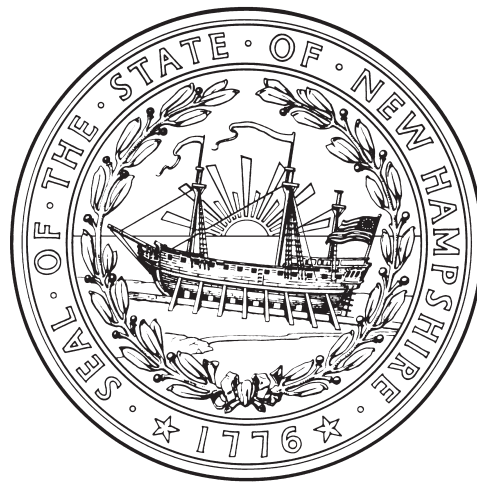


January 30, 2020
Nos. 1-2

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



**Second Year of the 166th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – JANUARY 8, 2020 SESSION
COMMENCEMENT – JANUARY 30, 2020 SESSION**

SENATE JOURNAL 1 *(continued)*

January 8, 2020

HOUSE MESSAGE

The House of Representatives adjourned the 2019 Session and the following entitled Bills sent down from the Senate died upon the table:

SB 36, creating a cause of action for certain constitutional deprivations of right.

SB 77-FN, relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases.

SB 204, (New Title) relative to encouraging the development of electrical energy storage by both private market participants and regulated electric utility companies.

SB 220, relative to department of transportation access to crash data.

SB 262-FN, (New Title) relative to the property interest in abandoned personal materials.

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 201-FN, increasing penalties for buyers under the law regarding trafficking in persons.

HB 250, (New Title) requiring reports by the board of dental examiners.

HB 251, (New Title) establishing a committee to study criminal records check policies for nonpublic schools and private entities that receive public funds.

HB 308, establishing a condominium dispute resolution board.

HB 319-FN, (New Title) authorizing Friends of Seabrook Rail Trail to issue decals for multi-use plates and establishing an oversight commission on multi-use decal plates.

HB 327-FN-A, making an appropriation to the community college system to continue the math learning communities program in partnership with New Hampshire high schools.

HB 355, relative to regulation by the New Hampshire real estate commission.

HB 366, adding opioid addiction, misuse, and abuse to qualifying medical conditions under therapeutic use of cannabis.

HB 371, (New Title) relative to the definition of pet vendor.

HB 376, (New Title) establishing a committee to study best practices for companion animal groomers.

HB 377, relative to the best interests of the child under the child protection act.

HB 431, relative to election officers at additional polling places.

HB 461-FN, adding qualifying medical conditions to the therapeutic use of cannabis law.

HB 506-FN-LOCAL, (New Title) relative to allowing employees time to vote in biennial general elections

HB 513, (New Title) relative to allowing the use of facility dogs for therapeutic purposes in proceedings involving children or certain other persons.

HB 532, relative to payment for earned but unused vacation or personal time.

HB 563-FN, (New Title) relative to the fees for failing to register certain motor vehicles and establishing a commission to study the registration of trailers, semi-trailers, and other vehicles.

HB 565-FN, (New Title) establishing a committee to study supervised visitation centers.

HB 578-FN, relative to services for the developmentally disabled.

HB 590-FN, (New Title) relative to the authority of the New Hampshire attorney general to enforce certain consumer protection laws.

HB 626-FN, relative to penalties for overtaking and passing a school bus.

HB 640-FN, (New Title) establishing a public boat access donation program for operators of non-motorized boats and requiring the fish and game department to prepare a report relating to such program.

HB 661, (New Title) relative to claims for medical monitoring.

HB 667-FN, (New Title) relative to testing private wells.

HB 685-FN, (New Title) establishing a committee to study reimbursement for ambulance services by insurance carriers in New Hampshire.

HB 687-FN, relative to extreme risk protection orders.

HB 690-FN, removing the work requirement of the New Hampshire granite advantage health care program.

HB 712-FN, relative to a family and medical leave insurance program.

HB 721-FN-LOCAL, relative to special education in towns with no public schools.

HB 739, (New Title) clarifying Medicaid spend-down requirements and requiring a report to the oversight committee on health and human services.

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 102, (New Title) relative to municipal ordinances regulating single-use bags.

HB 143, (New Title) relative to disqualification of members of local land use boards.

HB 274-FN, (New Title) relative to including under the meals and rooms tax facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies.

HB 311, (New Title) relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses.

HB 317, relative to tinted windows on motor vehicles.

HB 363-FN, including the legislature as a public employer under the public employee labor relations act and relative to the duties of the joint committee on legislative facilities.

HB 559, (New Title) relative to point of sale bags.

HB 647-FN, relative to lucky 7 tickets.

HB 731-FN, (New Title) establishing a state minimum wage and providing for adjustments to the minimum wage.

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 15-FN-A, making an appropriation to the affordable housing fund.

SB 70, relative to vacancies among primary candidates and prohibiting a candidate from receiving the nomination of more than one party.

SB 71, relative to the election of delegates to party conventions.

SB 81-FN-A, authorizing the department of health and human services to hire certain personnel and making an appropriation therefor.

SB 93-FN-A, (New Title) relative to prepaid wireless telecommunications service and voice over Internet protocol communications under the communications service tax.

SB 108, relative to eligibility for the governor's scholarship program.

SB 162, exempting commercial vessels from rafting rules.

SB 172, relative to transfers within the judicial branch.

SB 173-FN, relative to criminal history background checks by employers and public agencies.

SB 237-FN, relative to the office of cost containment.

SB 293-FN, relative to federally qualified health care centers and rural health centers reimbursement.

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 300-FN, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack.

HOUSE MESSAGE

The House of Representatives has voted to Lay On The Table the following entitled Bill(s) sent down from the Senate:

SB 138, relative to the degree granting authority of Signum University.

HOUSE MESSAGE

The House of Representatives has voted to sustain the Governor's veto on the following entitled Bill(s):

HB 226, relative to the renomination of teachers.

HB 315, (Second New Title) relative to the Interstate Voter Registration Crosscheck Program and the accuracy and efficiency of voter registration systems.

INTRODUCTION OF LEGISLATION

Senator Feltes 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

20-3065

SB 410-FN, relative to the state minimum hourly rate. (Soucy, Dist 18; Cavanaugh, Dist 16; D'Allesandro, Dist 20; Fuller Clark, Dist 21; Rosenwald, Dist 13; Levesque, Dist 12; Hennessey, Dist 5; Kahn, Dist 10; Commerce)

20-2753

SB 420, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. (Reagan, Dist 17; Hennessey, Dist 5; Kahn, Dist 10; Cushing, Rock. 21; Health and Human Services)

20-2959

SB 486-FN, relative to insurance plans that cover maternity benefits. (Rosenwald, Dist 13; Fuller Clark, Dist 21; Hennessey, Dist 5; Soucy, Dist 18; Sherman, Dist 24; Cavanaugh, Dist 16; Campion, Graf. 12; M. Smith, Straf. 6; Ebel, Merr. 5; Butler, Carr. 7; Commerce)

20-2764

SB 618-FN, requiring employers to provide access to a sufficient space for nursing mothers and reasonable break time. (Fuller Clark, Dist 21; Cavanaugh, Dist 16; Butler, Carr. 7; Commerce)

20-2803

SB 619-FN, repealing the sunset provision for insurance coverage for oral anti-cancer therapies. (Bradley, Dist 3; Rosenwald, Dist 13; Ward, Dist 8; Levesque, Dist 12; Gray, Dist 6; Fuller Clark, Dist 21; Reagan, Dist 17; Birdsell, Dist 19; Feltes, Dist 15; Chandley, Dist 11; Morgan, Dist 23; Carson, Dist 14; Sherman, Dist 24; Williams, Hills. 4; Marsh, Carr. 8; Knirk, Carr. 3; Commerce)

20-2866

SB 620-FN, relative to coverage for certain biologically-based mental illnesses. (Sherman, Dist 24; Watters, Dist 4; Hennessey, Dist 5; Indruk, Hills. 34; Fothergill, Coos 1; Marsh, Carr. 8; Woods, Merr. 23; Commerce)

20-2916

SB 621-FN, relative to second-tier beverages. (French, Dist 7; Reagan, Dist 17; Bradley, Dist 3; Chandley, Dist 11; Feltes, Dist 15; Hunt, Ches. 11; Commerce)

20-3047

SB 622-FN, establishing minimum standards for insurance claim review and settlement practices. (Sherman, Dist 24; Feltes, Dist 15; Rosenwald, Dist 13; Keans, Straf. 23; Van Houten, Hills. 45; Marsh, Carr. 8; Commerce)

20-3072

SB 623-FN, requiring insurance coverage for PFAS and PFC blood tests. (Chandley, Dist 11; Fuller Clark, Dist 21; Watters, Dist 4; Feltes, Dist 15; Rosenwald, Dist 13; Cavanaugh, Dist 16; Sherman, Dist 24; Hennessey, Dist 5; Soucy, Dist 18; W. Thomas, Hills. 21; Rung, Hills. 21; Stack, Hills. 21; Murphy, Hills. 21; Commerce)

20-2969

SB 624-FN-LOCAL, establishing a school marshals program. (Morgan, Dist 23; Bradley, Dist 3; Vallone, Rock. 9; Education and Workforce Development)

20-3045

SB 625-FN-A, relative to kindergarten funding. (Birdsell, Dist 19; Morse, Dist 22; Education and Workforce Development)

20-2900

SB 626-FN, removing the fee to file certain administrative petitions with the site evaluation committee. (Ward, Dist 8; Giuda, Dist 2; Vose, Rock. 9; Energy and Natural Resources)

20-2929

SB 627-FN, establishing a dock registration procedure. (Bradley, Dist 3; Watters, Dist 4; Giuda, Dist 2; Feltes, Dist 15; Suzanne Smith, Graf. 8; Spang, Straf. 6; Renzullo, Hills. 37; Energy and Natural Resources)

20-3010

SB 628-FN, relative to the authority of the department of environmental services for emergency action at hazardous dams. (Giuda, Dist 2; Rosenwald, Dist 13; D'Allesandro, Dist 20; Fuller Clark, Dist 21; Starr, Dist 1; Watters, Dist 4; Sherman, Dist 24; Renzullo, Hills. 37; Barry, Hills. 21; Weyler, Rock. 13; Energy and Natural Resources)

20-3059

SB 629-FN, establishing the solid waste reduction management fund and establishing a solid waste disposal surcharge. (Watters, Dist 4; Birdsell, Dist 19; Fuller Clark, Dist 21; Kahn, Dist 10; Ebel, Merr. 5; O'Connor, Rock. 6; M. Murray, Hills. 22; Wolf, Merr. 5; Energy and Natural Resources)

20-2788

SB 630-FN, relative to removing names from the voter checklist. (Chandley, Dist 11; Morgan, Dist 23; Fuller Clark, Dist 21; M. Murray, Hills. 22; Panasiti, Hills. 22; Radhakrishnan, Hills. 22; Dargie, Hills. 23; Williams, Hills. 4; Election Law and Municipal Affairs)

20-2989

SB 631-FN, authorizing online voter registration. (Levesque, Dist 12; Sherman, Dist 24; Porter, Hills. 1; Election Law and Municipal Affairs)

20-2749

SB 632, relative to enforcement of the state building code by municipalities and the state fire marshal. (Ward, Dist 8; Birdsell, Dist 19; Gray, Dist 6; Aron, Sull. 7; Stapleton, Sull. 5; Cloutier, Sull. 10; Executive Departments and Administration)

20-2822

SB 633, relative to recovery housing. (D'Allesandro, Dist 20; Cavanaugh, Dist 16; Soucy, Dist 18; Leishman, Hills. 24; Executive Departments and Administration)

20-2827

SB 634, relative to establishing a peer support program in the department of health and human services. (Morgan, Dist 23; Gray, Dist 6; Sherman, Dist 24; Fuller Clark, Dist 21; Bradley, Dist 3; Berrien, Rock. 18; Long, Hills. 10; Rice, Hills. 37; Hennessey, Graf. 1; M. Pearson, Rock. 34; Executive Departments and Administration)

20-2839

SB 635-FN-A, establishing the lakes region development authority. (Morse, Dist 22; French, Dist 7; Spanos, Belk. 3; St. Clair, Belk. 9; Lovejoy, Rock. 36; Executive Departments and Administration)

20-2928

SB 636-FN, authorizing the commissioner of safety to appoint security officers at department facilities. (Bradley, Dist 3; D'Allesandro, Dist 20; Carson, Dist 14; Weyler, Rock. 13; Hennessey, Graf. 1; Executive Departments and Administration)

20-3020

SB 637-FN, relative to fraud and errors in records of the retirement system. (Hennessey, Dist 5; Cavanaugh, Dist 16; Executive Departments and Administration)

20-3032

SB 638-FN, establishing the New Hampshire housing and conservation planning program. (Fuller Clark, Dist 21; Spang, Straf. 6; Maggiore, Rock. 22; Grote, Rock. 24; Dolan, Rock. 5; Executive Departments and Administration)

20-2841

SB 639-FN, relative to hazardous pay for certain employees of the state prison and New Hampshire hospital. (D'Allesandro, Dist 20; Morgan, Dist 23; Carson, Dist 14; Cushing, Rock. 21; Ford, Graf. 3; Walz, Merr. 23; Finance)

20-3007

SB 640-FN, relative to the art fund administered by the council on the arts. (Fuller Clark, Dist 21; Chandley, Dist 11; Kahn, Dist 10; Danielson, Hills. 7; Wilhelm, Hills. 42; Finance)

20-3044

SB 641-FN, establishing a state assistance to public drinking water systems program and fund. (Morse, Dist 22; Sherman, Dist 24; Hobson, Rock. 35; Hinch, Hills. 21; Maes, Graf. 6; Finance)

20-2821

SB 642-FN, relative to the administration of epinephrine. (D'Allesandro, Dist 20; Sherman, Dist 24; Fuller Clark, Dist 21; Bradley, Dist 3; Gray, Dist 6; Chandley, Dist 11; Health and Human Services)

20-2826

SB 643, relative to missing children. (Morgan, Dist 23; Sherman, Dist 24; Fuller Clark, Dist 21; Bradley, Dist 3; Chandley, Dist 11; Rice, Hills. 37; Long, Hills. 10; Berrien, Rock. 18; Wallner, Merr. 10; Hennessey, Graf. 1; Health and Human Services)

20-2835

SB 644, relative to missing children. (Carson, Dist 14; Ward, Dist 8; French, Dist 7; Bradley, Dist 3; M. Smith, Straf. 6; Berrien, Rock. 18; Rice, Hills. 37; Health and Human Services)

20-2846

SB 645, relative to the New Hampshire granite advantage health care trust fund. (Bradley, Dist 3; Gray, Dist 6; Knirk, Carr. 3; Marsh, Carr. 8; Health and Human Services)

20-2973

SB 646-FN, relative to Medicare supplemental insurance. (Sherman, Dist 24; Gray, Dist 6; Morgan, Dist 23; Chandley, Dist 11; Rosenwald, Dist 13; Cavanaugh, Dist 16; Fuller Clark, Dist 21; Soucy, Dist 18; Hennessey, Dist 5; Kahn, Dist 10; Bradley, Dist 3; Marsh, Carr. 8; Health and Human Services)

20-3085

SB 647-FN, relative to medication assisted treatment (MAT) by telemedicine and telehealth services. (Kahn, Dist 10; Fuller Clark, Dist 21; Gray, Dist 6; Bradley, Dist 3; Sherman, Dist 24; Edwards, Rock. 4; Campion, Graf. 12; Marsh, Carr. 8; Long, Hills. 10; Health and Human Services)

20-2840

SB 648-FN, relative to fees for the services of sheriffs and deputy sheriffs. (D'Allesandro, Dist 20; Kahn, Dist 10; Eaton, Ches. 3; Judiciary)

20-2862

SB 649-FN, relative to commercial drivers' licenses and driving under the influence while driving certain commercial motor vehicles. (Watters, Dist 4; Carson, Dist 14; Starr, Dist 1; Chandley, Dist 11; Hennessey, Dist 5; Merner, Coos 7; Tucker, Coos 5; Packard, Rock. 5; Welch, Rock. 13; Judiciary)

