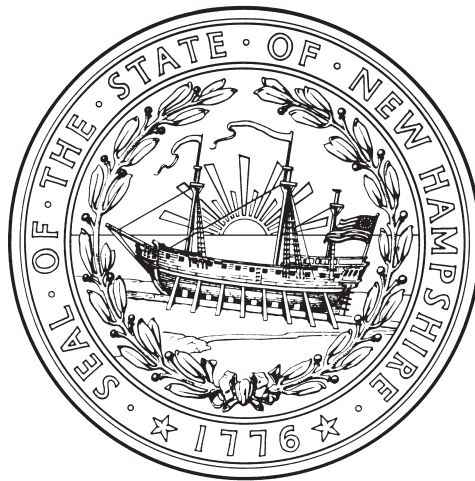


February 13, 2020  
Nos. 3-4

# **STATE OF NEW HAMPSHIRE**

Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)



**Second Year of the 166<sup>th</sup> Session of the  
New Hampshire General Court**

**Legislative Proceedings**

## **SENATE JOURNAL**

**ADJOURNMENT – FEBRUARY 6, 2019 SESSION  
COMMENCEMENT – FEBRUARY 13, 2020 SESSION**

# SENATE JOURNAL 3 *(continued)*

*February 6, 2020*

## 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

20-3118

SB 745, relative to the use of drug court program funds. (Hennessey, Dist 5; Judiciary)

20-3121

SB 746, relative to the charter for Brewster Academy. (Bradley, Dist 3; MacDonald, Carr. 6; Marsh, Carr. 8; DesMarais, Carr. 6; Education and Workforce Development)

20-3122

SB 747-FN, authorizing the department of education to accept and expend certain federal funds for the purpose of increasing, expanding, or replicating the number of charter schools in the state. (Bradley, Dist 3; Starr, Dist 1; Gray, Dist 6; Morse, Dist 22; Carson, Dist 14; Ward, Dist 8; Giuda, Dist 2; Birdsell, Dist 19; Reagan, Dist 17; French, Dist 7; Cordelli, Carr. 4; Hennessey, Graf. 1; Hinch, Hills. 21; Ladd, Graf. 4; Packard, Rock. 5; Finance)

Out of Recess. Call the Senate to Order.

## MOTION TO ADJOURN FROM LATE SESSION

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

Adopted. Adjournment from the Late Session.

# SENATE JOURNAL 4

*February 13, 2020*

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

The Reverend Mark Warren, chaplain to the Senate, offered the following prayer:

Let us Pray.

Lord, we're grateful for another day. We're thankful that you've brought our Senators and their staff together safely on this snowy February morning. We thank you for our Senators who have given the best years of their lives, sacrificing earnings, leisure and hobbies. Giving their time and energy to serve the people of New Hampshire. For their service we are grateful. Scripture says that government is to punish those who do wrong and to commend those who do right. As this body deliberates, debates and votes on laws that govern our state, let them keep this in mind. God, you put in our forefathers' hearts and minds a passion for freedom and our state motto boldly declares that we are to Live Free or Die. Let us be mindful that one person's freedom can create another person's bondage and let not personal freedom cause harm to any man, woman or child. Guide our Senators through this delicate balance, giving them your wisdom to weigh this freedom with sober judgment. We are grateful for this chamber. Let your favor and blessing pour out on each person who serves this body with excellence. In His holy name we pray. Amen.

PRESIDENT SOUCY: I'd like to recognize someone who isn't here today, who recently passed away. Many of you may have met at some point, I certainly was honored to have spent some time, with the Reverend David P. Jones. Reverend Jones served as our Senate Chaplain from 1992 to 2006, under eight different Senate

Presidents. While serving as the rector at St. Paul's Church in Concord, he offered his first prayer to the New Hampshire Senate almost exactly twenty-eight years ago today, on February 6, 1992. Reverend Jones delivered his last prayer to the Senate on May 11, 2006 before then moving to Illinois. Today we should give thanks for the service of Reverend Jones, thanks for his wonderful life, his service and commitment to our community, his service to our Senate. So, I'd ask all of you to join with me in a moment of silence in honor of Reverend Jones.

Thank you.

Senator Bradley led the Pledge of Allegiance.

#### INTRODUCTION OF PAGES

Senator Feltes introduced Gwen Morris, and her brother Sam Morris of Concord, homeschooled and VLACS, serving as Senate Pages for the day.

#### SPECIAL ORDER

Without objection, the following bill is special ordered to the beginning of the Committee on Energy and Natural Resources. Adopted.

#### ENERGY AND NATURAL RESOURCES

SB 496-FN, establishing a per and polyfluoroalkyl substances fund and programs and making an appropriation therefor.

#### SPECIAL ORDER

Without objection, the following bills are special ordered to the end of the regular calendar. Adopted.

#### ELECTION LAW AND MUNICIPAL AFFAIRS

SB 488, relative to public inspection of absentee ballot lists.

SB 489, relative to the absentee ballot application process.

