574-FN, clarifying the repayment period for parental reimbursement.
SB 579-FN, relative to penalties for welfare fraud.
Senator Avard moved adoption of the Report of Committee on Enrolled Bills. Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

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

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

SB 399, naming a bridge in Concord in honor of David E. Powelson.