20-2939

SB 650-FN, relative to the payment of costs for services other than counsel for indigent parties. (Carson, Dist 14; M. Smith, Straf. 6; Judiciary)

20-3014

SB 651-FN, prohibiting collective bargaining agreements that require employees to join or contribute to a labor union. (French, Dist 7; Morse, Dist 22; Starr, Dist 1; Gray, Dist 6; Ward, Dist 8; Reagan, Dist 17; Giuda, Dist 2; Judiciary)

20-3068

SB 652, relative to possessing controlled drugs during a public health incident. (Reagan, Dist 17; French, Dist 7; Kahn, Dist 10; Roy, Rock. 32; Judiciary)

20-2817

SB 653-FN, relative to remedies for the sale of counterfeit motor vehicle airbags. (Birdsell, Dist 19; Ward, Dist 8; Watters, Dist 4; Sykes, Graf. 13; Transportation)

20-2861

SB 654, relative to the prohibition against displaying a revoked or suspended driver's license or permit. (Watters, Dist 4; Conley, Straf. 13; Crawford, Carr. 4; Gagne, Hills. 13; Welch, Rock. 13; Transportation)

20-3041

SB 655-FN-LOCAL, relative to removal of exit ramp tolls on the Everett turnpike in Merrimack. (Chandley, Dist 11; Levesque, Dist 12; Rung, Hills. 21; W. Thomas, Hills. 21; Murphy, Hills. 21; Transportation)

20-2937

SB 656-FN-LOCAL, relative to including business impacts in department of transportation engineering and design plans. (Kahn, Dist 10; Watters, Dist 4; Hennessey, Dist 5; Fenton, Ches. 8; Cleaver, Hills. 35; Transportation)

20-2949

SB 657-FN, authorizing the issuance of breast cancer awareness license plates. (Carson, Dist 14; Watters, Dist 4; Ward, Dist 8; Birdsell, Dist 19; Bradley, Dist 3; Packard, Rock. 5; Baldasaro, Rock. 5; Dolan, Rock. 5; Transportation)

20-2951

SB 658, relative to the adoption of federal requirements for motor carriers. (Birdsell, Dist 19; Ward, Dist 8; Watters, Dist 4; Transportation)

20-2963

SB 659-FN, relative to agricultural and farm motor vehicle plates. (Carson, Dist 14; Watters, Dist 4; Renzullo, Hills. 37; Packard, Rock. 5; Chirichiello, Rock. 6; Transportation)

20-2724

SB 660-FN, relative to secondary game operator licenses. (Feltès, Dist 15; Ways and Means)

20-2819

SB 661-FN, relative to economic revitalization zone tax credits. (Birdsell, Dist 19; Ward, Dist 8; Bradley, Dist 3; D'Allesandro, Dist 20; Dietsch, Dist 9; Ways and Means)

20-3001

SB 662-FN, relative to an exemption from interest and dividends taxes for medical expenses. (Giuda, Dist 2; Ward, Dist 8; Birdsell, Dist 19; Carson, Dist 14; Reagan, Dist 17; Weyler, Rock. 13; L. Ober, Hills. 37; Major, Rock. 14; Abrami, Rock. 19; Ways and Means)

20-3080

SB 663-FN, establishing a credit against business taxes for employer payments in the graduate retention incentive partnership program. (Kahn, Dist 10; Watters, Dist 4; Hennessey, Dist 5; Feltès, Dist 15; Soucy, Dist 18; Doherty, Merr. 20; Tanner, Sull. 9; Ways and Means)

20-2806

SB 664, relative to life insurance. (Morgan, Dist 23; Gray, Dist 6; Bartlett, Merr. 19; Hunt, Ches. 11; McBeath, Rock. 26; Potucek, Rock. 6; Commerce)

20-2807

SB 665, relative to a children's system of care and student wellness. (Morgan, Dist 23; Fuller Clark, Dist 21; Reagan, Dist 17; Rosenwald, Dist 13; Bradley, Dist 3; Carson, Dist 14; Hennessey, Dist 5; Sherman, Dist 24; Martin, Hills. 23; Mullen, Hills. 7; Hennessey, Graf. 1; Education and Workforce Development)

20-3054

SB 667-LOCAL, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees. (Fuller Clark, Dist 21; Cahill, Rock. 17; Vann, Hills. 24; Election Law and Municipal Affairs)

20-2927

SB 668-FN-A, establishing an offshore wind commission, establishing an office of offshore wind industry development in the department of business and economic affairs, and making an appropriation therefor. (Watters, Dist 4; Feltès, Dist 15; Levesque, Dist 12; Rosenwald, Dist 13; Fuller Clark, Dist 21; Hennessey, Dist 5; Cavanaugh, Dist 16; Morgan, Dist 23; Gray, Dist 6; Bradley, Dist 3; Sherman, Dist 24; Kahn, Dist 10; Backus, Hills. 19; Cushing, Rock. 21; Energy and Natural Resources)

20-2945

SB 669, relative to authorization to grow industrial hemp. (Carson, Dist 14; Reagan, Dist 17; Watters, Dist 4; Kahn, Dist 10; Pearl, Merr. 26; A. Lekas, Hills. 37; Energy and Natural Resources)

20-2743

SB 670, relative to freestanding emergency facilities. (Sherman, Dist 24; Rosenwald, Dist 13; Cavanaugh, Dist 16; Salloway, Straf. 5; Cushing, Rock. 21; Pantelakos, Rock. 25; Health and Human Services)

20-2745

SB 671-FN, relative to nursing home standards. (Ward, Dist 8; Sherman, Dist 24; Gray, Dist 6; Chandley, Dist 11; Reagan, Dist 17; Giuda, Dist 2; Birdsell, Dist 19; Bradley, Dist 3; Potucek, Rock. 6; Health and Human Services)

20-2833

SB 672, relative to behavioral health services for children and certain revisions to notifications of discharge for individuals found incompetent to stand trial and nonemergency involuntary admissions revocation of conditional discharge. (Carson, Dist 14; Gray, Dist 6; French, Dist 7; Rice, Hills. 37; Berrien, Rock. 18; Health and Human Services)

20-2855

SB 673-FN, relative to recovery of unauthorized payments by the state. (Gray, Dist 6; Birdsell, Dist 19; Giuda, Dist 2; Carson, Dist 14; Reagan, Dist 17; Sherman, Dist 24; Ward, Dist 8; Fuller Clark, Dist 21; Bradley, Dist 3; Watters, Dist 4; McMahon, Rock. 7; Health and Human Services)

20-2858

SB 674-FN, relative to the special fund for domestic violence programs, the public health services special fund, and the mosquito control fund. (Gray, Dist 6; Ward, Dist 8; Rosenwald, Dist 13; Watters, Dist 4; Fuller Clark, Dist 21; Morgan, Dist 23; Carson, Dist 14; Giuda, Dist 2; Birdsell, Dist 19; Soucy, Dist 18; Bradley, Dist 3; Chandley, Dist 11; Major, Rock. 14; Health and Human Services)

20-2907

SB 675, relative to school board expenditure of year-end fund balances. (Kahn, Dist 10; Morgan, Dist 23; Watters, Dist 4; Luneau, Merr. 10; Cahill, Rock. 17; Education and Workforce Development)

20-2978

SB 676-FN, relative to the controlled drug prescription health and safety program. (Giuda, Dist 2; Fuller Clark, Dist 21; Carson, Dist 14; Gray, Dist 6; Marsh, Carr. 8; Merchant, Sull. 4; R. Osborne, Graf. 7; Health and Human Services)

20-2733

SB 677-FN, relative to protective orders for vulnerable adults. (Bradley, Dist 3; Gray, Dist 6; Ward, Dist 8; Starr, Dist 1; Cushing, Rock. 21; Buco, Carr. 2; Judiciary)

20-2801

SB 678-FN, relative to the penalty for escape. (D'Allesandro, Dist 20; Judiciary)

20-2957

SB 679-FN, relative to policies on sexual assault in higher education institutions. (Hennessey, Dist 5; Feltes, Dist 15; Levesque, Dist 12; Rosenwald, Dist 13; Birdsell, Dist 19; Fuller Clark, Dist 21; Chandley, Dist 11; Watters, Dist 4; Cavanaugh, Dist 16; Morgan, Dist 23; Carson, Dist 14; Reagan, Dist 17; Bradley, Dist 3; Sherman, Dist 24; Soucy, Dist 18; Kenney, Straf. 6; Muscatel, Graf. 12; Alexander Jr., Hills. 6; Heath, Hills. 14; Abbas, Rock. 8; Judiciary)

20-2795

SB 680-FN, relative to materials used in the construction or repair of state roads. (Watters, Dist 4; Ward, Dist 8; Hennessey, Dist 5; Graham, Hills. 7; Cloutier, Sull. 10; Ebel, Merr. 5; Sykes, Graf. 13; O'Connor, Rock. 6; Transportation)

20-2879

SB 681-FN, relative to excessive vehicle weight. (Birdsell, Dist 19; Watters, Dist 4; Transportation)

20-2980

SB 682, relative to the sale of Lucky 7 tickets. (Giuda, Dist 2; Lang, Belk. 4; Pearl, Merr. 26; Ways and Means)

20-3006

SB 683-FN, establishing a New Hampshire innovation program in the department of business and economic affairs and making an annual appropriation therefor. (Fuller Clark, Dist 21; Lovejoy, Rock. 36; Education and Workforce Development)

20-2909

SB 684-FN, relative to Medicaid to schools. (Kahn, Dist 10; Levesque, Dist 12; Rosenwald, Dist 13; Fuller Clark, Dist 21; Chandley, Dist 11; Watters, Dist 4; Cavanaugh, Dist 16; Morgan, Dist 23; Carson, Dist 14; Gray, Dist 6; Starr, Dist 1; Sherman, Dist 24; Hennessey, Dist 5; Soucy, Dist 18; W. Thomas, Hills. 21; Luneau, Merr. 10; Education and Workforce Development)

20-2725

SB 685-FN, establishing a wholesale prescription drug importation program. (Feltès, Dist 15; Levesque, Dist 12; Rosenwald, Dist 13; Bradley, Dist 3; Chandley, Dist 11; Morgan, Dist 23; Watters, Dist 4; Cavanaugh, Dist 16; Fuller Clark, Dist 21; Sherman, Dist 24; Hennessey, Dist 5; Bartlett, Merr. 19; McMahon, Rock. 7; Marsh, Carr. 8; Campion, Graf. 12; Wall, Straf. 6; Commerce)

20-2726

SB 686-FN, relative to rebates paid to pharmacy benefits managers. (Rosenwald, Dist 13; Fuller Clark, Dist 21; Morgan, Dist 23; Watters, Dist 4; Levesque, Dist 12; Chandley, Dist 11; Hennessey, Dist 5; Feltès, Dist 15; Kahn, Dist 10; Cavanaugh, Dist 16; Bradley, Dist 3; Carson, Dist 14; Williams, Hills. 4; Muscatel, Graf. 12; Marsh, Carr. 8; McMahon, Rock. 7; Commerce)

20-2727

SB 687-FN, relative to transparency in prescription drug pricing and establishing a New Hampshire prescription drug affordability board. (Sherman, Dist 24; Morgan, Dist 23; Dietsch, Dist 9; Rosenwald, Dist 13; Fuller Clark, Dist 21; Hennessey, Dist 5; Marsh, Carr. 8; McMahon, Rock. 7; Bartlett, Merr. 19; Commerce)

20-2728

SB 688-FN, prohibiting price gouging in the sale of prescription drugs. (Fuller Clark, Dist 21; Rosenwald, Dist 13; Hennessey, Dist 5; Sherman, Dist 24; McMahon, Rock. 7; Bartlett, Merr. 19; Commerce)

20-2742

SB 689-FN, relative to the pharmacy anti-steering law. (Sherman, Dist 24; Morgan, Dist 23; Kahn, Dist 10; Fuller Clark, Dist 21; Muscatel, Graf. 12; Commerce)

20-2763

SB 690, relative to prescription drug formulary changes. (Fuller Clark, Dist 21; Rosenwald, Dist 13; Bradley, Dist 3; Sherman, Dist 24; MacKay, Merr. 14; Marsh, Carr. 8; Bartlett, Merr. 19; McMahon, Rock. 7; Commerce)

20-2868

SB 691, relative to prior authorization for prescription drug coverage. (Rosenwald, Dist 13; Cavanaugh, Dist 16; Fuller Clark, Dist 21; Hennessey, Dist 5; Sherman, Dist 24; Muscatel, Graf. 12; Indruk, Hills. 34; Marsh, Carr. 8; Commerce)

20-2723

SB 692-FN, relative to certain costs of the public utilities commission for participation in regional activities. (Feltès, Dist 15; Hennessey, Dist 5; Fuller Clark, Dist 21; Sherman, Dist 24; Watters, Dist 4; Energy and Natural Resources)

20-2808

SB 693, allowing health maintenance organizations to write preferred provider organization products for Medicare Advantage. (Sherman, Dist 24; Morgan, Dist 23; Rosenwald, Dist 13; Kahn, Dist 10; Marsh, Carr. 8; Commerce)

20-2812

SB 694-FN-A, relative to minimal cybersecurity standards for municipalities and making appropriations therefor. (Dietsch, Dist 9; Levesque, Dist 12; Chandley, Dist 11; Rosenwald, Dist 13; Morgan, Dist 23; Ebel, Merr. 5; Balch, Hills. 38; Election Law and Municipal Affairs)

20-2988

SB 695-FN, relative to sharing voter registration information. (Levesque, Dist 12; Sherman, Dist 24; Porter, Hills. 1; Komi, Hills. 43; Election Law and Municipal Affairs)

20-2985

SB 696-FN-A, establishing the office of the right-to-know ombudsman and making an appropriation therefor. (Giuda, Dist 2; Fuller Clark, Dist 21; Carson, Dist 14; Gray, Dist 6; Weyler, Rock. 13; DiLorenzo, Rock. 17; Ulery, Hills. 37; Executive Departments and Administration)

20-2754

SB 697-FN, allowing qualifying patients to access all the alternative treatment centers under the use of cannabis for therapeutic purposes law. (Reagan, Dist 17; Kahn, Dist 10; Cushing, Rock. 21; McGuire, Merr. 29; Health and Human Services)

20-2828

SB 698, relative to the Interstate Compact on Child Placement. (Morgan, Dist 23; Gray, Dist 6; Sherman, Dist 24; D'Allesandro, Dist 20; Fuller Clark, Dist 21; Bradley, Dist 3; Rice, Hills. 37; Berrien, Rock. 18; Hennessey, Graf. 1; Health and Human Services)

20-2831

SB 699, relative to the interstate compact on child placement 2009. (Carson, Dist 14; Reagan, Dist 17; Bradley, Dist 3; Long, Hills. 10; Berrien, Rock. 18; Rice, Hills. 37; DeSimone, Rock. 14; Health and Human Services)

20-2902

SB 700-FN, adding autism to qualifying conditions for the use of cannabis for therapeutic purposes law. (Reagan, Dist 17; Ward, Dist 8; French, Dist 7; Bradley, Dist 3; McGuire, Merr. 29; Seaworth, Merr. 20; Spillane, Rock. 2; Roy, Rock. 32; Health and Human Services)

20-2960

SB 701, relative to management of the secure psychiatric unit facility at New Hampshire hospital. (French, Dist 7; Reagan, Dist 17; Fuller Clark, Dist 21; Watters, Dist 4; D'Allesandro, Dist 20; Carson, Dist 14; Sherman, Dist 24; Health and Human Services)

20-2977

SB 702, relative to contracting requirements for certain providers of child welfare services with the department of health and human services. (Carson, Dist 14; Bradley, Dist 3; Ward, Dist 8; Gray, Dist 6; Fuller Clark, Dist 21; Rice, Hills. 37; Berrien, Rock. 18; Health and Human Services)

20-3069

SB 703-FN, relative to the use of cannabis for therapeutic purposes program. (Reagan, Dist 17; Rosenwald, Dist 13; Bradley, Dist 3; Cushing, Rock. 21; Health and Human Services)