#### SPECIAL ORDER

Without objection, the following bill is special ordered to Thursday, March 5, 2020. Adopted.

#### ENERGY AND NATURAL RESOURCES

SB 491, relative to shoreland water quality.

#### FN REPORT FOR FEBRUARY 13, 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:

##### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 740-FN, relative to the definition of health care facility under the state board of fire control.

#### REGULAR CALENDAR:

##### EDUCATION AND WORKFORCE DEVELOPMENT

SB 421-FN, relative to educational assistance for members of the New Hampshire national guard.

##### 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.

##### HEALTH AND HUMAN SERVICES

SB 647-FN, relative to medication assisted treatment (MAT) by telemedicine and telehealth services.

SB 741-FN, establishing the born alive protection act.

##### TRANSPORTATION

SB 659-FN, relative to agricultural and farm motor vehicle plates.

SB 680-FN, relative to materials used in the construction or repair of state roads.

SB 725-FN, relative to toll collection enforcement.

**WAYS AND MEANS**

SB 527-FN, relative to historical racing.

SB 617-FN, relative to a voluntary additional charge in the registry of deeds used to support the land and community heritage investment program (LCHIP), and establishing a committee to study the economic impact of land conservation and to review the LCHIP surcharge to the land and community heritage investment program.

SB 660-FN, relative to secondary game operator licenses.

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

**REGULAR CALENDAR:****EDUCATION AND WORKFORCE DEVELOPMENT**

SB 625-FN-A, relative to kindergarten funding.

**ENERGY AND NATURAL RESOURCES**

SB 496-FN, relative to municipal water pollution control.

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.

**HEALTH AND HUMAN SERVICES**

SB 731-FN, relative to foster family assistance and making an appropriation therefor.

**WAYS AND MEANS**

SB 475, enabling municipalities to adopt a property tax credit for densely-built workforce housing.

SB 661-FN, relative to economic revitalization zone tax credits.

SB 662-FN, relative to an exemption from interest and dividends taxes for medical expenses.

Without objection, the FN Report is adopted.

**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 to Third Reading.

**COMMERCE**

SB 554, establishing a committee to study state regulation of net neutrality.

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

The issue surrounding net neutrality has been extensively litigated. The Supreme Court declined to get involved; thus, opening the door for states to regulate net neutrality. By establishing a study committee, New Hampshire will be able to examine existing regulations in other states like Massachusetts. The committee adopted an amendment to change the composition of the study committee to only 1 member of the senate.

Commerce

February 5, 2020

2020-0491s

05/11

**Amendment to SB 554**

Amend section 2 of the bill by replacing subparagraph I(a) 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 581, amending the eligibility criteria for obtaining a part-time commercial lobster and crab license.

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

This bill was filed at the request of the Department of NH Fish and Game. It amends the eligibility for obtaining part-time commercial lobster and crab licenses to those who had a license prior to April 29<sup>th</sup>, 2019. The objective is to protect the endangered right whale by reducing additional vertical fishing lines. However, the committee had concerns about this bill. First, NH Fish and Game didn't engage in any outreach to stakeholders in the effected industry. Second, the cultural and generational practice of lobster and crab fishing would be negatively impacted. Finally, prohibiting future licenses would disrupt ongoing data collection contracts that are vital to understand the juvenile lobster population.

#### EDUCATION AND WORKFORCE DEVELOPMENT

SB 534, relative to state board of education rulemaking regarding criminal history records checks.  
Ought to Pass with Amendment, Vote 5-0. Senator Morgan for the committee.

This bill as amended will modify the rulemaking authority of the Department of Education regarding licensing of educators. Currently, criminal history record checks for teachers are done at the time of employment after being licensed by the Department of Education. This bill will allow the Department to obtain the criminal history record check of an applicant during the licensing process. This will prevent an unqualified teaching applicant from gaining an educators license in New Hampshire.

Education and Workforce Development  
February 4, 2020  
2020-0445s  
06/05

#### Amendment to SB 534

Amend RSA 21-N:9, II(s) as inserted by section 1 of the bill by replacing it with the following:

(s) ~~[Certification]~~ **License** standards for educational personnel, ***to include the establishment and implementation of a secure system for conducting criminal background checks pursuant to RSA 189:13-a for all first-time applicants listed in this section,*** and educator certification fees for granting ~~[credentials]~~ **licenses** to educational personnel, including teachers, paraprofessionals, superintendents, assistant superintendents, special education administrators, business administrators, principals, vocational directors, coordinators of comprehensive health education and services, directors of pupil personnel services, guidance directors, guidance counselors, school psychologists, associate school psychologists, speech-language specialists, social workers, health educators, physical education teachers, consumer and family science teachers, elementary teachers, specialists in assessment of intellectual functioning, media supervisors, media generalists, and master teachers as authorized by RSA 186:8 and RSA 186:11, X, professional ~~[credentials]~~ **licenses** including beginning educator ~~[credentials]~~ **licenses**, experienced educator ~~[credentials]~~ **licenses**, and intern licenses, and other classifications of educators, administrators, specialists, and paraprofessionals necessary to address educational needs as determined by the state board upon the recommendation of the professional standards board pursuant to RSA 186:60.