20-2999

SB 704, relative to a technical change to certain appeals. (Chandley, Dist 11; Hennessey, Dist 5; Carson, Dist 14; K. Murray, Rock. 24; Rodd, Merr. 6; Judiciary)

20-2772

SB 705-FN, relative to fraudulent online duplication of a social networking account. (Levesque, Dist 12; Fuller Clark, Dist 21; Sherman, Dist 24; Dietsch, Dist 9; Vail, Hills. 30; Cushing, Rock. 21; Judiciary)

20-2832

SB 706-FN, relative to appeals under New Hampshire's Child Protection Act. (Carson, Dist 14; Bradley, Dist 3; Judiciary)

20-3042

SB 707-FN, relative to including projects in the ten year transportation improvement plan. (Chandley, Dist 11; Levesque, Dist 12; Rosenwald, Dist 13; McGhee, Hills. 40; M. Murray, Hills. 22; St. John, Hills. 27; Transportation)

20-2837

SB 708-FN, relative to treatment alternatives to opioids. (Carson, Dist 14; French, Dist 7; Bradley, Dist 3; Lundgren, Rock. 5; McMahon, Rock. 7; Klein-Knight, Hills. 11; Commerce)

20-2890

SB 709-FN, relative to the definition of controlled drug analog. (D'Allesandro, Dist 20; Rosenwald, Dist 13; Hennessey, Dist 5; Giuda, Dist 2; Cavanaugh, Dist 16; Commerce)

20-3052

SB 710-FN, establishing a homeowners' association act. (Fuller Clark, Dist 21; Commerce)

20-2993

SB 711-FN-LOCAL, relative to child sexual abuse prevention education and training. (Watters, Dist 4; Hennessey, Dist 5; Rosenwald, Dist 13; Fuller Clark, Dist 21; Levesque, Dist 12; Bradley, Dist 3; Chandley, Dist 11; Morgan, Dist 23; Carson, Dist 14; Sherman, Dist 24; Altschiller, Rock. 19; Cordelli, Carr. 4; Levesque, Straf. 4; Education and Workforce Development)

20-2787

SB 712-FN, establishing a surcharge on certain saltwater licenses and establishing a fund for derelict fishing gear and coastal cleanup. (Watters, Dist 4; Fuller Clark, Dist 21; Sherman, Dist 24; Spang, Straf. 6; Cushing, Rock. 21; Energy and Natural Resources)

20-2899

SB 713-FN, relative to the municipal winter maintenance certification program. (Morse, Dist 22; Fuller Clark, Dist 21; Watters, Dist 4; Bradley, Dist 3; Energy and Natural Resources)

20-3084

SB 714-FN, relative to services for the developmentally disabled. (Fuller Clark, Dist 21; Bradley, Dist 3; Gray, Dist 6; McMahon, Rock. 7; Stringham, Graf. 5; Ford, Graf. 3; Finance)

20-2799

SB 715-FN, relative to cost controls in long-term care. (Rosenwald, Dist 13; Sherman, Dist 24; Giuda, Dist 2; Bradley, Dist 3; Campion, Graf. 12; Marsh, Carr. 8; McMahon, Rock. 7; Nordgren, Graf. 12; Health and Human Services)

20-2976

SB 716-FN, relative to Medicaid coverage for child health and development. (Rosenwald, Dist 13; Bradley, Dist 3; Dietsch, Dist 9; Hennessey, Dist 5; Sherman, Dist 24; Kahn, Dist 10; Martin, Hills. 23; Wallner, Merr. 10; Berrien, Rock. 18; Espitia, Hills. 31; Health and Human Services)

20-2856

SB 717-FN-LOCAL, relative to reimbursement to cities and towns from the state of New Hampshire. (Gray, Dist 6; Ward, Dist 8; Watters, Dist 4; Carson, Dist 14; Chandley, Dist 11; Reagan, Dist 17; Giuda, Dist 2; Hennessey, Dist 5; Birdsell, Dist 19; Bradley, Dist 3; Health and Human Services)

20-3076

SB 718-FN-A, relative to the New Hampshire state health improvement plan and making an appropriation therefor. (Sherman, Dist 24; Fuller Clark, Dist 21; Campion, Graf. 12; Marsh, Carr. 8; McMahon, Rock. 7; Salloway, Straf. 5; Health and Human Services)

20-2783

SB 719-FN, relative to lost or stolen firearms. (Watters, Dist 4; Fuller Clark, Dist 21; Hennessey, Dist 5; Rogers, Merr. 28; Judiciary)

20-2955

SB 720-FN, relative to adult protective services. (Fuller Clark, Dist 21; Carson, Dist 14; Bradley, Dist 3; Sherman, Dist 24; Campion, Graf. 12; Knirk, Carr. 3; Cushing, Rock. 21; Judiciary)

20-2968

SB 721-FN-A, relative to court review of planning board decisions and making an appropriation therefor. (Dietsch, Dist 9; Fuller Clark, Dist 21; Mullen, Hills. 7; Maggiore, Rock. 22; Judiciary)

20-3114

SB 722, relative to the payment and education of bail commissioners, relative to criteria for determining an offender's indigence, and establishing a committee to study providing remote access to a bail commissioner's services. (Carson, Dist 14; Alexander Jr., Hills. 6; Meuse, Rock. 29; P. Schmidt, Straf. 19; Judiciary)

20-2878

SB 723-FN-LOCAL, relative to winter highway maintenance exemptions. (Birdsell, Dist 19; Watters, Dist 4; Transportation)

20-2923

SB 724-FN, relative to removal of abandoned or disabled vehicles by towing. (Birdsell, Dist 19; Starr, Dist 1; Cavanaugh, Dist 16; Klein-Knight, Hills. 11; Packard, Rock. 5; Bixby, Straf. 17; Transportation)

20-2995

SB 725-FN, relative to toll collection enforcement. (Watters, Dist 4; Hennessey, Dist 5; Levesque, Dist 12; Telerski, Hills. 35; Sytek, Rock. 8; Packard, Rock. 5; Transportation)

20-2793

SB 726-FN, relative to programs to aid veterans' access to employment, entrepreneurship, housing, health care and college degrees. (Morgan, Dist 23; Sherman, Dist 24; Bradley, Dist 3; Birdsell, Dist 19; D'Allesandro, Dist 20; Rosenwald, Dist 13; Fuller Clark, Dist 21; Cavanaugh, Dist 16; Carson, Dist 14; Chandley, Dist 11; Morse, Dist 22; Soucy, Dist 18; Woodcock, Carr. 2; Allard, Merr. 21; Education and Workforce Development)

20-2974

SB 727-FN-LOCAL, relative to Holocaust and genocide studies legislation. (Kahn, Dist 10; Levesque, Dist 12; Rosenwald, Dist 13; Birdsell, Dist 19; Ward, Dist 8; Fuller Clark, Dist 21; Cavanaugh, Dist 16; Carson, Dist 14; Reagan, Dist 17; Bradley, Dist 3; Sherman, Dist 24; Soucy, Dist 18; Ford, Graf. 3; Education and Workforce Development)

20-2756

SB 728-FN, establishing the coastal program administered by the department of environmental services. (Watters, Dist 4; Fuller Clark, Dist 21; Bradley, Dist 3; Morgan, Dist 23; Sherman, Dist 24; Cushing, Rock. 21; Malloy, Rock. 23; K. Murray, Rock. 24; Energy and Natural Resources)

20-2838

SB 729-FN, relative to the board of medical imaging and radiation therapy. (Carson, Dist 14; Reagan, Dist 17; Bradley, Dist 3; P. Schmidt, Straf. 19; Grote, Rock. 24; Executive Departments and Administration)

20-2751

SB 730-FN-LOCAL, establishing the granite state paid family leave plan. (Bradley, Dist 3; Gray, Dist 6; Ward, Dist 8; Starr, Dist 1; Hennessey, Graf. 1; Finance)

20-3035

SB 731-FN, relative to foster family assistance and making an appropriation therefor. (Kahn, Dist 10; Levesque, Dist 12; Fuller Clark, Dist 21; Watters, Dist 4; Reagan, Dist 17; Bradley, Dist 3; Feltes, Dist 15; Knirk, Carr. 3; Martin, Hills. 23; Health and Human Services)

20-3055

SB 732-FN, prohibiting the sharing of location data. (Chandley, Dist 11; Wuelper, Straf. 3; M. Smith, Straf. 6; Cushing, Rock. 21; McGuire, Merr. 29; Judiciary)

20-3078

SB 733-FN, relative to penalties for schools that fail to file certain reports with the department of education. (Kahn, Dist 10; Morgan, Dist 23; Luneau, Merr. 10; Doherty, Merr. 20; Education and Workforce Development)

20-2747

SB 734-FN, relative to exemptions from prosecution for victims of human trafficking. (Ward, Dist 8; Fuller Clark, Dist 21; Starr, Dist 1; Carson, Dist 14; Morgan, Dist 23; Watters, Dist 4; Gray, Dist 6; Rosenwald, Dist 13; French, Dist 7; Hennessey, Dist 5; Giuda, Dist 2; Birdsell, Dist 19; Kahn, Dist 10; Bradley, Dist 3; Chandley, Dist 11; B. Griffin, Hills. 6; Cushing, Rock. 21; Klein-Knight, Hills. 11; Potucek, Rock. 6; Judiciary)

20-2813

SB 735-FN, repealing the housing appeals board. (Birdsell, Dist 19; Sherman, Dist 24; Dietsch, Dist 9; Ward, Dist 8; O'Connor, Rock. 6; B. Griffin, Hills. 6; Edwards, Rock. 4; Gould, Hills. 7; Milz, Rock. 6; Judiciary)

20-2940

SB 736-FN, relative to the supreme court reporter and reports. (Carson, Dist 14; Hennessey, Dist 5; M. Smith, Straf. 6; Judiciary)

20-2991

SB 737-FN, requiring a penalty assessment on violation-level offenses. (Levesque, Dist 12; Judiciary)

20-2876

SB 738-FN, relative to suspension or revocation of motor carrier licenses for default, noncompliance, or non-payment of fine. (Birdsell, Dist 19; Ward, Dist 8; Watters, Dist 4; Transportation)

20-2886

SB 739-FN, relative to mental health and substance use disorder insurance coverage. (Sherman, Dist 24; Watters, Dist 4; Morgan, Dist 23; Hennessey, Dist 5; Bradley, Dist 3; Indruk, Hills. 34; Marsh, Carr. 8; Fothergill, Coos 1; Commerce)

20-2843

SB 740-FN, relative to the definition of health care facility under the state board of fire control. (Carson, Dist 14; Reagan, Dist 17; Gray, Dist 6; Cavanaugh, Dist 16; Goley, Hills. 8; Doucette, Rock. 8; P. Schmidt, Straf. 19; McGuire, Merr. 29; Executive Departments and Administration)

20-2814

SB 741-FN, establishing the born alive protection act. (Birdsell, Dist 19; Morse, Dist 22; Starr, Dist 1; Ward, Dist 8; French, Dist 7; Bradley, Dist 3; Carson, Dist 14; Gray, Dist 6; Giuda, Dist 2; Notter, Hills. 21; Rooney, Straf. 1; M. Pearson, Rock. 34; Prudhomme-O'Brien, Rock. 6; Health and Human Services)

20-2887

SB 742-FN, relative to the definition of Alzheimer's Disease and related disorders and making an appropriation therefor. (Chandley, Dist 11; Carson, Dist 14; Fuller Clark, Dist 21; Bradley, Dist 3; M. Murray, Hills. 22; Long, Hills. 10; Wilhelm, Hills. 42; Health and Human Services)

20-3009

SB 743-FN, relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor. (Feltel, Dist 15; Judiciary)

HB 712-FN, relative to a family and medical leave insurance program. (Finance)

MOTION TO VACATE

The following Senate Bill was vacated from the Committee on Executive Departments and Administration and referred to the Committee on Health and Human Services. Adopted.

SB 519, relative to special health care services licenses.

SENATE CLERK'S NOTE

Senator Soucy, District 18 was inadvertently omitted from the list of co-sponsors for SB 446.

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 130-LOCAL, relative to property tax relief for totally and permanently disabled veterans.

HB 348, relative to procedures for condominiums with 25 or fewer residential units.

HB 703-FN, relative to providing notice of the introduction of new high-cost prescription drugs.

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

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

Senator Feltel moved that the Senate adjourn from the Late Session.

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 2

January 30, 2020

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.

God, bless this nation of ours. We pray for liberty, that none may be oppressed or exploited. We pray for democracy, that all voices be heard, and none silenced. We pray for peace, that there may be harmony, in which everyone's gifts may flourish. We pray for justice, that no one benefits at the expense of another, that there be a just and equal sharing of power. We give thanks that we live in a land of laws. Be with those who have been entrusted with the sacred honor of making laws. Give them wisdom to make laws that are fair and just. We pray for a spirit of patriotism, that we be faithful to one another as a whole. We thank you for our freedom and for those who have protected it. Teachers who taught us to question, neighbors who acted in a covenant with one another. Those who spoke out against injustice. We thank you for the gift of our diversity. May we honor all people and celebrate our rich differences. We thank you for this land. Temper our might with humility, and our power with compassion. Mend our division, heal our fear, and restore our love of one another. Bless this nation, bless us, O God. And make us a nation of justice and peace, a nation of benevolence and generosity, a nation of mutual sharing and cooperation, a nation devoted to the healing of the world. Amen.

Senator Starr led the Pledge of Allegiance.

INTRODUCTION OF PAGES

Senator Levesque introduced Anneli Divirgilio, and Madison Van Uitert, from Hollis Brookline High School, serving as Senate Pages for the day.

SPECIAL ORDER

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

TRANSPORTATION

SB 552, designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway.

SPECIAL ORDER

Without objection, the following bill is special ordered to Thursday, February 6, 2020. Adopted.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 302-FN, relative to suspension and expulsion of pupils.

SPECIAL ORDER

Without objection, the following bill is special ordered to Thursday, February 13, 2020. Adopted.

ENERGY AND NATURAL RESOURCES

SB 287-FN, requiring the commissioner of the department of environmental services to revise rules relative to perfluorinated chemical contamination in drinking water.

FN REPORT FOR JANUARY 30, 2020

Senator D'Allesandro 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:

COMMERCE

SB 619-FN, repealing the sunset provision for insurance coverage for oral anti-cancer therapies.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 624-FN-L, establishing a school marshals program.

REGULAR CALENDAR:

COMMERCE

SB 410-FN, relative to the state minimum hourly rate.

SB 451-FN, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers' compensation coverage.

HB 253, relative to criminal records checks in the employee application process.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 302-FN, relative to suspension and expulsion of pupils.

SB 684-FN, relative to Medicaid to schools.

HEALTH AND HUMAN SERVICES

SB 673-FN, relative to recovery of unauthorized payments by the state.

Senator D'Allesandro 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

SB 543-FN, relative to group II retirement system status for certain department of corrections officials.

SB 635-FN-A, establishing the lakes region development authority.

SB 638-FN, establishing the New Hampshire housing and conservation planning program.

REGULAR CALENDAR:

ENERGY AND NATURAL RESOURCES

SB 287-FN, requiring the commissioner of the department of environmental services to revise rules relative to perfluorinated chemical contamination in drinking water.

WAYS AND MEANS

SB 510-FN-A, crediting excess funds in the investor education fund to the FRM victim's fund.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS REMOVED

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 638-FN, by Senator Fuller Clark

CONSENT CALENDAR

Senator Feltes 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 411, relative to the direct shipping of liquor.

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

Recently, there have been Supreme Court cases, which have reduced barriers for selling products through interstate commerce. In order to remain competitive, the committee found it beneficial to give the liquor commission the ability to register a trade name with the secretary of state for the purposes of being a direct shipper of liquor and wine.

SB 477, establishing a council on the creative economy.

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

This bill is a result of recommendations set forth in 2016 by the Commission to Study the Economic Impact of the Arts and Culture in New Hampshire. In New Hampshire, the creative economy is valued at about 2.5 billion dollars annually. The committee found in order to further propel New Hampshire's overall economy, it would be useful to establish a council to encourage promotion, facilitate communication, and better understanding between state agencies.