#### ELECTION LAW AND MUNICIPAL AFFAIRS

SB 422, relative to changes of registration of voters at primary elections.  
Ought to Pass with Amendment, Vote 5-0. Senator Levesque for the committee.

This bill as amended will permit all voters to change their party affiliation at primary elections and it will make certain changes to the party change card. Currently, this card is not on the list of documents that must be kept confidential. The adopted amendment corrects that by adding the voters registration change card as protected information.

Election Law and Municipal Affairs  
February 5, 2020  
2020-0496s  
11/04

#### Amendment to SB 422

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to read as 4-5, respectively:

3 New Paragraph; Voters and Checklists; Change of Registration. Amend RSA 654:34 by inserting after paragraph V the following new paragraph:

VI. Party change cards completed pursuant to paragraph V shall be confidential and shall be exempt from public disclosure under RSA 91-A.

SB 485, relative to the disqualification of certain persons from performing duties as an election official. Ought to Pass, Vote 5-0. Senator Gray for the committee.

This bill clarifies the circumstances under which certain persons are disqualified from performing the duties of an election official on election day. Two statutes, RSA 658:24 and RSA 659:58, will be amended to correct an inconsistency regarding the duties an election official who is listed on the ballot for an office other than an election official may perform.

SB 560-L, relative to placing Keno on a warrant. Inexpedient to Legislate, Vote 5-0. Senator Gray for the committee.

This bill would have placed restrictions on how many consecutive times Keno could be placed on a warrant article before it was prohibited for 5 years. The committee felt that restricting this would be limiting the peoples voice and take away local control of the democratic process.

SB 563, relative to authorizing the issuance of bonds or notes by a municipality. Ought to Pass, Vote 5-0. Senator Sherman for the committee.

This bill will standardize the required vote for authorization of the issuance of bonds or notes by a municipality in SB 2 towns and traditional town meeting towns. Currently, SB 2 towns need a 3/5ths vote for the adoption of the issuance of a bond or note and a traditional town meeting town needs 2/3rds. This legislation corrects that disparity and will require a 3/5ths vote for both.

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 432, relative to the definition of "licensing agency" for purposes of licensing places of assembly. Ought to Pass, Vote 5-0. Senator Carson for the committee.

This bill amends the definition of licensing agency to include the state fire marshal for purposes of licensing places of assembly under RSA 155:18. There are some locations in the state that do not have a municipal authority to issue a license for a place of assembly. SB 432 will allow the State Fire Marshal to step in and issue a license for a place of assembly in those cases or when there is a state property that needs to be licensed as a place of assembly.

SB 500, relative to financial disclosures by legislators. Ought to Pass, Vote 5-0. Senator Cavanaugh for the committee.

This bill requires that the legislative ethics financial disclosure form for members and officers of the general court shall only be filed in January of the first year of the biennium. The Legislative Ethics Committee does not feel that there are many substantive changes to legislators' financial disclosure forms during a session. The inconvenience of needing to chase down legislators to fill out the form every year outweighs the benefits of having the disclosure each year.

SB 502, establishing a nursing review subcommittee. Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill establishes a nursing review subcommittee to review complaints reported to the board of nursing. The Board of Nursing has the largest number of licensees of any board, council, or commission under the Office of Professional Licensure and Certification (OPLC). The Board has trouble processing its hearings and complaints in a timely manner. The subcommittee process works well for other boards, including the Board of Medicine. OPLC supports bringing the subcommittee process to the Board of Nursing.

SB 504, establishing a committee to study the effectiveness of outdoor therapy, art therapy, and music therapy as alternative covered treatments for individuals with post-traumatic stress disorder and substance abuse disorders.

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

This bill establishes a committee to study the effectiveness of outdoor therapy, art therapy and music therapy as alternative covered treatments for individuals with post-traumatic stress disorder and substance abuse disorders. The study committee will look at such forms of therapy and see if they are effective and consider whether or not they should be covered by insurance providers. The ED&A committee believes that this is a worthwhile endeavor.

SB 539, relative to classification of certain employee positions.  
Ought to Pass, Vote 5-0. Senator Reagan for the committee.

This bill revises the salary grade for certain non-classified positions and is the request of the joint committee on employee classification. The Department of Health and Human Services has worked hard over the last few years to better align job titles with the jobs being done. SB 539 is part of that process. There are no changes made to pay grades or duties asked of employees.

SB 565, adding the chancellor of the university system of New Hampshire to the department of business and economic affairs council of partner agencies.

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

This bill adds the chancellor of the university system of New Hampshire to the council of partner agencies in the department of business and economic affairs. When the Council of Partner Agencies of the Department of Business and Economic Affairs was created, the University System of New Hampshire was left off of the membership in oversight. SB 565 will correct that error and bring the University System to the table for important discussions about the state's economic outlook.

SB 634, relative to establishing a peer support program in the department of health and human services.

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

This bill authorizes the commissioner of health and human services to establish a confidential peer support program to provide stress management and crisis intervention services to staff exposed to critical incidents and trauma through the course of their employment. SB 634 is a request of the department of health and human services. Employees of the Department of Health and Human Services, especially those that work for the Division for Children, Youth, and Families, experience a great deal of trauma and tension in their line of work. It is important to give them an avenue for relief with someone who understands what their job entails and can empathize with their experiences.

SB 740-FN, relative to the definition of health care facility under the state board of fire control.

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

This bill provides that, under the state board of fire control and for purposes of enforcement of the state fire code, a health care facility means a facility licensed under RSA 15. SB 740-FN is a request of the department of health and human services. SB 740-FN will align the current practices of the Department of Health and Human Services and the State Fire Marshal's Office with the statute and will also keep the statutory language around health care facility consistent across sections. The cost increase is negligible, because the Fire Marshal's Office is already assisting on inspections that would be covered by SB 740-FN.

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

#### SUSPENSION OF THE RULES

Senator Feltes moved that the Senate suspend all rules necessary to permit consideration at the present time of SJR 2 and if adopted, to permit third reading and final passage in the early session. Adopted by the necessary 2/3 vote.

#### 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 introduced, and shall be by this resolution read a first and second time by the therein listed title and ordered to be considered at the present time. Adopted.

#### First and Second Reading

20-3137

SJR 2, awarding the New Hampshire Medal of Honor to Captain Ryan S. Phaneuf of Hudson, New Hampshire. (Carson, Dist 14; L. Ober, Hills. 37; R. Ober, Hills. 37; Ulery, Hills. 37; Renzullo, Hills. 37; Rice, Hills. 37; Prout, Hills. 37; Nunez, Hills. 37; A. Lekas, Hills. 37; T. Lekas, Hills. 37; Greene, Hills. 37; Whittemore, Hills. 37)

Senator Carson moved Ought to Pass.

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you, Madam President. I'd like first of all, to thank you Madam President, as well as the majority leader, and the body for allowing this Joint Resolution to come forward. Last week I spoke about the loss of Captain Phaneuf, who was a native of Hudson, who died in Afghanistan serving our country. And so, that's what we want to do here today, is to award him the New Hampshire Medal of Honor. To honor his sacrifice and his families' sacrifice, and if I may Madam President, I'd like to read the resolution into the record.

Whereas, RSA 110-B:81 established the New Hampshire Medal of Honor; which may be awarded on behalf of the people of the State of New Hampshire, to any New Hampshire citizen who has given his or her life while in military service, to protect and preserve the rights and freedoms of the people of New Hampshire; and

Whereas, Captain Ryan S. Phaneuf was a native of Hudson, New Hampshire, and a 2007 graduate of Alvirne High School; and

Whereas, Captain Ryan S. Phaneuf was a commander of the Alvirne High School Junior Reserve Officer Training Core, and his dream was to become an Airforce Pilot; and

Whereas, Captain Ryan S. Phaneuf earned a bachelor's degree in meteorology from Embry-Riddle Aeronautical University in 2012; and

Whereas, Captain Ryan S. Phaneuf served the distinction as a Pilot in the United States Air Force since June of 2012 and rose to the rank of Captain; and

Whereas, Captain Ryan S. Phaneuf was assigned to the 37<sup>th</sup> Bomb Squadron at Ellsworth Air Force Base in South Dakota, supporting Operation Freedom's Sentinel; and

Whereas, Captain Ryan S. Phaneuf gave his life in defense of our nation, when his Bombardier E-11A surveillance aircraft crashed on January 27, 2020, in the Ghazni province, Afghanistan.; now therefore, be it

Resolved by the Senate and the House of Representatives in the General Court convened:

That the General Court of the State of New Hampshire hereby awards the New Hampshire Medal of Honor to United States Air Force Captain Ryan S. Phaneuf of Hudson; and

That expressions of the members of the General Court's heartfelt sympathy be extended to Captain Phaneuf's family and loved ones; and

That copies of this resolution signed by the President of the Senate and the Speaker of the House of Representatives, be presented to Captain Ryan S. Phaneuf's wife Megan E. Phaneuf, and his parents Donald P. Phaneuf and Nancy P. Phaneuf, and to the New Hampshire Adjutant General.

Thank you, Madam President.

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

A roll call was requested by Senator Carson, 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.

PRESIDENT SOUCY: I would ask that we send around a roster, so that everyone can sign, so that we can present our signed vote, in addition to the family along with the resolution.

#### EARLY SESSION

#### THIRD READING AND FINAL PASSAGE

Senator Feltes moved that, SJR 2, be by this resolution, read a third time, its title be the same as adopted, and that it be passed at the present time. Adopted.

SJR 2, awarding the New Hampshire Medal of Honor to Captain Ryan S. Phaneuf of Hudson, New Hampshire.

## REGULAR CALENDAR

## EDUCATION AND WORKFORCE DEVELOPMENT

SB 421-FN, relative to educational assistance for members of the New Hampshire national guard. Ought to Pass with Amendment, Vote 5-0. Senator Morgan for the committee.