SB 478, relative to food in cigar shops.

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

Initially, the bill intended to allow the sale of food on the premises of cigar shops. Instead, the committee adopted an amendment allowing only for the service of food on the premises of cigar shops. Essentially, a cigar shop could provide pre-made food products, such as snacks; however, they would not be preparing food like at a restaurant.

Commerce

January 23, 2020

2020-0189s

08/10

Amendment to SB 478

Amend RSA 178:20-a, II(d) as inserted by section 1 of the bill by replacing it with the following:

(d) Does not allow cigarette smoking or [service] **sale** of food on the premises.

2020-0189s

AMENDED ANALYSIS

This bill allows the service but not the sale of food in cigar shops holding an on-premises cigar, beverage, and liquor license.

SB 619-FN, repealing the sunset provision for insurance coverage for oral anti-cancer therapies.

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

This bill would repeal the sunset provision for insurance coverage for oral anti-cancer therapies, which was initially passed by the legislature in 2015. The committee found that expensive oral anti-cancer therapies should still be covered by a patient's insurance to ensure parity of treatment. It's important to note, as the committee heard at the public hearing, there was no mention in insurance rate filings in 2017 that this coverage had a significant impact on premiums.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 454, relative to the screening date for dyslexia.

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

This bill would have changed the date for student dyslexia screening from November 30th of each school year to February 28th of each school year. This screening identifies children that may be at risk for reading difficulty. As soon as the difficulties are identified, students can begin receiving the academic supports they need to be successful. Compelling testimony was given that screening earlier in the year, rather than later was in the best interest of the student.

SB 557, relative to the advisory council on career and technical education.

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

The bill as amended will allow the State Board of Education to adopt rules establishing requirements for a career ready credential. The existing statute asks the Advisory Council on Career and Technical Education to develop rules for the credentials for implementation with the 2020 entering high school class. The Board will need to file those rules and the amendment asks for an effective date upon passage to accelerate rule making. Additionally, the bill adds a school counselor to the advisory council for the purpose of understanding better how to help students take advantage of the program.

Education and Workforce Development

January 14, 2020

2020-0074s

06/04

Amendment to SB 557

Amend RSA 188-E:10-b, VII as inserted by section 3 of the bill by replacing it with the following:

VII. By September 30, 2020, upon recommendation of the council, the state board of education shall adopt rules, pursuant to RSA 541-A, establishing requirements for a career readiness credential.

Amend the bill by replacing section 4 with the following:

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

2020-0074s

AMENDED ANALYSIS

This bill adds a member to the advisory council on career and technical education. This bill also requires the state board of education to adopt rules establishing requirements for a career readiness credential.

SB 558, extending the reporting date of the commission to study school funding.

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

This bill will extend the reporting date of the Commission to Study School Funding from September 1, 2020 to January 10, 2021. Due to the Commission being created within the State Budget which was not signed into law until October 2019. The unexpected three-month delay when added to the original reporting date brings it into January.

SB 624-FN-L, establishing a school marshals program.

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

This bill would have established a formal process for school districts to adopt a school marshal program. The committee agreed that safety of school children is a top priority, however, acknowledged there are too many unanswered questions and potential unintended consequences to move forward with the proposal at this time.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 538, establishing a commission to study property tax exemptions for charitable organizations.

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

This bill would have established a commission to study property tax exemptions for charitable organizations to ensure that the tax benefit is applied appropriately. After further study to determine what the commission should focus on, it was determined that this legislation is not needed at this time.

ENERGY AND NATURAL RESOURCES

SB 587, relative to the duties and membership of the energy efficiency and sustainable energy board.

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

SB 587 adds voting members and a nonvoting member to the Energy Efficiency and Sustainable Energy Board and clarifies procedures of the board, allowing for more representation from non-profit groups and the banking industry. The inclusion of the banking industry will help energy efficiency programs develop relationships with third-party lending institutions to provide opportunities for low-cost financing of energy efficiency measures and to leverage available funds. Another change permits the board to serve as a stakeholder forum to make recommendations to program administrators and the Public Utilities Commission to develop and implement program plans under the Energy Efficiency Resource Standard. Other technical changes are made to reporting deadlines and legislative membership. These statutory changes received the unanimous support of the board.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 430, relative to the child fatality review committee.

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

This bill removes the exemption of the child fatality review committee from RSA 91-A:3, relative to non-public sessions of public bodies. This bill is a request of the department of health and human services. The Child Fatality Review Committee discusses very sensitive and personal information. The committee does not have the ability to discuss such information in a non-public session because of RSA 91-A:3. This bill gives the committee that ability to be able to meet in non-public sessions when the need arises.

SB 431, establishing a commission to study the adoption of remote online notarization in New Hampshire. Ought to Pass with Amendment, Vote 5-0. Senator Cavanaugh for the committee.

This bill establishes a commission to study the adoption of remote online notarization in New Hampshire. Remote Online Notarization (RON) is already law in 22 states, with a further six states looking at adopting RON this year. New Hampshire should be one of those states. RON could be a key aspect in the future of notarization and, while it will not replace traditional notaries, RON can help serve communities without easy access to traditional notaries, such as those in rural areas or those who suffer from disabilities. The Committee Amendment ensures that all appropriate voices will have a seat at the table.

Senate Executive Departments and Administration

January 15, 2020

2020-0086s

11/05

Amendment to SB 431

Amend RSA 455:18, II as inserted by section 1 of the bill by inserting after subparagraph (i) the following new subparagraphs:

(j) A member of the New Hampshire Bar Association who deals in probate matters, appointed by the association.

(k) A member of the New Hampshire Bar Association who deals in real estate transfers, appointed by the association.

(l) A member of the New Hampshire Association of Title Companies, appointed by the association.

SB 434, relative to the purchasing authority of the department of administrative services.

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

This bill expands the authority of the department of administrative services, division of procurement and support services to authorize agencies to use procurement cards to purchase commodities and services directly from vendors. This bill is a request of the department of administrative services. This bill will make it easier for the Department to purchase goods and services valued at over \$1,000 with the approval of the Commissioner of the Department. Procurement cards are easier to use, more efficient, and complete transactions much more quickly than the older procurement forms. The bill also raises the threshold for when excess goods need to be disposed of through competitive bids from \$100 to \$2,500.

SB 520, repealing the statute governing weather modification experimentation.

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

This bill repeals the statute permitting state agencies to engage in weather modification experimentation. The committee felt that while some of the concerns raised in the hearing regarding weather modification experimentation were legitimate, repealing the statute entirely could create even more problems by removing the statutory checks that are currently in place and requiring any weather modification experimentation proposal to go before the Governor and Executive Council.

SB 543-FN, relative to group II retirement system status for certain department of corrections officials. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill allows certain department of corrections officials to continue to be classified as group II members in the retirement system. Currently, there is an internal, informal ceiling on promotions in the Department of Corrections because many employees do not want to give up their vested group II status in order to rise to the assistant commissioner level. SB 543-FN will allow employees who have put in significant time and commitment to the Department to continue to grow professionally without being penalized with a significant change in their retirement status.

SB 567, relative to the commission on interdisciplinary primary care workforce. Ought to Pass, Vote 5-0. Senator Rosenwald for the committee.

This bill changes the title and duties of the commission on the interdisciplinary primary care workforce. The bill also extends the repeal date of the commission. The commission is the only commission or committee that focuses solely on the workforce of primary care specialists in New Hampshire. The committee has taken many steps to increase the number of primary care specialists in the state, including through expanding the student loan forgiveness program and increasing the number of primary care residency programs in the state. The new title reflects the inclusion of behavioral health and dental and trends in healthcare since the commission was originally established.

SB 595, relative to certain unclassified positions in the department of health and human services. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill amends the title of 2 positions in the department of health and human services. This is a clerical bill to ensure that the official working titles of employees of the Department of Health and Human Services match the jobs that those employees are performing. This bill does not change any letter grades or step positions. This bill is part of a rolling project that began several years ago.

SB 635-FN-A, establishing the lakes region development authority. Ought to Pass, Vote 5-0. Senator Carson for the committee.

This bill establishes the lakes region development authority to implement the redevelopment master plan prepared by the lakeshore redevelopment planning commission. The authority is modeled closely after the Pease Development Authority but is crafted to meet the specific needs of the project. The authority is the best method for the State to expediently develop the former Laconia State School property and return the property onto the tax roll of the City of Laconia for the first time in 100 years. There is a master plan for the property in place that includes housing, health services, retail space, a hotel, and recreational opportunities. The authority is repealed in 2026.

JUDICIARY

SB 440, establishing the New Hampshire collaborative law act. Ought to Pass, Vote 5-0. Senator Chandley for the committee.

This bill establishes a voluntary collaborative law process to resolve certain legal issues, including divorce, parental rights and responsibilities, and child support. This practice allows participants to negotiate with the assistance of various professionals, including financial planners, lawyers, counselors, a mutually agreeable settlement. Enacting this currently occurring practice into law will ensure that this important and helpful tool will be used in the state.

SB 442, relative to alternative dispute resolution. Ought to Pass, Vote 5-0. Senator Chandley for the committee.

This bill authorizes the establishment of a quality assurance program in the Judicial Branch Office of Mediation and Arbitration. Enacting SB 442 will provide the public with a process for the filing of complaints against alternative dispute resolution programs and ensure that high quality practices are occurring throughout the courts.

SB 444, amending the alimony statute due to changes in federal tax law. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill revises the formula for term alimony based on the fact that under current federal income tax laws, alimony is not deductible to the payor and taxable to the payee. The bill also adjusts the formula in the event that such a deduction is permitted in the future, and explicitly provides that consideration of federal income tax consequences may warrant adjustment to the amount of term alimony. Making this update to the alimony statute will simply align New Hampshire's alimony law with recently changed federal income tax laws.

Senate Judiciary
January 22, 2020
2020-0166s
05/04

Amendment to SB 444

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

5 New Paragraphs; Modification of Alimony Orders; Applicable Law Based on Filing Date of Initial Petition For Divorce or Legal Separation. Amend RSA 458:19-aa by inserting after paragraph IX the following new paragraphs:

X.(a)(1) The provisions of RSA 458:14, 458:19, 458:19-a, and 458:19-aa, as amended or inserted by 2018, 310, shall not apply to modifications of orders in cases whose initial petition for divorce or legal separation was filed prior to January 1, 2019, unless the court finds that the original order:

(A) Was based on an agreement of the parties adopting some or all of the provisions of that act; or

(B) Specified that the court was adopting some or all of the provisions of that act.

(2) Absent such a finding, modifications of these orders shall be controlled by the law in effect on the date the initial petition for divorce or legal separation was filed.

(b) Parties to any case in which the initial petition was filed prior to January 1, 2019 may agree to adopt some or all of the provisions of 2018, 310:

(1) In the original agreement or any modification of it; or

(2) In modifying any court order.

XI. An alimony order effective on or after January 1, 2019, including one based on an agreement of the parties, may be modified in accordance with RSA 458:19-a, II, without the need to demonstrate the findings in RSA 458:19-a, VI, provided that:

(a) The alimony order was issued pursuant to RSA 458:14, 458:19, 458:19-a, and 458:19-aa, as amended or inserted by 2018, 310;

(b) The alimony amount is greater than 23 percent of the difference in the parties gross incomes as defined in RSA 458:19-a, II(a); and

(c) The petition for modification is filed by July 1, 2021.

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

SB 573, relative to criminal threats to school safety.

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

This bill requires the chief of police of a municipality to report all criminal threats to school safety in such municipality to the director of the Division of State Police. As school safety continues to be a concern throughout the State, it is important that the lines of communication between schools and law enforcement are firmly and consistently established. This bill will ensure the necessary communication occurs, while safeguarding confidentiality for students.

SB 602, establishing a committee to study the issue of unmarried cohabitants, domestic partnerships, and common law marriage.

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

This bill establishes a committee to study the legal issues related to unmarried cohabitation, domestic partnership and common law marriage. As people who choose to live together without the contract of marriage may, like those who are married, find themselves separating, legal questions can arise with regard to division of assets, child custody and financial stability. This committee will allow for an examination of concerns and, perhaps, recommend solutions.

Senate Judiciary
January 22, 2020
2020-0165s
05/04

Amendment to SB 602

Amend subparagraph I(a) as inserted by section 2 of the bill by replacing it with the following:

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

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

SB 604, naming certain courtrooms in the tenth circuit district court.
Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill provides for naming of the two courtrooms in the tenth circuit district court house in Hampton after Justice H. Alfred Casassa and Justice Francis J. "Whitey" Frasier and provides that the name of a person may be removed from the courtroom for certain acts of misconduct at the discretion of the chief justice. The Committee amended the bill to reassign circuit court district and family division cases from certain towns in Rockingham county due to the poor state of the current court facility.

Senate Judiciary
January 22, 2020
2020-0163s
04/06

Amendment to SB 604

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

AN ACT naming certain courtrooms in the tenth circuit district court and relative to circuit court, district and family division cases in Rockingham county.

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 7:

5 Judicial Districts; Rockingham County. RSA 502-A:1, I-VI is repealed and reenacted to read as follows:

I. PORTSMOUTH DISTRICT. The Portsmouth district shall consist of the city of Portsmouth and the towns of Newington, Greenland, Rye, and New Castle. The district court for the district shall be located in Portsmouth, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Portsmouth District Court.

II. HAMPTON DISTRICT. The Hampton district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, and Seabrook. The district division for the district shall be located in Hampton, holding sessions regularly therein and elsewhere in the district as justice may require.

III. BRENTWOOD DISTRICT. The Brentwood district shall consist of the towns of Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, Brentwood, Danville, Kingston, and Newton. The district division for the district shall be located in Brentwood, holding sessions regularly therein and elsewhere in the district as justice may require.

IV. DERRY DISTRICT. The Derry district shall consist of the towns of Derry, Londonderry, Chester, and Sandown. The district court for the district shall be located in Derry, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Derry District Court.

V. AUBURN-CANDIA-RAYMOND DISTRICT. The Auburn-Candia-Raymond district shall consist of the towns of Auburn, Candia, Deerfield, Nottingham, Raymond, and Northwood. The court shall be located in Auburn, Candia, or Raymond. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the town in which it is located.

VI. SALEM DISTRICT. The Salem district shall consist of the towns of Salem, Windham, Atkinson, Hampstead, and Plaistow in Rockingham county and the town of Pelham in Hillsborough county. The district court for the district shall be located in Salem, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Salem District Court.

6 Judicial Branch Family Division; Sites. Amend RSA 490-D:4, IV(d) to read as follows:

(d) Matters arising in municipalities located within the [Exeter] **Brentwood** district [and the Plaistow district] shall be heard in the court facility in Brentwood.

2020-0163s

AMENDED ANALYSIS

This bill:

I. Provides for naming of the 2 courtrooms in the tenth circuit district court house in Hampton after Justice H. Alfred Casassa and Justice Francis J. "Whitey" Frasier.

II. Provides that the name of a person may be removed from the courtroom for certain acts of misconduct.

III. Reassigns circuit court district and family division cases from certain towns in Rockingham county.

SB 607, relative to applicability of certain DWI prohibitions.

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

This bill would clarify the meaning of "drive or attempt to drive" in certain DWI prohibitions. As intent of this bill is already addressed by SB34, which is coming to the Senate for concurrence, SB607 is no longer necessary.

TRANSPORTATION

SB 413, authorizing the Girl Scouts of the Green and White Mountains to issue decals for multi-use decal plates.

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

This bill authorizes the Girl Scouts of the Green and White Mountains to issue decals for multi-use decal plates. The Girl Scouts organization is transformative and impactful for young girls. The creation of this decal will raise awareness about the organization and the revenue derived from the sale of the decals will help cover programming costs for the girls.

SB 445, relative to residency of children of members of the armed forces.

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

This bill provides that children of members of the armed forces may retain their New Hampshire residency for purposes of a driver's license during a period of a parent's active deployment. While New Hampshire does an excellent job of supporting active duty military members with drivers' license issues, a recent study committee found that the law didn't specifically include the children of active duty military personnel. This bill will ensure that those children don't lose their NH residency status when traveling with their parents who are on active duty deployment.

SB 471, relative to funds for the division of veterans services.

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

This bill declares that certain donations, bequests, and moneys from the veterans decal plates are non-lapsing and continually appropriated to the division of veterans services. The division receives small donations as well as revenue of less than \$1,000 per year from the sale of the veterans decals and this bill will ensure that revenue stays within the division and does not lapse to the general fund.

SB 472, establishing a committee to study gold star family decals.

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

This bill establishes a committee to study gold star family decals. The committee will study the definition of gold star families as well what other states do with regard to gold star families. The Division of Motor Vehicles is supportive of the study and willing to participate and assist in any way they can.

SB 473, relative to certificate of boating safety.

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

This bill clarifies who is required to obtain a certificate of boating safety prior to operating certain boats on public waters. This bill was a request of the Dept. of Safety and was characterized as a housekeeping measure to clear up confusion now that the phase-in period for the safe boating course established in 2001 has ended. The phase-in period was based on date of birth. Now, that it has ended, everyone operating a boat over 25 horsepower is required to complete the safe boating course.

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

REGULAR CALENDAR

TRANSPORTATION

SB 552, designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway.

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

INTRODUCTION OF GUESTS

Senator Morgan introduced Heather Arkell, Wayne Robinson, Diane Robinson, Michael Lepage, Derek Franek, and Christopher Paris.

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

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

The following Senators voted Yes: Starr, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Carson, Feltes, Cavanaugh, Reagan, Birdsell, D'Allesandro, Fuller Clark, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

President Pro Tempore Fuller Clark presiding.

COMMERCE

SB 410-FN, relative to the state minimum hourly rate.

Ought to Pass, Vote 3-2. Senator Cavanaugh for the committee.

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

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, Soucy, D'Allesandro, Morgan, Sherman, Fuller Clark.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

Roll Call, Yeas: 14 - Nays: 10. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

President Soucy presiding.

SPECIAL ORDER

Without objection, the following bill is special ordered to Thursday, February 6, 2020. Adopted.

COMMERCE

SB 449, permitting tastings by distilleries at farmers markets.

SB 451-FN, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers' compensation coverage.

Ought to Pass, Vote 3-2. Senator Morgan for the committee.

Recess. Out of recess.

SPECIAL ORDER

Without objection, Senator Giuda moved to special order SB 451-FN to the end of the regular calendar. Adopted.

HB 253, relative to criminal records checks in the employee application process.

Interim Study, Vote 5-0. Senator French for the committee.

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

Senator French moved Ought to Pass.

Senator French offered a Floor Amendment.

Sen. French, Dist 7

January 30, 2020

2020-0323s

04/08

Floor Amendment to HB 253

Amend RSA 275-H:1, III as inserted by section 1 of the bill by replacing it with the following:

III. “Employer” means any department, agency, bureau, or administrative unit of the state of New Hampshire. “Employer” shall not include:

(a) Any bank holding company, financial holding company, bank, savings bank, savings and loan association, credit union, or trust company, or any subsidiary or affiliate thereof, that is chartered by any state or the United States.

(b) Any state or local government agency which requires use of the employee’s or applicant’s criminal history or criminal background.

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

2 New Section; Protective Legislation; Use of Criminal Records in Employment Decisions. Amend RSA 275 by inserting after section 37-b the following new section:

275:37-c Use of Criminal Records in Employment Decisions.

I. In this section:

(a) “Applicant for employment” means any person a public employer or a public employer’s agent considers when identifying potential employees, through any means including, but not limited to, recruitment, solicitation, or seeking personal information, or any person who requests consideration for employment by a public employer, or who requests information from a public employer related to seeking employment, and includes any person who is currently an employee of the public employer.

(b) “Criminal record” means information collected by a criminal justice agency on individuals consisting of identifiable descriptions and notations of encounters, arrests, detentions, indictments, or other formal criminal charges, and any disposition arising therefrom, including dismissal, acquittal, sentencing, correctional supervision, release, or conviction including, but not limited to, any sentence arising from a verdict or plea of guilty or nolo contendere, including a sentence of incarceration, a suspended sentence, a sentence of probation, a sentence of conditional discharge or a filing with or without a finding.

(c) “Employee” means a person who is hired for a wage, salary, fee, or payment to perform work for a public employer. The term includes interns and apprentices.

(d) “Public employer” means any department, agency, bureau, or administrative unit of the state of New Hampshire.

(e) “Employment” means any occupation, vocation, job, or work with pay, including temporary or seasonal work, contingent work, and work through the services of a temporary or other employment agency; any form of vocational apprenticeship; or any internship.

(f) “Employment application” means a form, questionnaire, or similar document or collection of documents that an applicant for public employment is required by a public employer to complete whether the application exists in a hard copy, electronic, or Internet medium. “Employment application” shall not include a criminal background check necessary to authorize access to a federally-regulated facility pursuant to federal law or regulation.

II. No public employer or public employer’s agent shall inquire about a prospective employee’s prior arrests, criminal charges, or convictions on an employment application, unless the public employer is required to screen applications for specific criminal convictions because it is prohibited from hiring those with such convictions under state or federal law. For a position that is exclusive to a contract or subcontract that is subject to state or federal law prohibiting the hiring of an individual with a criminal record, the employer may inquire only about those prior arrests, criminal charges, or convictions directly implicated by applicable state or federal law.

III. As part of an employment application process, no public employer or public employer’s agent shall conduct a criminal record check of an applicant prior to the initial interview. An employer shall not make any such inquiry covered by this paragraph and paragraph II except in person or by telephone, if it is standard practice for that public employer to conduct telephone interviews.

IV. No public employer or public employer’s agent shall discriminate against an employment applicant based on the racial or ethnic origin of the applicant, including as determined by the applicant’s first or last name consistent with state and federal law prohibiting discrimination.

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

2020-0323s

AMENDED ANALYSIS

This bill prohibits a public employer from inquiring about or conducting a criminal background check on a prospective employee prior to an interview, unless required by state or federal law.

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.

EDUCATION AND WORKFORCE DEVELOPMENT

SB 583, relative to the addition of climate and environmental sciences to the criteria for an adequate education. Ought to Pass, Vote 3-2. Senator Dietsch for the committee.

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2

Sen. Starr, Dist 1

Sen. Bradley, Dist 3

Sen. Gray, Dist 6

Sen. French, Dist 7

Rep. Ward, Rock. 28

Sen. Carson, Dist 14

Sen. Reagan, Dist 17

Sen. Birdsell, Dist 19

Sen. Morse, Dist 22

January 30, 2020

2020-0324s

06/01

Floor Amendment to SB 583

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

AN ACT relative to the addition of climate and environmental sciences and free market economics to the criteria for an adequate education.

Amend the bill by replacing section 1 with the following:

1 Criteria for an Adequate Education; Science; Civics. Amend RSA 193-E:2, III-IV to read as follows:

III. Knowledge of the biological, physical, and earth sciences, *including climate and environmental sciences*, to enable them to understand and appreciate the world around them.

IV. Knowledge of civics and government, *free market* economics, geography, and history to enable them to participate in the democratic process and to make informed choices as responsible citizens *in a constitutional republic*.

2020-0324s

AMENDED ANALYSIS

This bill adds climate and environmental science and free market economics to the criteria for an adequate education.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Watters, seconded by Senator Birdsell.

The following Senators voted Yes: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse, Sherman.

The following Senators voted No: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Soucy.

Roll Call, Yeas: 11 - Nays: 13. Failed.

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

A roll call was requested by Senator Watters, seconded by Senator Birdsell.

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

Roll Call, Yeas: 14 - Nays: 10. Adopted, bill ordered to Third Reading.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 537, proclaiming January 24 as Granny D. Day.

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

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

FINANCE

SB 223-FN, increasing the minimum gross business income required for filing a business profits tax return. Interim Study, Vote 4-2. Senator D'Allesandro for the committee.

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

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

The following Senators voted Yes: Watters, Kahn, Chandley, Levesque, Rosenwald, Cavanaugh, D'Allesandro, Fuller Clark.

The following Senators voted No: Starr, Giuda, Bradley, Hennessey, Gray, French, Ward, Dietsch, Carson, Feltes, Reagan, Birdsell, Morse, Morgan, Sherman, Soucy.

Roll Call, Yeas: 8 - Nays: 16. Failed.

Senator Dietsch moved Ought to Pass.

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

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

The following Senators voted Yes: Starr, Giuda, Bradley, Watters, Hennessey, Gray, French, Ward, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Carson, Feltes, Cavanaugh, Reagan, Birdsell, D'Allesandro, Fuller Clark, Morse, Morgan, Sherman, Soucy.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to Third Reading.

HEALTH AND HUMAN SERVICES

SB 505, relative to residential child care licensing of child care institutions or agencies.

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

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

SB 643, relative to missing children.

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

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

SB 644, relative to missing children.

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

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

Senator Feltes moved Lay on the Table.

The question is on the adoption of the motion to Lay on the Table.

A roll call was requested by Senator Birdsell, seconded by Senator Bradley.

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse, Sherman.

Roll Call, Yeas: 13 - Nays: 11. Adopted.

SB 673-FN, relative to recovery of unauthorized payments by the state.

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

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

JUDICIARY

HB 263, relative to department of health and human services family reunification practices involving convicted sex offenders.

Interim Study, Vote 4-0. Senator Levesque for the committee.

Recess. Out of recess.

Senator Hennessey moved to Refer Back to Committee.

The question is on the adoption of the motion to Refer Back to Committee. Adopted.

WAYS AND MEANS

SB 510-FN-A, crediting excess funds in the investor education fund to the FRM victim's fund.

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

Senate Ways and Means

January 22, 2020

2020-0175s

11/01

Amendment to SB 510-FN-A

Amend the bill by replacing paragraph I of section 4 with the following:

I. Section 3 of this act shall take effect July 1, 2024.

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

Recess. Out of recess.

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).

SB 511, relative to the formula used to determine current use tax rates.

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

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

ADDENDUM REGULAR CALENDAR

SB 684-FN, relative to Medicaid to schools.

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

Education and Workforce Development

January 28, 2020

2020-0269s

06/04

Amendment to SB 684-FN

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

1 Statement of Purpose and Intent. The general court acknowledges the critical importance of ensuring the quality, accessibility, and sustainability of Medicaid services provided in the school setting, as well as ensuring that billing under the program meets all state and federal requirements. The purpose of this act is to strengthen the state's Medicaid to schools and Medicaid to schools for Medical services programs consistent with the Social Security Act. Accordingly, this act shall provide the department of health and human services with the additional authority to adopt administrative rules that maximize the availability of federal financial aid to schools under New Hampshire's Medicaid program. This act also provides a more efficient pathway to allow qualified professionals certified and credentialed by the department of education who are currently providing medical

services in public schools to be licensed by medical and health care boards. Finally, this act further facilitates the provision of medical services in the school setting to students who are enrolled in participating public schools and Medicaid, thereby furthering the education and health of New Hampshire's students.

2 Medicaid to Schools Program. RSA 186-C:25, III-b are repealed and reenacted to read as follows:

I. The department of health and human services Medicaid reimbursement program shall be known as the "Medicaid to schools" program, providing medical assistance for covered services furnished to children with disabilities who are enrolled in Medicaid. The purpose of the program is to seek any and all Medicaid reimbursement for medical and health related services provided by local school districts and school administrative units to children with disabilities which are reimbursable under federal law but which were previously fully funded by such districts or administrative units. The program shall be voluntary and is designed to assist children with disabilities by maintaining them in their own homes and communities. The program shall be administered in the same, or similar, manner as the Medicaid to schools for medical services program established in RSA 167:3-k. This subdivision is intended to provide Medicaid funding for services which, in the absence of such funding, nevertheless qualify as special education or related services under this chapter. It is not the intention of this subdivision to increase school district responsibility or liability beyond what is required by other sections of this chapter.

II. A reimbursable service under this section shall be:

(a) A covered New Hampshire Medicaid state plan service, or a service not covered under the state's Medicaid state plan, but coverable pursuant to 1905(a) of the Social Security Act through the Early and Periodic Screening Diagnosis and Treatment (EPSDT) benefit;

(b) Provided to a Medicaid enrolled child after obtaining parental consent;

(c) Provided by a Medicaid qualified provider;

(d) Medically necessary; and

(e) Provided in compliance with applicable state and federal law and rules.

III. Services provided under this subdivision shall:

(a) Offer the least restrictive setting for children receiving the services.

(b) Be in addition to any special education program as defined in the New Hampshire rules for the education of children with disabilities.

III-a. Any provider who orders, refers, prescribes, renders, or provides services under this section shall do so in accordance with the relevant health professional practice act and regulations including, but not limited to, RSA 137-F, RSA 317-A, RSA 326-B, RSA 326-C, RSA 326-E, RSA 326-F, RSA 326-H, RSA 327, RSA 328-A, RSA 328-D, RSA 328-F, RSA 329, RSA 329-B, RSA 330-A, and RSA 330-C.

III-b. For purposes of this section, "medically necessary" means a service that has been determined by a qualified professional, licensed by medical or health care boards, to meet accepted standards of medical practice and that is needed to diagnose or treat an illness, injury, condition, disease, or its symptoms.

3 Medicaid to Schools for Medical Services Program. RSA 167:3-k is repealed and reenacted to read as follows:

167:3-k Medicaid to Schools For Medical Services Program.

I. The department of health and human services Medicaid reimbursement program shall be known as the "Medicaid to schools for medical services" program, providing medical assistance for covered services furnished to children in public schools who are enrolled in Medicaid. The purpose of the program is to seek any and all Medicaid reimbursement for medical or health related services provided by local school districts and school administrative units to children which are reimbursable under federal law. General fund dollars allocated to the department of health and human services shall not be used for matching the federal financial participation for Medicaid reimbursement. All matching dollars for Medicaid to schools medical services shall come from the local school districts or school administrative units. The program shall be voluntary and administered by the department in the same, or similar, manner as the Medicaid to schools program established in RSA 186-C:25. This section shall not be construed to increase school district responsibility or liability beyond what is required by other state or federal law.

II. A reimbursable service under this section the service shall be:

(a) A covered New Hampshire Medicaid state plan service, or a service not covered under the state's Medicaid state plan, but coverable pursuant to 1905(a) of the Social Security Act through the Early and Periodic Screening Diagnosis and Treatment (EPSDT) benefit;

(b) Provided to a Medicaid enrolled child after obtaining parental consent;

(c) Provided by a Medicaid qualified provider;

(d) Medically necessary; and

(e) Provided in compliance with applicable state and federal law and rules.

III. Any provider who orders, refers, prescribes, renders, or provides services under this section shall do so in accordance with the relevant health professional practice act and regulations, including, but not limited to, RSA 137-F, 317-A, 326-B, 326-C, 326-E, 326-F, 326-H, 327, 328-A, 328-D, 328-F, 329, 329-B, 330-A, and 330-C.

IV. For purposes of this section, "medically necessary" means a service that has been determined by a qualified professional, licensed by medical or health care boards, to meet accepted standards of medical practice and that is needed to diagnose or treat an illness, injury, condition, disease, or its symptoms.

V. The commissioner of the department of health and human services, after consultation with the commissioner of the department of education, shall adopt rules, pursuant to RSA 541-A, relative to:

(a) Further defining services eligible for Medicaid reimbursement under this section. In defining such services, the commissioner shall, to the extent practicable, seek to maximize the availability of federal financial assistance to local school districts and school administrative units.

(b) State plans and reimbursement procedures necessary for local school districts or school administrative units to receive appropriate Medicaid reimbursement for eligible services under paragraph II that are provided or paid for by school districts or school administrative units.

(c) Monitoring mechanisms to ensure that services provided under this section meet the requirements of paragraph II. Monitoring responsibilities shall be consistent with the jurisdiction of the different departments.

(d) A financial mechanism by which the federal mandatory matching requirement is met through collection, or other means, of 50 percent of the cost of allowable services from local school districts and/or school administrative units.

VI. New Hampshire local school districts or school administrative units shall be the enrolled Medicaid providers for the purpose of administration and billing.