Education and Workforce Development  
February 4, 2020  
2020-0441s  
01/04

## Amendment to SB 421-FN

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

AN ACT relative to educational assistance for members of the New Hampshire national guard and relative to tuition waivers for children in state foster care or guardianship.

Amend the bill by replacing section 2 with the following:

2 Post Educational Assistance; Educational Assistance Authorized; Minimum Requirements. Amend the introductory paragraph and paragraph I of RSA 110-B:63-c to read as follows:

Members of the New Hampshire national guard may take courses tuition-free ~~[on a space available basis]~~ in state-supported postsecondary institutions. ***The admission of a New Hampshire national guard member shall be in accordance with the state-supported postsecondary institution's standard student admissions criteria policies and practices.*** In order to be eligible to receive educational assistance under this subdivision, a member of the New Hampshire national guard shall:

I. Be ~~[an]~~ ***a sworn in*** active member of the New Hampshire national guard residing either in-state or out-of-state ~~[who has completed advanced individual training or commissioning]~~.

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

5 Tuition Waiver for Children in State Foster Care or Guardianship. Amend RSA 187-A:20-b, I to read as follows:

I. An eligible individual who enrolls full-time ***or part-time, with the approval of the division for children, youth and families,*** in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state shall not be required to pay tuition ~~[or fees for attendance at such institution]~~ ***or mandatory fees for attendance at such institution.***

6 Tuition Waiver for Children in State Foster Care or Guardianship. Amend RSA 187-A:20-b, III(a) to read as follows:

III.(a) Eligible individuals interested in a tuition waiver shall annually apply on forms provided and within the deadlines established by the university system of New Hampshire and the community college system of New Hampshire for their respective institutions. No more than 15 tuition waivers per year shall be granted by the university system of New Hampshire and no more than 15 tuition waivers per year shall be granted by the community college system of New Hampshire. The university system of New Hampshire and the community college system of New Hampshire shall have the authority to develop eligibility criteria for their respective institutions designed to give the children with the greatest financial need first priority in the tuition waiver program. Such eligibility criteria shall also include provisions for continuing eligibility based on continued full-time ***or part-time, with the approval of the division for children, youth and families,*** enrollment and satisfactory academic progress as defined by the institution.

7 Effective Date.

I. Sections 5 and 6 of this act shall take effect July 1, 2020.

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

2020-0441s

## AMENDED ANALYSIS

This bill clarifies postsecondary educational assistance for members of the New Hampshire national guard.

This bill also authorizes tuition waivers for children in state foster care or guardianship for part-time enrollment in programs in public postsecondary institutions.

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

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

SB 455, prohibiting higher education institutions from discriminating on the basis of military, law enforcement, or veterans status.

Inexpedient to Legislate, Vote 3-1. Senator Ward for the committee.

Recess. Out of recess.

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

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

The following Senators voted Yes: (None)

The following Senators voted No: 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.

Roll Call, Yeas: 0 - Nays: 24. Failed.

Senator Bradley moved Ought to Pass.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3

February 12, 2020

2020-0621s

04/10

#### Floor Amendment to SB 455

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

1 State College and University System, Prohibition on Preferential Treatment. Amend RSA 187-A:16-a, I to read as follows:

I.(a) Within the state college and university system, there shall be no preferential treatment or discrimination in recruiting, hiring, promotion, or admission based on race, sex, national origin, religion, or sexual orientation.

***(b) Within the state college and university system, there shall be no discrimination based on an applicant's or employee's law enforcement, military, or veteran status.***

2 Community College System of New Hampshire; Prohibition on Preferential Treatment. Amend RSA 188-F:3-a, I to read as follows:

I.(a) Within the state's community college system, there shall be no preferential treatment or discrimination in recruiting, hiring, promotion, or admission based on race, sex, national origin, religion, or sexual orientation.

***(b) Within the state's community college system, there shall be no discrimination based on an applicant's or employee's law enforcement, military, or veteran status.***

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

Recess. Out of recess.

The question is on the adoption of the Floor Amendment.

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.

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

SB 514, relative to alternative learning credit rules of the state board of education.  
Ought to Pass, Vote 4-0. Senator Dietsch for the committee.

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

A roll call was requested by Senator Giuda, 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.

SB 584, relative to policies for students with head injuries.  
Ought to Pass with Amendment, Vote 5-0. Senator Kahn for the committee.

Education and Workforce Development  
February 4, 2020  
2020-0479s  
06/01

#### Amendment to SB 584

Amend RSA 200:63, II as inserted by section 1 of the bill by replacing it with the following:

II. The school board of each school district shall adopt a concussion and traumatic brain injury return to learning policy school education program.

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

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

SB 625-FN-A, relative to kindergarten funding.  
Ought to Pass with Amendment, Vote 5-0. Senator Ward for the committee.