4 Nurse Practice Act; Scope of Practice; Licensed Nursing Assistant. Amend RSA 326-B:14, II-a(b) to read as follows:

(b) A licensed nurse delegates the task of medication administration to the LNA who is employed in the home care, hospice, residential care, **public school**, or adult day care setting. The board, in consultation with the commissioner of health and human services or a designee, shall adopt rules under RSA 541-A establishing standards for such delegation of medication administration which include, but are not limited to, limitations on the number of delegations per assistive personnel, training and competency requirements, documentation requirements, and medication administration error reporting requirements.

5 New Section; Licensed School Psychologist-Doctoral and Licensed School Psychologist-Specialist. Amend RSA 329-B by inserting after section 15 the following new section:

329-B:15-a Licensed School Psychologist-Doctoral and Licensed School Psychologist-Specialist.

I. The board shall issue a license for the title of licensed school psychologist-doctoral to any person who has a doctoral degree in psychology and:

(a) Is certified as a school psychologist by the New Hampshire department of education, bureau of credentialing; and

(b) Has completed all of the following requirements:

(1) Has passed a satisfactory examination in psychology as determined by the board including a national school psychologists' examination.

(2) Has met education and other requirements determined by the board.

(3) Is of good professional character.

(4) Has submitted a complete set of fingerprints and a criminal history records release form in accordance with RSA 329-B:14-a.

(5) Has paid all fees established by the office of professional licensure and certification established under RSA 310-A:1-a and collected by the board.

II. The board shall issue a license for the title of licensed school psychologist-specialist to any person who does not have a doctoral degree and:

(a) Is certified as a school psychologist by the New Hampshire department of education, bureau of credentialing; and

(b) Has completed all of the following requirements:

(1) Has passed a satisfactory examination in psychology as determined by the board including a national school psychologists' examination.

(2) Has met education and other requirements determined by the board.

(3) Is of good professional character.

(4) Has submitted a complete set of fingerprints and a criminal history records release form in accordance with RSA 329-B:14-a.

(5) Has paid all fees established by the office of professional licensure and certification established under RSA 310-A:1-a and collected by the board.

III. The following shall apply to those school psychologists who are certified by the department of education on the effective date of this section:

(a) Each certified school psychologist in good standing who holds a doctoral degree in psychology shall be licensed as licensed school psychologist-doctoral.

(b) Each certified school psychologist in good standing who does not hold a doctoral degree in psychology shall be licensed as licensed school psychologist-specialist.

(c) Those certified school psychologists who are subject to discipline or are under review, or who are under investigation shall be reviewed by the board which shall grant, deny, or issue a license with conditions as determined by the board.

(d) Those school psychologists granted licenses under this paragraph shall be exempt from fees for the initial license period which shall extend beyond that individual's certification in school psychology by 3 months and shall include an additional year for those whose certifications from the department of education would expire in June of 2020. Following that time, such individual shall be eligible for renewal under the rules established by the board and upon payment of the applicable fee.

IV. Examinations for applicants under this section shall be held by the board at least once each year. The board shall determine the subject and scope of the examination, which may be written, oral, or both. If an applicant fails the examination, the board shall deny the license or specify conditions under which the applicant may be admitted to a future examination according to board rules.

V. Unless otherwise licensed under another provision, a licensed school psychologist-doctoral or licensed school psychologist-specialist licensure is for services provided in those settings that are provided in an educational institution. No persons licensed under this section may provide services outside such settings if the services are directly related to the client's improvement of school functioning including but not limited to learning, development, social and emotional functioning, and behavior, but any services provided outside of the school shall relate to such person's students and his or her employment in a school. No persons licensed under this section shall hold themselves out as psychologists, psychological examiners, or by any business name incorporating variations of those titles other than school psychologists or nationally certified school psychologists unless they are otherwise licensed under another provision.

VI. The board shall provide materials and information concerning licensed school psychologists-doctoral and licensed school psychologists-specialist to the department of education bureau of credentialing that will further the proper administration of the credentials of each department.

6 New Paragraphs; Psychologists; Definitions; Licensed School Psychologist-Doctoral and Licensed School Psychologist-Specialist. Amend RSA 329-B:2 by inserting after paragraph IV the following new paragraphs:

IV-a. “Licensed School Psychologist-Doctoral” means any person licensed as a licensed school psychologist-doctoral under RSA 329-B:15-a.

IV-b. “Licensed School Psychologist-Specialist” means any person licensed as a licensed school psychologist-specialist under RSA 329-B:15-a.

7 Psychologists; Board; Definitions. Amend RSA 329-B:2, VI-XI to read as follows:

VI. “Professional conduct investigator” means a trained psychologist, ***licensed school psychologist-doctoral, or licensed school psychologist-specialist*** licensed by the board who acts as the agent of the board under the guidance of the board investigator and is authorized to discover facts and make reports to the board.

VII. “Psychology practice ***by a licensed psychologist***” means:

(a) The observation, description, evaluation, interpretation, prediction, and modification of human behavior by the application of psychological principles, methods, and procedures, for the purposes of:

(1) Preventing, eliminating, evaluating, assessing, or predicting symptomatic, maladaptive, or undesired behavior;

(2) Evaluating, assessing, or facilitating the enhancement of individual, group, or organizational effectiveness, including personal effectiveness, adaptive behavior, interpersonal relationships, work and life adjustment, health, and individual, group, or organizational performance; or

(3) Assisting in legal decision-making.

(b) Psychological testing and the evaluation or assessment of personal characteristics, such as intelligence; personality; cognitive, physical, and emotional abilities; skills; interests; aptitudes; and neuropsychological functioning;

(c) Counseling, consultation, psychoanalysis, psychotherapy, hypnosis, biofeedback, and behavior analysis and therapy;

(d) Diagnosis, treatment, and management of mental and emotional disorder or disability, alcoholism and substance abuse, disorders of habit or conduct, and the psychological and behavioral aspects of medical/physical illness, accident, injury, or disability;

(e) Psycho-educational evaluation, therapy, and remediation;

(f) Consultation ***and coordination*** with other psychologists, physicians, other health care professionals, and patients regarding all available treatment options, including medication, with respect to provision of care for a specific client or patient or group;

(g) Provision of direct services to individuals or groups for the purpose of enhancing individual and organizational effectiveness, or using psychological principles, methods, or procedures to assess and evaluate individuals on personal characteristics for individual development or behavior change, or for making decisions about the individual, such as selection;

(h) Provision of any of these services or activities by any means, including electronic or telephonic; and

(i) The supervision, ***ordering, referring, and prescribing*** of any of these services or activities;

The practice of psychology shall be construed within the meaning of this definition without regard to whether payment is received for services rendered.

VIII. “Psychology services ***by a licensed psychologist***” means the observation, description, evaluation, interpretation, diagnosis, and modification of human behavior by the application of psychological and systems principles, methods, and procedures for the purpose of preventing or eliminating symptomatic, maladapted, or undesirable behavior and of enhancing interpersonal relationships, work and life adjustments, personal effectiveness, behavioral health, and mental health, as well as the diagnosis and treatment of the psychological and social aspects of physical illness, accident, injury, or disability. Psychology services may include, but shall not be limited to, those services based on diagnosis and treatment of mental and emotional disorders and psycho-educational or consultative techniques integral to the treatment of such disorders when diagnosis is specified in the most current edition of the Diagnostic and Statistical Manual of Mental Disorders, published

by the American Psychiatric Association, The International Classification of Disease Manual (ICD), or an equivalent of such manual as determined by the board. Psychological services may be rendered to individuals, families, groups, systems, or organizations.

IX. "Psychologist" means any person licensed as a psychologist under ***RSA 329-B:15***.

X. "Psychology intern, resident, or fellow" means a person in training as a psychologist, subject to the provisions of this chapter and regulation by the board.

XI. "Psychotherapist" means a psychologist, ***licensed school psychologist-doctoral, or licensed school psychologist-specialist*** licensed under this chapter who performs or purports to perform psychotherapy.

8 New Paragraphs; Psychologists; Board; Definitions. Amend RSA 329-B:2 by inserting after paragraph XII the following new paragraphs:

XII-a. "School psychology practice" by a licensed school psychologist-doctoral or licensed school psychologist-specialist" means:

- (a) Practices that permeate all aspects of service delivery through:
 - (1) Data-based decision making and accountability; and
 - (2) Consultation, coordination, and collaboration;
- (b) Direct and indirect services for children, families, and schools which include:
 - (1) Student-level services including:
 - (A) Conducting, interpreting, and communicating the findings of assessments of students, including but not limited to their:
 - (i) Intellectual ability.
 - (ii) Cognitive processing.
 - (iii) Academic achievement.
 - (iv) Behavior.
 - (v) Social and emotional functioning.
 - (vi) Learning environments.
 - (vii) Adaptive functioning.
 - (B) Designing, implementing, monitoring, and adapting instructional and behavioral supports and interventions;
 - (C) Creating, implementing, evaluating, ordering, referring, and prescribing mental health interventions and direct services to develop social/emotional and life skills;
 - (2) Systems-level services including:
 - (A) Interacting effectively in a school setting by understanding systems, roles, curriculum, instruction, and assessment to promote socialization, learning, and mental health; and
 - (B) Implementing and evaluating school wide practices that promote learning; and
 - (3) Preventative and responsive services including:
 - (A) Applying principles of resilience and risk factors in learning and mental health;
 - (B) Promoting multi-tiered systems of support; and
 - (C) Formulating evidence-based strategies for effective crisis preparation, response, and recovery; and
 - (4) Foundations of professional school psychological services which include:
 - (A) Understanding and analyzing the diversity in human development and learning including culture, context and individual differences;

- (B) Explaining typical and atypical psychological and educational development in children and youth;
- (C) Synthesizing, evaluating and applying theories and models of research, empirical findings, and techniques related to student learning;
- (D) Utilizing research design, statistics, measurement, and varied data collection and analysis techniques;
- (E) Designing and implementing program evaluation to support evidence-based practices at the individual, group, and/or systems levels;
- (F) Integrating the history and foundations of psychology into a professional identity and practice as a school psychologist; and
- (G) Adhering to ethical, legal and professional standards including:
 - (i) Ethical and professional decision making; and
 - (ii) Professional work characteristics and disposition that reflect personal integrity.

XII-b. "School psychology services" by a licensed school psychologist-doctoral or licensed psychologist-specialist" means the provision of services related only to functioning at school and transition to post-secondary goals, including: the observation, description, evaluation, interpretation, diagnosis, and modification of human behavior by the application of psychological and systems principles, methods, and procedures for the purpose of preventing or eliminating symptomatic, maladapted, or undesirable behavior and of enhancing interpersonal relationships, school and life adjustments, personal effectiveness, behavioral health, and mental health, as well as the diagnosis and treatment of the psychological and social aspects of physical illness, accident, injury, or disability. School psychology services may include, but shall not be limited to, those services based on diagnosis and treatment of mental and emotional disorders and psycho-educational or consultative techniques integral to the treatment of such disorders when diagnosis is specified in the most current edition of the Diagnostic and Statistical Manual of Mental Disorders, published by the American Psychiatric Association, The International Classification of Disease Manual (ICD), or an equivalent of such manual as determined by the board. School psychological services may be rendered to individuals, families, groups, systems, or organizations within school settings and other locations as provided in RSA 329-B:15-a V.

9 Board of Psychologists. Amend RSA 329-B:3, I to read as follows:

I. There shall be a board of psychologists composed of 5 licensed psychologists, ***one licensed school psychologist-doctoral or licensed school psychologist-specialist***, and 3 public members. The members shall be appointed to a term of 3 years by the governor with the approval of the council. The members of the board shall elect a chairperson on an annual basis. Chairperson terms shall alternate between [psychologist] ***licensees*** and public members.

10 New Paragraph; Board of Psychologists. Amend RSA 329-B:3 by inserting after paragraph III the following new paragraph:

IV. On occasions when the licensed school psychologist board member is recused on a matter, inquiry, or case concerning a licensed school psychologist-doctoral, licensed school psychologist-specialist, or application for such before the board, then a licensed school psychologist-doctoral or licensed school psychologist-specialist from the school psychologist advisory committee shall be allowed to stand in to address the board business for the licensed school psychologist-doctoral or licensed school psychologist-specialist board member for that matter only.

11 Psychologists; Board; Committees Established, Duties. RSA 329-B:4, I-III are repealed and reenacted to read as follows:

I. The board shall create 2 advisory committees for the purpose of assisting the board in its responsibilities under this chapter, including rulemaking under RSA 329-B:10.

(a) The psychologists advisory committee shall be chaired by a psychologist board member appointed by the board which shall have a maximum of 12 members, including up to 9 psychologists and up to 3 consumers appointed by the board.

(b) Members of the licensed school psychology advisory committee shall be appointed by the board and shall include: A licensed school psychologist-doctoral board member who shall be the chairperson of the commit-

tee, up to 9 licensed school psychologist-doctoral or licensed school psychologist-specialist members, and up to 3 consumer members who shall be school administrative personnel and/or parents of students, and one representative from the department of education bureau of credentialing. There shall be a maximum of 13 members.

II. The board shall create 2 committees for professional conduct investigations, one for licensed psychologists, and one for licensed school psychologist-doctoral and licensed school psychologist-specialists, for the purpose of assisting the board in its responsibilities under RSA 329-B:22 and RSA 329-B:23. A board investigator, appointed by the chairperson of the board with the advice and consent of the board, shall chair the professional conduct investigation committees. The balance of the membership of the professional conduct investigation committees shall be composed of persons licensed by the board for the committee's respective profession to a maximum of 12 members.

III. The board shall create a professional's health committee to administer the professional's health program which shall address issues that may impinge on a practitioner's ability to practice. A board member, appointed by the chairperson of the board with the advice and consent of the board, shall chair the professional's health committee. The balance of the membership of the professional's health committee shall be composed of persons licensed by the board to a maximum of 12 members.

12 New Paragraph; Board of Psychologists; Qualifications; Administrative Members. Amend RSA 329-B:6 by inserting after paragraph III the following new paragraph:

IV. Each public member of the board and the advisory committees shall be a resident of this state.

13 Psychologists; Board; Organization and Meetings. Amend RSA 329-B:9, I-II to read as follows:

I. The board shall hold regular annual meetings. Other meetings of the board shall be held at such times and upon such notice as the rules of the board provide. ~~[Five members]~~ ***A majority of the members of the board who have been approved by the governor and council*** shall constitute a quorum.

II. When a quorum is not available for just and timely resolution of a specific matter, former board members ***or members of the advisory committees*** may be appointed by the board to serve as acting board members for purposes of obtaining the minimum quorum in the resolution of that specific matter or in an adjudicatory hearing. ***Advisory committee members shall have the same qualification as the missing or recused board member.***

14 Psychologists; Board; Responsibilities and Rulemaking Authority. Amend RSA 329-B:10, VII to read as follows:

VII.(a) Ethical standards, as promulgated by the American Psychological Association, required to be met by each psychologist licensed under this chapter, and how a ***psychologist*** license may be revoked for violation of these standards.

(b) Ethical standards, as promulgated by the National Association of School Psychologists, required to be met by each licensed school psychologist-doctoral and licensed school psychologist-specialist licensed under this chapter, and how a licensed school psychologist-doctoral or licensed school psychologist-specialist license may be revoked for violation of these standards.

(c) Competence standards for licensees under this chapter.

15 Psychologists; Board; Responsibilities and Rulemaking Authority. Amend RSA RSA 329-B:10, IX-X to read as follows:

IX. Establishment of the scope of practice for psychologists, ***licensed school psychologist-doctoral, and licensed school psychologist-specialist.***

X. Procedures for assuring the continuing competence of psychologists, ***licensed school psychologists-doctoral, and licensed school psychologists-specialist*** licensed under this chapter including, but not limited to, continuing education requirements, and the professional's health program.

16 Psychologists; Board; Responsibilities and Rulemaking Authority. Amend RSA 329-B:10, XIV to read as follows:

XIV. Requirements to be met by licensees relative to the disclosure of information to ***clients***, patients and the general public concerning the nature of psychological ***and school psychological services*** and the responsibilities of psychologists, ***licensed school psychologists-doctoral, and licensed school psychologists-specialist*** to clients or patients in RSA 329-B:32.

17 Psychologists; Board; Unlawful Practice; Penalty. Amend RSA 329-B:17 to read as follows:

329-B:17 Unlawful Practice; Penalty.

I. Except as provided in RSA 329-B:20 and RSA 329-B:28, it shall be unlawful for any person to be engaged in psychology, ***licensed school psychology-doctoral, or licensed school psychology-specialist*** practice unless that person is licensed by the board or working under the direct supervision of a person licensed by the board. The license of such person shall be current and valid. It shall be unlawful for any person to practice as or to refer to oneself as a psychologist, ***licensed school psychology-doctoral, or licensed school psychology-specialist*** or use the word “psychology” or “psychological” in such person’s title or in the title of such person’s work products unless that person is licensed by the board or working under the direct supervision of a person licensed by the board.

II. Except as otherwise provided in this chapter, any person who violates paragraph I or paragraph III of this section or who violates any of the other provisions of this chapter relating to psychology, or, having had his or her license suspended or revoked, shall continue to represent himself or herself as a licensed psychologist, ***licensed school psychology-doctoral, or licensed school psychology-specialist***, shall be guilty of a class A misdemeanor if a natural person, and a felony if any other person, and each violation shall be deemed a separate offense.

III. Any person whose license under this chapter has been suspended or revoked by the board for disciplinary action under RSA 329-B:21 or sexual misconduct under RSA 329-B:30 shall not engage in psychology, ***licensed school psychology-doctoral, or licensed school psychology-specialist*** practice as defined in RSA 329-B:2, VII and VIII unless and until the suspension or revocation of the license has been lifted.

18 Psychologists; Board; Definitions. Amend RSA 329-B:18 to read as follows: 329-B:18 Injunction. The board may request the attorney general to commence an action to enjoin the operation of any person engaged in practicing unlicensed psychology, ***licensed school psychology-doctoral, or licensed school psychology-specialist*** in violation of this chapter. Said action shall be filed in the superior court.

19 Psychologists; Board; Civil Claims. Amend RSA 329-B:19 to read as follows:

329-B:19 Civil Claims. Any person injured by the actions of a person engaged in the practice of unlicensed psychology, ***licensed school psychology-doctoral, or licensed school psychology-specialist*** in violation of any of the provisions of this chapter may bring a civil action to recover damages suffered by reason of the violations.

20 Psychologists; Board; Temporary and Emergency Applicants from Other States. Amend RSA 329-B:20 to read as follows:

329-B:20 Temporary and Emergency Applicants From Other States.

Any psychologist, ***licensed school psychologist-doctoral, or licensed school psychologist-specialist*** practicing pursuant to this section shall conform his or her practice to the mandates of this chapter and the rules of the board. Any psychologist, ***licensed school psychologist-doctoral, or licensed school psychologist-specialist*** seeking to practice under this section shall register with the board in a manner determined by the board.

I. An individual licensed to practice psychology ***or school psychology*** in another jurisdiction may practice psychology, ***licensed school psychology-doctoral, or licensed school psychology-specialist*** in accordance with this chapter in New Hampshire ~~[without]~~ by applying for a license, if:

(a) The psychologist, ***licensed school psychologist-doctoral, or licensed school psychologist-specialist*** limits her or his practice in New Hampshire to no more than 30 days per year; and

(b) The psychologist, ***licensed school psychologist-doctoral, or licensed school psychologist-specialist*** is not the subject of a past or pending disciplinary action in another jurisdiction; and

(c) At least one of the following is true:

(1) ~~[The requirements for a license in the former jurisdiction are equal to, or exceed, the requirements for licensure in New Hampshire; or~~

(2) The psychologist is the holder of one of the following credentials:

(A) The Association of State and Provincial Psychology Boards (ASPPB) Certificate of Professional Qualification in Psychology (CPQ);

- (B) The ASPPB Interjurisdictional Practice Certificate (IPC);
- (C) The American Board of Professional Psychology (ABPP) certification;
- (D) The National Register of Health Providers in Psychology certification; or
- (E) Other equivalent qualifications determined by the board.

(2) The school psychologist is:

(A) The holder of the Nationally Certified School Psychologist (NCSP), credentialed by the National Association of School Psychologists, or other equivalent qualifications determined by the board; and

(B) Approved by the board to be knowledgeable in state practice as determined by the board.

(d) An individual licensed to practice psychology in another jurisdiction seeking to perform an evaluation under a court order may be allowed a temporary license for no more than 30 days which may be non-consecutive during a 12 month period, providing he or she qualifies under subparagraphs (b) and (c)(1).

(e) An individual seeking temporary licensure shall submit the application and pay the fee determined by the office of professional licensure and certification.

II. An individual licensed to practice psychology **or school psychology** in another jurisdiction who is providing services in response to a declared disaster, under the American Red Cross or the American Psychological Association's Disaster Response Network, or other such agency so designated by the board, may practice psychology in New Hampshire for no more than 60 days per year without applying for a state license. Any psychologist practicing pursuant to this paragraph shall conform his or her practice to the mandates of this chapter and rules of the board. Any psychologist seeking to practice under this paragraph shall register with the board or cause said organization to make such registration in a manner determined by the board.

III. The board may issue a temporary license to practice for not more than 90 days in a 12-month period to a psychologist who is licensed in another jurisdiction and who has applied for a temporary license to practice psychology in New Hampshire, provided that:

(a) The requirements for licensure in the licensing jurisdiction are equal to or exceed the requirements for licensure in New Hampshire; ~~and~~

(b) The applying psychologist meets the requirements for admission to the examination process in New Hampshire; ~~and~~

(c) The psychologist is not the subject of a past or pending disciplinary action in another jurisdiction~~[-]~~
and

(d) The individual submits an application and pays the fee determined by the office of professional licensure and certification.

21 Psychologists; Board; Investigations and Complaints. Amend RSA 329-B:22, III to read as follows:

III. After determining the nature and scope of an investigation or hearing, the board may employ or retain hearing officers, legal counsel, medical advisors, psychologist **or school psychology** advisors, or investigators through the office of professional licensure and certification to assist with that investigation or hearing. Members of the board are not eligible for retention.

22 Psychologists; Board; Expirations, Renewals, Reinstatements, and Inactive Status. RSA 329-B:25 is repealed and reenacted to read as follows:

I. It shall be the duty of the board to notify every person licensed by the board under this chapter of the date of expiration of the license and the amount of the fee that shall be required for its renewal period. Such notice shall be mailed at least 2 months in advance of the date of expiration of such license. Renewal shall be conditional upon filing a timely and complete renewal application and payment of the renewal fee.

(a) Psychologist licenses shall be valid for a period of 2 years and shall become invalid on the expiration date unless renewed or reinstated, which shall be for a 2 year period.

(b) Licensed school psychologist-doctoral and licensed school psychologist-specialist licenses shall be valid for a period of 3 years and shall become invalid on the expiration date unless renewed or reinstated, which shall be for a 3 year period.

II. If a license is not renewed it may be reinstated not later than 6 months after the date of license expiration upon compliance with rules adopted by the board and payment of the reinstatement fee. A license may be placed on inactive status pursuant to rules adopted by the board.

III. Upon the request of a person licensed by the board who is a member of any reserve component of the armed forces of the United States or the national guard and is called to active duty, the board shall place such person's license on inactive status. The license may be reactivated, after notification to the board, within one year of the person's release from active duty by application to the board of psychologists providing that no more than 4 years has passed since the change to inactive status.

23 Psychologists; Board; Expirations, Renewals, Reinstatements, and Inactive Status. Amend RSA 329-B:27, IV to read as follows:

IV. Except for administrative rules relating to establishing and collecting fees for psychologists, administrative rules pertaining to psychologists adopted under RSA 330-A that are in effect on June 30, 2012, shall remain in effect and be administered by the board of psychologists under RSA 329-B until such rules are amended, repealed, superseded, or expired. ~~[The board of mental health practice shall continue to have responsibility to establish and collect fees for psychologists.]~~

24 New Paragraphs; Psychologists; Board; Expirations, Renewals, Reinstatements, and Inactive Status. Amend RSA 329-B:27 by inserting after paragraph V the following new paragraphs:

VI. All complaints in process pertaining to school psychologists or their trainees under certificate consideration, investigation, supervision, discipline, settlement, consent decree, and all other like matters under RSA 21-N on the effective date of this paragraph shall be communicated to the board under this chapter.

VII. All corrective supervision agreements pertaining to school psychologists, associate school psychologists, and school psychology students in effect or under consideration under RSA 21-N on effective date of this paragraph shall be communicated to the board under this chapter.

VIII. Any doctoral level school psychologist who served on the board established under RSA 21-N prior to the effective date of this paragraph shall be considered a former member of the board established under this chapter.

25 Psychologists; Board; Persons Exempted. Amend RSA 329-B:28, II to read as follows:

II. Nothing in this chapter shall be construed to prevent the New Hampshire department of education from credentialing individuals with the title ***certified*** school psychologist or ***certified*** associate school psychologists to provide school psychological services in those settings that are under the purview of the New Hampshire department of education. In addition, nothing in this chapter shall be construed to limit the ability of an educator in the field of psychology in a duly chartered educational institution to use his or her appropriate title.

26 Psychologists; Board; Psychology Client-Patient Bill of Rights. Amend RSA 329-B:32 to read as follows:

329-B:32 Psychology Client-Patient Bill of Rights. The board shall provide guidance for the provision of informed consent for client or patient rights, based on the professional codes of ethics as they apply in the variety of settings in which psychologists, ***licensed school psychologist-doctoral, or licensed school psychologist-specialists*** practice. When addressing the patient or client rights, reasonable accommodations shall be made for those persons who cannot read or who have communication impairments and those who do not understand English.

27 New Subparagraph; Department of Education; Division of Educator Support and Higher Education. Amend RSA 21-N:8-a, I by inserting after subparagraph (c) the following new subparagraph:

(d) Provide materials and information concerning certificate holders to boards providing licenses relative to Medicaid to schools.

28 New Section; School Social Workers. Amend RSA 330-A by inserting after section 18 the following new section:

330-A:18-a School Social Workers.

I. The board shall issue a school social worker license to any person who meets the following requirements:

(a) Is currently certified as a school social worker by the department of education, bureau of credentialing and was certified as of December 31, 2019; or

(b) Has completed all of the following requirements or their equivalent:

(1) Has received a college undergraduate degree.

(2) Has received a 2-year master's degree or doctorate degree in social work from a school approved by the Council on Social Work Education.

(3) Has completed a minimum of 2 years of post-masters experience including completion of a minimum of 3,000 hours of post-masters, supervised school social work experience by a board approved licensed independent school social worker or licensed clinical mental health counselor supervisor, or any other supervisor based on reasonable and specific criteria established in rules adopted under RSA 330-A:10.

(4) Has passed a national proctored examination approved by the board.

II. Any school social worker who chooses to seek licensure under RSA 330-A:18-a, I, shall notify the office of licensure and certification in writing of his or her intent to be licensed. The office of licensure and certification shall grant licenses under RSA 330-A:18-a, I, within 10 days of receipt of notification.

III. The office of licensure and certification shall exempt licensees licensed in accordance with paragraph II from fees for the initial license period which shall extend beyond that individual's certification as a school social worker by 3 months and shall include an additional year for those whose certifications from the department of education would expire prior to July 1, 2020. Following that time, that individual shall be eligible for renewal under the rules established by the board and upon payment of the applicable fee.

29 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. Amend RSA 330-A:10, II to read as follows:

II. The qualifications of applicants in addition to those requirements set by statute. ***This provision shall not apply to applicants under RSA 330-A:18-a, I.***

30 Mental Health Practice; Definitions; Mental Health Discipline. Amend RSA 330-A:2, V to read as follows:

V. "Mental health discipline" means the disciplines of those licensed as pastoral psychotherapists, clinical social workers, ***school social workers***, clinical mental health counselors, and marriage and family therapists.

31 Mental Health Practice; Definitions; Mental Health Practitioner. Amend RSA 330-A:2, VII to read as follows:

VII. "Mental health practitioner" means persons licensed under this chapter as pastoral psychotherapists, clinical social workers, ***school social workers***, clinical mental health counselors, or marriage and family therapists. For purposes of this chapter, the term clinical social worker shall include independent clinical social worker.

32 Mental Health Practice; Definitions; Psychotherapist. Amend RSA 330-A:2, VIII to read as follows:

VIII. "Psychotherapist" means a clinical social worker, ***school social worker***, pastoral psychotherapist, clinical mental health counselor, or marriage and family therapist licensed under this chapter who performs or purports to perform psychotherapy. This definition shall include psychiatrists licensed as physicians under RSA 329 and advanced registered nurse practitioners licensed under RSA 326-B:18 as psychiatric nurse practitioners.

33 Mental Health Practice; Board. Amend RSA 330-A:3, I to read as follows:

I. There shall be a board of mental health practice composed of the following members: one licensed pastoral psychotherapist, one licensed clinical social worker, ***one licensed school social worker***, one licensed marriage and family therapist, one licensed clinical mental health counselor, one member from a community mental health center, one member from a community health center, and 3 public members. The members shall be appointed to a term of 3 years by the governor with the approval of the council. The members of the board shall elect a chairperson on an annual basis. No discipline's representative and no individual public member shall serve as chairperson for more than 2 years consecutively.

34 New Paragraph; Mental Health Practice; Board; Responsibilities and Rulemaking Authority. Amend RSA 330-A:10 by inserting after paragraph X the following new paragraph:

X-a. Ethical standards, as promulgated by the School Social Work Association of America, required to be met by each licensed school social worker, and how a license may be revoked for violation of these standards.

35 Mental Health Practice; Fees. Amend RSA 330-A:12, I to read as follows:

I. The board shall establish fees pursuant to RSA 541-A for ~~[review of applicants for licensure;]~~ supervisory agreements; applications for licensed pastoral psychotherapist, independent clinical social worker, **school social worker**, clinical mental health counselor, and marriage and family therapist; renewal of license; renewal of dual license; reinstatement of license; inactive license status; reactivation of an inactive license; examination of applicants; transcribing and transferring records; and other services, including investigations and hearings conducted under this chapter.

36 New Section; Speech Language Specialist Eligibility for Licensure. Amend RSA 326-F by inserting after section 3 the following new section:

326-F:3-a Speech Language Specialist Eligibility for Initial Licensure.

I. The board shall issue a speech-language pathologist license to any person who:

(a) Is currently certified as a speech-language specialist by the department of education, bureau of credentialing and was certified as of December 31, 2019; and

(b) Possesses a master's degree or higher academic degree in speech-language pathology, communications sciences and disorders, or communications disorders.

II. Any speech-language pathologist who chooses to seek licensure under RSA 326-F:3-a, shall notify the office of professional licensure in writing of his or her intent to be licensed. The office of professional licensure and certification shall grant licenses under RSA 326-F:3-a within 10 days of receipt of notification.

III. The office of licensure and certification shall exempt licensees licensed in accordance with paragraph II from fees for the initial license period which shall extend beyond that individual's certification as a speech-language pathologist by 3 months and shall include an additional year for those whose certifications from the department of education would expire prior to July 1, 2020. Following that time, that individual shall be eligible for renewal under the rules established by the board and upon payment of the applicable fee.

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

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.

COMMERCE

SB 451-FN, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers' compensation coverage.

Ought to Pass, Vote 3-2. Senator Morgan for the committee.

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

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

The following Senators voted Yes: Watters, Hennessey, Dietsch, Kahn, Chandley, Levesque, Rosenwald, Feltes, Cavanaugh, D'Allesandro, Fuller Clark, Morgan, Sherman, Soucy.

The following Senators voted No: Starr, Giuda, Bradley, Gray, French, Ward, Carson, Reagan, Birdsell, Morse.

Roll Call, Yeas: 14 - Nays: 10. Adopted, bill ordered to Third Reading.

CONSENT CALENDAR REPORTS REMOVED

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

SB 638-FN, establishing the New Hampshire housing and conservation planning program.

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

Senator Fuller Clark offered a Floor Amendment.