Education and Workforce Development  
February 4, 2020  
2020-0478s  
06/04

#### Amendment to SB 625-FN-A

Amend RSA 198:48-b, II as inserted by section 1 of the bill by replacing it with the following:

II. The per pupil amount of the additional education grant provided in this section shall be [~~\$1,200 for the 2008 school year~~] **50 percent of the amount distributed under RSA 198:40-a, II(a)**~~[- Starting in the school year that commences in the fall of 2009, a school district which operates kindergarten in any school year in which the adequate education grant provided pursuant to RSA 198:42 does not include a count of kindergarten students; shall receive an additional adequate education grant calculated pursuant to the adequate education grant formula provided in RSA 198], based on the number of pupils [attending]~~ **enrolled and present on the first day of school in the current year in a full-day kindergarten program** in the district ~~[as of the beginning of the school year]~~. Once pupils enrolled in an approved kindergarten program have been counted in the average daily membership, school districts shall receive, for each such pupil, an adequate education grant calculated in accordance with ~~[RSA 198:41 and RSA 198:42. School districts that receive kindergarten adequate education grants under this section shall not be eligible to receive any other per pupil adequate education grant]~~ **RSA 198:40-a, II.**

Amend the bill by replacing section 2 with the following:

2 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 the Committee on Finance (Rule 4-5).

## ENERGY AND NATURAL RESOURCES

SB 496-FN, relative to municipal water pollution control.

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

Energy and Natural Resources

February 4, 2020

2020-0458s

08/04

## Amendment to SB 496-FN

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

AN ACT establishing a per and polyfluoroalkyl substances fund and programs and making an appropriation therefor.

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

1 New Chapter; Per and Polyfluoroalkyl Substances (PFAS) Fund and Programs. Amend RSA by inserting after chapter 485-G the following new chapter:

CHAPTER 485-H  
PER AND POLYFLUOROALKYL SUBSTANCES (PFAS)  
FUND AND PROGRAMS

485-H:1 Purpose Statement. Communities across the state have been impacted by per and polyfluoroalkyl substances (PFAS) contamination, largely through no fault of their own. The cost of remediating this contamination for many communities would result in dramatically higher water and sewer rates for end users. The existence of these man-made chemicals, some of which are occurring at unhealthy levels in New Hampshire's drinking water, require a strategy to protect, preserve, and enhance the water that New Hampshire citizens and environment rely upon.

485-H:2 Definitions. In this chapter:

I. "Community water system" means "community water system" as defined in RSA 485:1-a.

II. "Department" means the department of environmental services.

III. "Drinking water standard" means the maximum contaminant levels in accordance with RSA 485:16-e.

IV. "Fund" means the PFAS remediation loan fund established in RSA 485-H:10.

V. "Non-transient non-community water system" means "non-transient non-community water system as defined in RSA 485:1-a.

VI. "Wastewater residuals" means septage, sludge, or biosolids.

485-H:3 Implementation of Drinking Water Protection Program. The department shall provide low interest loans to community water systems and non-profit, non-transient public water systems whose testing of untreated source water shows confirmed exceedance of the state maximum contaminant level for PFAS, for remediation efforts begun after September 30, 2019.

I. Projects shall only be financed after the applicant demonstrates that the proposed plan for remediation is the most cost-effective solution, as reviewed and approved by the department. The applicant shall provide evidence in the application for funding that there are no no-cost or low-cost efforts such as blending of source water or shutting down an impacted source that would result in the system meeting applicable state maximum contaminant level with no unreasonable adverse effects. The applicant shall also show that there is no responsible party identified by the department or that the responsible party, potentially including the applicant, has provided their appropriate share of the funding for the proposed project.

II. Loans may be made for up to the total cost of the project, after any responsible party's contribution, addressing the contamination.

485-H:4 Implementation of Groundwater, Surface Water and Aquatic Life Protection. The department shall provide low interest loans to publicly-owned and non-profit wastewater and/or wastewater residual treatment or storage facilities that are required to treat effluent and residuals to achieve PFAS standards prior to discharge or disposal.

I. Projects shall only be financed after the applicant demonstrates that the proposed plan for remediation is the most cost-effective solution, as reviewed and approved by the department. The applicant shall provide evidence in the application for funding that there are no no-cost or low-cost efforts that would result in the system meeting standards with no unreasonable adverse effects. The applicant shall also show that there is no responsible party identified by department or that the responsible party, potentially including the applicant, has provided their appropriate share of the funding for the proposed project.

II. Loans may be made for up to the total cost of the project, after any responsible party's contribution, addressing the contamination.

#### 485-H:5 Loan Principal Forgiveness Based Upon Need.

I. The department shall forgive up to 10 percent of the loan principal to community water systems and non-profit, non-transient non-community water systems using the same qualifying standards for forgiveness used in the drinking water state revolving loan program established under RSA 486:14.

II. The department shall forgive up to 10 percent of the loan principal for publicly-owned and non-profit wastewater treatment facilities using the same qualifying standards for forgiveness used in the clean water state revolving loan program established under RSA 486:14.

III. Total loan forgiveness under this section shall not exceed \$5 million for both drinking water and clean water combined.

#### 485-H:6 Contingent Reimbursement.

I. Following the reimbursement of the department of justice for legal expenses related to relevant litigation; the transfer of funds to the revenue stabilization reserve account pursuant to RSA 7:6-e; the redemption of bonds issued or debt incurred pursuant to RSA 6:13-e, III(a); and reimbursement of the general fund for any debt principal or interest payments made to support bonds issued or debt incurred pursuant to RSA 6:13-e, III(a), any remaining funds from judgments or settlements received by the state resulting from lawsuits against the manufacturers of PFAS shall be deposited into the drinking water and groundwater trust fund established in RSA 6-D:1.

II. In addition to the loan forgiveness described in RSA 485-H:5, the department, upon certification by the state treasurer that funds from judgments or settlements have been received and used to redeem the bonds issued under RSA 6:13-e in full and the general fund has been reimbursed for all interest and principal payments charged against it to support said bond, shall grant partial loan forgiveness to the loan recipients, up to 50 percent of the loan principal.

(a) If insufficient funds are received by the state to cover 50 percent of the principal, the reimbursements shall be prorated. In no instance shall the loan reimbursement exceed 50 percent of the total loan amount, unless it received loan forgiveness under RSA 485-H:5, in which case the combined maximum shall be 60 percent.

(b) In the event a loan recipient receives compensation from a responsible party, the department shall not grant partial loan forgiveness that in combination with any compensation would exceed 100 percent of the total cost of the remediation.

485-H:7 Drinking Water and Groundwater Trust Fund Exception. Notwithstanding any law to the contrary, any funds deposited into the drinking water and groundwater trust fund established in RSA 6-D:1 as a result of this chapter may be transferred to the department to be used for funding PFAS remediation projects, including those at wastewater treatment facilities, at the discretion of the fund's advisory commission.

#### 485-H:8 Duties of the Department.

I. The department shall perform the following duties to the limit of available funding:

(a) Establishing and administrating the PFAS remediation loan program to assist municipalities; community and non-profit, non-transient non-community water systems; and publicly owned and non-profit wastewater treatment facilities with the cost of complying with state maximum contaminant level for PFAS.

(b) Establishing and administering a loan forgiveness program to assist disadvantaged communities with loan repayment.

(c) Awarding loan funds to projects that meet the following criteria:

(1) The project is or was necessary to comply with a state mandated PFAS standard and the applicant for funding is a municipality, a community water system, or a non-profit, non-transient public water system, or a publicly-owned or non-profit wastewater and/or wastewater residual treatment or storage facility.

(2) The applicant has demonstrated, to the satisfaction of the department, that low or no-cost solutions are neither viable nor effective.

(d) Awarding reimbursements to projects from the fund in a manner consistent with this chapter.

II. Every year beginning December 1, 2020, the department shall prepare and file a report with the general court evaluating the progress made relative to PFAS contamination, the efficiency of the program established under this chapter, and whether it continues to provide the maximum benefit to New Hampshire citizens, and providing any recommendations on potential additional tasks for which the fund could be used to address PFAS contamination.

485-H:9 Rules. The department shall adopt rules, under RSA 541-A, relative to administering PFAS remediation loan programs for eligible projects necessary to meet state PFAS standards.

485-H:10 PFAS Remediation Loan Fund Established. There is hereby established in the department the PFAS remediation loan fund which shall be maintained by the state treasurer in distinct and separate custody from all other funds, notwithstanding RSA 6:12. The state treasurer may invest the fund in accordance with RSA 6:8. Any earnings on fund moneys shall be added to the fund. All moneys in the fund shall be non-lapsing and shall be continually appropriated to the department. The PFAS remediation loan fund shall be used to fund loans and reimbursements in accordance with this chapter. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds shall be credited to this fund.

2 New Subparagraph; PFAS Remediation Loan Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (358) the following new subparagraph:

(359) Moneys deposited in the PFAS remediation loan fund established in RSA 485-H:10.

3 Capital Appropriation; Department of Environmental Services. The sum of \$50,000,000 is hereby appropriated to the department of environmental services for capital expenditures for the remediation of per- and polyfluoroalkyl substances in the state's drinking water sources and waste water residuals, which expenditures may include loans to public or private entities on such terms and conditions as the department of environmental services shall determine. To provide funds for the appropriation made in this section, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$50,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-13-e. Notwithstanding the provisions of RSA 9:18, the appropriation made in this section shall not lapse.

4 New Section; Authority to Issue Bonds; General Fund. Amend RSA 6 by inserting after section 13-d the following new section:

6:13-e Authority to Borrow; Certain Environmental Projects.

I. The state treasurer, as may be requested from time to time by the commissioner of the department of environmental services, is hereby authorized to borrow upon the credit of the state such sums as may be authorized by law from time to time to be borrowed under this section and may issue general obligation bonds in the name and on behalf of the state of New Hampshire for such authorized purposes and amounts in accordance with the provisions of RSA 6-A. The state treasurer is hereby further authorized to borrow all or any portion of amounts authorized to be borrowed under this section either as a loan from banks or other financial institutions, within or without the state, selected by the state treasurer or under the federal program established under the Water Infrastructure Finance and Innovation Act, 33 U.S.C. chapter 52, as amended, and to enter into agreements containing appropriate covenants and conditions as the state treasurer determines to be necessary or desirable to secure favorable credit terms from said banks or other financial institutions or under said program.