Sen. Fuller Clark, Dist 21
 January 29, 2020
 2020-0306s
 11/05

Floor Amendment to SB 638-FN

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Housing and Conservation Planning Program. Amend RSA 4-C by inserting after section 37 the following new subdivision:

Housing and Conservation Planning Program

4-C:38 Definitions. In this subdivision:

I. "Eligible applicant" means a single municipality or 2 or more municipalities applying together.

II. "Growth and development strategy" means a plan by a single municipality or 2 or more municipalities to guide community growth in a way that creates a balanced housing supply, including higher density and workforce housing opportunities, while preserving valuable natural resources and the community's quality of life through efficient and compact development.

III. "Phase" means one of the 4 specific phases of developing and implementing a growth and development strategy to be funded through the housing and conservation planning program.

IV. "Program" means the housing and conservation planning program.

4-C:39 Housing and Conservation Planning Program Established. There is hereby established the housing and conservation planning program, which shall be administered by the office of strategic initiatives. The program shall provide technical assistance matching grants to municipalities to plan for growth and development in a manner that permits a balanced housing stock, including higher density and workforce housing opportunities, and promotes, whenever possible the reuse of existing buildings, including historic properties, while protecting communities' natural resources through more efficient and compact development. Participation in the program is voluntary.

4-C:40 Program Administration; Eligible Applicants; Use of Program Funds.

I. Eligible applicants shall include:

(a) Municipalities; or

(b) A group of municipalities applying together to plan on a regional basis.

II. Awards of program funds may be used to purchase technical assistance from third-party technical assistance providers, including but not limited to regional planning commissions, to achieve the purposes of the program.

4-C:41 Program Administration; Eligible Technical Assistance.

I. The program shall award matching grants to fund technical assistance activities in the development and implementation of a growth and development strategy. The 4 specific phases of activities are as follows:

(a) Phase 1: Natural and Historic Resource and Housing Data Gathering and Analysis. This phase includes:

(1) Understanding and mapping housing, income, and demographic data, including housing market costs, housing units needed to meet future expected growth in a municipality and the region, and the affordability of a municipality's housing for all income ranges.

(2) Mapping land use values, including conservation, soils, wetlands, working forests, farmlands, and other natural resources.

(3) Developing a build-out analysis of growth and development impacts on housing availability and natural resources.

(4) Mapping historic structures and buildings within communities.

(b) Phase 2: Development of the Growth and Development Strategy. This phase includes:

(1) Drafting and endorsing a growth and development strategy to guide future growth, including using land more efficiently and encouraging compact development and reuse of suitable historic and existing structures. The growth and development strategy would also identify specific areas to be conserved and to be developed.

(2) Engaging in a public process to develop the growth and development strategy.

(3) Auditing the existing master plan to identify portions that conflict with or pose a barrier to achieving the growth and development strategy.

(c) Phase 3: Integration of Growth and Development Strategy into the Master Plan. This phase includes:

(1) Rewriting or amending the master plan so that it can realistically implement the growth and development strategy.

(2) Adopting the revised master plan.

(3) Auditing existing municipal ordinances, including zoning, site-plan, and subdivision regulations, to identify conflicts with the growth and development strategy and the revised master plan.

(d) Phase 4: Implementation into Regulatory Framework. This phase includes:

(1) Rewriting and amending municipal ordinances, including zoning, site-plan, and subdivision regulations, to allow for the realistic implementation of growth and development strategy and the new master plan.

(2) Drafting and adopting new articles that incorporate new tools to accomplish the growth and development strategy, including transfer of development rights, density bonuses, cluster development, and inclusionary zoning.

(3) Seeking the adoption of the needed amendments to municipal ordinances.

II. Each phase shall require that:

(a) Municipalities address housing and conservation together in an integrated manner.

(b) Municipalities engage in a communication and education process that will promote informed decision-making and communicate with and educate citizens regarding the work being undertaken in each phase of the process.

III. Municipalities may be awarded technical assistance for only one phase at a time but may apply and obtain funding for each successive phase. Funding for future phases shall require a demonstration that the previous phase was accomplished in a manner consistent with the principles of the program. Such a showing shall also result in a priority for additional funding.

IV. Municipalities' initial applications for funding need not start with the first phase in the process. However, to begin with a later phase, an initial application shall demonstrate prior completion of the previous phase's work in a manner consistent with the program principles.

4-C:42 Rulemaking Authority. Upon the effective date of this subdivision, the office of strategic initiatives shall adopt rules, pursuant to RSA 541-A, relative to operation of the housing and conservation planning program, including:

I. The application process.

II. The amount of matching funds required and permissible sources for matching funds.

III. Reporting requirements by municipalities.

IV. Scoring criteria for awarding grants that provide a priority for applications that address growth and development on a regional basis and provide opportunities for municipalities without professional planning staff to access the program.

4-C:43 Housing and Conservation Planning Program Advisory Board Established.

I. There is hereby established the housing and conservation planning program advisory board.

II. The advisory board shall review and comment on proposed rules and scoring criteria used by the office of strategic initiatives to evaluate applications for matching grants.

III. The advisory board shall consist of:

- (a) One member of the senate, appointed by the senate president.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of natural and cultural resources, or designee.
- (d) The commissioner of the department of business and economic affairs, or designee.
- (e) The commissioner of the department of transportation, or designee.
- (f) One member appointed by each of the following entities:
 - (1) The New Hampshire housing finance authority.
 - (2) The New Hampshire community development finance authority.
 - (3) The current use board.
 - (4) The land and community heritage authority.
 - (5) The New Hampshire Municipal Association.
 - (6) The New Hampshire Association of Regional Planning Commission Executive Directors.
 - (7) The Business and Industry Association of New Hampshire.
 - (8) Housing Action New Hampshire.
 - (9) The Home Builders and Remodelers Association of New Hampshire.
 - (10) The New Hampshire Preservation Alliance.
 - (11) The Society for the Protection of New Hampshire Forests.
 - (12) Plan NH.

IV. Members of the advisory board shall serve without compensation, except that legislative members of the board shall receive mileage at the legislative rate when attending to the duties of the board.

4-C:44 Program Principles. The program shall be guided by the following principles. Awards of technical assistance funding shall be based on consistency with these principles:

- I. Consistency with smart growth principles in RSA 9-B:3.
- II. Development of a comprehensive growth and development strategy through which a municipality integrates housing and conservation planning.
- III. Planning for the full range of current and future housing needs for families of all income levels, as encouraged in RSA 672:1, III-e.
- IV. Planning for the protection of natural and historic resource values, as encouraged in RSA 36-A:2, including the preservation of working forests and farmlands as provided in RSA 672:1, III-b and III-c, and critical or sensitive natural areas and resources, including water resources as provided for in RSA 674:2, III(d).
- V. Evaluating these conservation and housing issues on a community-wide, site-by-site, and regional basis.
- VI. Understanding the interrelationship between natural resources and housing development in a municipality and the impact each has on the other.
- VII. Planning for and encouraging higher density, compact development and allowing for the infrastructure needed to support such development.
- VIII. Planning for and encouraging reuse of existing properties, especially historic structures.
- IX. Planning for and integrating the growth and development strategy into the municipality's master plan and implementation into regulatory structure.
- X. Encouragement of community input and education of citizens about the growth and development strategy and the need to plan for future conservation and housing growth.

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 the Committee on Finance (Rule 4-5).

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 159, relative to net energy metering limits for customer-generators.

Senator Fuller Clark moved Concurrence. 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 255-FN, relative to dementia training for direct care staff in residential facilities and community-based settings.

Senator Carson moved Concurrence. Adopted.

MOTION TO ADJOURN FROM EARLY SESSION

Senator Feltes 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 Chandley: HB 263

ANNOUNCEMENTS

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you. I rise today to speak to the deaths of two individuals from the State of New Hampshire. They called New Hampshire home, although they weren't here. And they both were residents of the town of Hudson, they grew up there. The first is Katherine Thyne, who was a Police Officer in Newport News, Virginia. So, I'd just like to speak a little bit about her, Madam President. She was killed in, performing her duty last Thursday. She was 24 years old and she was the mother of a two-year-old daughter. She was a former Navy sailor, who began with the Newport News Police Department as a recruit in November of 2018. She was a 2013 graduate of Alvirne High School in Hudson. She was a well like officer with the department and had just graduated from the police academy in June. While she was at Alvirne, she was also a member of the Junior ROTC program, and quite frankly, it's very, very sad that we see things like this happening more and more across our country today; when police officers are dying in the line of duty. She leaves behind her daughter, her mother, her brother, and a stepfather.

We also learned yesterday of the death of Captain Ryan Phaneuf, again 30 years old of Hudson, who died in Ghazni Province of Afghanistan. When their bombardier E-11A aircraft crashed. And that, quite frankly Madam President, is still under investigation to find out what happened. But he had been a pilot in the Air Force since 2012, he was also a graduate of Alvirne High School, and a graduate of the Junior ROTC program. He was a B-1 bomber pilot with the 37th bomb squadron at Ellsworth Air force Base in South Dakota, and he had been assigned to headquarters Air Command at Joint Base Langley- Eustis, in Virginia. His death is being called a tragic loss for the Air Force and for the Ellsworth family. Again, I mean it's very hard to deal with these types of death of our young people that are serving us and protecting us in a variety of different ways, and I'd like to ask the Senate to join me in a moment of silence to honor their deaths.

(The Chair recognized Senator Morgan.)

SENATOR MORGAN: Thank you, Madam President. I just, a moment of personal privilege. Madam President, I just wanted to extend my gratitude to this body for earlier today in the passage of the bill to commemorate route 125 in Brentwood, the officer Stephen Arkell Memorial Highway and also recognize that two individuals, that were here in the gallery were not mentioned. Our current Chief of Police Ellen Arcieri, who's doing a phenomenal job serving the town of Brentwood, and Selectmen Ken Christiansen. Thank you, Madam President.

(The Chair recognized Senator Watters.)

SENATOR WATTERS: Thank you, Madam President. Consent to make an announcement that didn't make it into the calendar. There's an event this evening, the idea of a rotatable aircraft has been around since the time of Henry Ford, and guess what, it's here. The rotatable aircraft industry invites all Senators to join them for discussion on the current state of burgeoning rotatable aircraft industry, as well as related pending legislation in the House, HB 1517. The event takes place this evening, it's at Six o'clock. The national flight simulator, Manchester Airport 175 Ammon dr, Suite 101, in Manchester. Their going to provide some sandwiches, so if you want to go learn about rotatable cars, we're likely to get this bill in Transportation in a month or so and see what it's all about. Thank you, Madam President.

(The Chair recognized Senator Dietsch.)

SENATOR DIETSCH: Yes, I advertised a moment of personal privilege to introduce some girl scouts that we have from the girls rock the capitol group. And Mary McCarthy, has been shadowing me can stand up, she's from Bow High School. Then we have Ella Jeneno from Oyster River High, and Kaitlyn Roca from Exeter High. Thank you, very much.

(The Chair recognized Senator Hennessey.)

SENATOR HENNESSEY: Thank you, Madam President. I hesitate to say this, but I would like everyone to remember that there will be a Judiciary Committee meeting half an hour after we end today. Just a reminder, very important we have a lot of bills and a lot to get done. Thank you.

(The Chair recognized Senator Levesque.)

SENATOR LEVESQUE: I'd like to introduce a guest; I'd like to introduce Reverend Renee Rouse from Pembroke. Madam Chair, I'd also like a moment of personal privilege. So, January 20th we celebrated Martin Luther King Day; and people celebrated with breakfast, with dinners, with panels, and doing volunteer work. For me, it was a moment of reflecting on Martin Luther King's words when he talked about people being judged by the content of their character, not the color of their skin. And those words are reflected in people like Pastor Renee's father, who was actually the first African American House Representative for New Hampshire. People like myself, being of the first Senator of Color, and people like Herb Turner, being our first African American Sergeant-At-Arms. So, you are part of this dream, we are all part of this dream. And I was thinking, what could I do today to share with you Martin Luther King's dream? And it came to me that, perhaps, reflecting on some of the words from his "I have a dream Speech", and we're not going to read the whole speech, but I just wanted to take some of those words and have you all reflect on those words.

SENATOR LEVESQUE: "I have a dream that my four little children, will one day live in a nation where they will not be judged by the color of their skin, but by the content of their character. I have a dream today."

SENATOR SHERMAN: "I have a dream that one day down in Alabama, with it's vicious racists, with it's governor having his lips dripping with the words of interposition and nullification. One day, right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls, as sisters and brothers. I have a dream today."

SENATOR CARSON: "I have a dream that one day every valley shall be exalted, every hill and every mountain shall be made low. The rough places will be made plain, and the crooked places will be made straight, and the glory of the lord shall be revealed, and all flesh shall see it together."

SENATOR HENNESSEY: "This is our hope, this is the faith that I go back to the South with. With this faith, we will be able to hue out of the mountain of despair, a stone of hope. With this faith, we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith, we will be able to work together, to pray together, to struggle together, to go to jail together, and to stand up for freedom together. Knowing that we will be free one day."

SENATOR REAGAN: "This will be the day, this will be the day when all of god's children will be able to sing with new meaning, my country tis of the, sweet land of liberty of the I sing. Land where my fathers died, land of the pilgrims pride, from every mountain side let freedom ring."

SENATOR WATTERS: "And if America is to be a great nation, this must become true. So, let freedom ring from the prodigious hilltops of New Hampshire, let freedom ring from the mighty mountains of New York, let freedom ring from the heightening Alleghenies of Pennsylvania, let freedom ring from the snow-capped Rockies of Colorado, let freedom ring from the curvaceous slopes of California, but not only that, let freedom ring from Stone Mountain of Georgia, let freedom ring from Lookout Mountain of Tennessee, let freedom ring from every hill and mole hill of Mississippi, from every mountain side let freedom ring."

SENATOR LEVESQUE: “And when this happens, and we allow freedom ring, when we let it ring from every village, and every hamlet, from every state and every city, we will be able to speed up that day when all god’s children, Black Men and White Men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old negro spiritual; free at last, free at last, thank god, almighty, we are free at last.”

Reverend Renee Rouse offered the song “*Lift Every Voice and Sing*” by James Weldon Johnson.

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.

LATE SESSION

Third Reading and Final Passage

HB 253, relative to criminal records checks in the employee application process.

SB 223-FN, increasing the minimum gross business income required for filing a business profits tax return.

SB 410-FN, relative to the state minimum hourly rate.

SB 411, relative to the direct shipping of liquor.

SB 413, authorizing the Girl Scouts of the Green and White Mountains to issue decals for multi-use decal plates.

SB 430, relative to the child fatality review committee.

SB 431, establishing a commission to study the adoption of remote online notarization in New Hampshire.

SB 434, relative to the purchasing authority of the department of administrative services.

SB 440, establishing the New Hampshire collaborative law act.

SB 442, relative to alternative dispute resolution.

SB 444, amending the alimony statute due to changes in federal tax law.

SB 445, relative to residency of children of members of the armed forces.

SB 451-FN, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers’ compensation coverage.

SB 471, relative to funds for the division of veterans services.

SB 472, establishing a committee to study gold star family decals.

SB 473, relative to certificate of boating safety.

SB 477, establishing a council on the creative economy.

SB 478, relative to food in cigar shops.

SB 505, relative to residential child care licensing of child care institutions or agencies.

SB 511, relative to the formula used to determine current use tax rates.

SB 537, proclaiming January 24 as Granny D. Day.

SB 552, designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway.

SB 557, relative to the advisory council on career and technical education.

SB 558, extending the reporting date of the commission to study school funding.

SB 567, relative to the commission on interdisciplinary primary care workforce.

SB 573, relative to criminal threats to school safety.

SB 583, relative to the addition of climate and environmental sciences to the criteria for an adequate education.

SB 587, relative to the duties and membership of the energy efficiency and sustainable energy board.

SB 595, relative to certain unclassified positions in the department of health and human services.

SB 602, establishing a committee to study the issue of unmarried cohabitants, domestic partnerships, and common law marriage.

SB 604, naming certain courtrooms in the tenth circuit district court and relative to circuit court, district and family division cases in Rockingham county.

SB 619-FN, repealing the sunset provision for insurance coverage for oral anti-cancer therapies.

SB 643, relative to missing children.

SB 673-FN, relative to recovery of unauthorized payments by the state.

SB 684-FN, relative to Medicaid to schools.

MOTION TO RECESS TO CALL OF THE CHAIR

Senator Feltes 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.