II. Notwithstanding the provisions of RSA 6-A:2, the maturity date of bonds issued pursuant to this section shall be not later than 30 years from the date of issue, as determined by the state treasurer; provided, that in determining the amount of bonds maturing later than 20 years from the date of issue, the state treasurer shall take into account the expected useful life of the projects being financed, as identified by the commissioner of the department of environmental services.

III. Payment of principal and interest on the borrowing authorized under paragraph I shall be paid when due from general fund revenue; provided, however, that pursuant to RSA 485-H:6, I, any borrowing under paragraph I shall be paid at or prior to maturity from any available funds derived from lawsuits against the manufacturers of PFAS, after reimbursement to the department of justice for legal expenses related to the litigation and the transfer of funds to the revenue stabilization reserve account pursuant to RSA 7:6-e.

IV. To the extent any borrowing under paragraph I cannot be immediately redeemed or prepaid when such funds are received by the state, the funds shall be held in a nonlapsing reserve to be established by the state treasurer for the future payment of the borrowing in accordance with its redemption or prepayment provisions.

5 Municipal Immunity for Compliance with Best Practices; Pollutant Liability Standard. Amend RSA 507-B:9, I to read as follows:

I. Notwithstanding any other provision of law, the liability of any governmental unit or public employee for any personal injury, bodily injury, or property damage caused by or resulting from pollutant incidents ***including, but not limited to, per and polyfluorochemical contamination***, shall only be based upon a showing by a preponderance of the evidence that the acts or omissions of the governmental unit were unreasonable. The acts or omissions of a governmental unit or public employee shall be conclusively presumed to be reasonable if they are in accord with the generally prevailing state of the art, scientific knowledge, and technology available to the governmental unit at the time the acts or omissions were undertaken or made by the governmental unit or public employee.

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

2020-0458s

#### AMENDED ANALYSIS

This bill:

I. Establishes the per and polyfluoroalkly substances (PFAS) fund.

II. Establishes a low interest loan program for certain water and waste water systems affected by PFAS contamination.

III. Makes an appropriation to the department of environmental services for the remediation of PFAS contamination.

IV. Allows the department of environmental services to borrow money.

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.

A roll call was requested by Senator Fuller Clark, seconded by Senator Morse.

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 the Committee on Finance (Rule 4-5).

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

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

Energy and Natural Resources

January 15, 2020

2020-0079s

08/04

#### Amendment to SB 287-FN

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

AN ACT setting the maximum contaminant levels for certain perfluorochemicals in drinking water.

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

1 Perfluorochemicals; Drinking Water. RSA 485:16-e is repealed and reenacted to read as follows:  
485:16-e Perfluorochemicals.

I. The maximum contaminant levels for the following shall be:

- (a) Perfluorooctanoic acid (PFOA): 12 parts per trillion.
- (b) Perfluorooctanesulfonic acid (PFOS): 15 parts per trillion.
- (c) Perfluorohexanesulfonic acid (PFHxS): 18 parts per trillion.
- (d) Perfluorononanoic acid (PFNA): 11 parts per trillion.

II. By November 1, 2020, and at least annually thereafter, the commissioner of the department of environmental services shall report to the speaker of the house of representatives and the president of the senate, the chairperson of the house committee on science, technology, and energy, the chairperson of the senate committee on energy and natural resources, the chairperson of the joint legislative committee on administrative rules, and the governor, with a recommendation regarding the adjustment of the maximum contaminant levels set in paragraph I.

III. The commissioner of the department of environmental services may adopt maximum contaminant levels different than those set forth in paragraph I if, accounting for an adequate margin of safety to protect human health at all life stages, including but not limited to pre-natal development, the commissioner determines the maximum contaminant levels in paragraph I need adjustment for the protection of human health.

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

2020-0079s

#### AMENDED ANALYSIS

This bill sets maximum contaminant limits for perfluorochemicals in drinking water.

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.

A roll call was requested by Senator Sherman, seconded by Senator Fuller Clark.

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.

SB 589, allowing the commissioner of the department of environmental services to waive certain requirements for seasonal docks.

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

Energy and Natural Resources

February 5, 2020

2020-0500s

08/10

#### Amendment to SB 589

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

AN ACT allowing seasonal docks on certain lots in the town of Freedom.

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

1 New Subparagraph; Docking Permits. Amend RSA 482-A:3, XIII by inserting after subparagraph (d) the following new subparagraph:

(e) Notwithstanding RSA 482-A:3, XIII(a) and (c), those lots in the town of Freedom located on the peninsula known as Spindle Point on Ossipee Lake and south of a straight line connecting 2 points located at 43 degrees, 47 minutes, 44.38 seconds north, 71 degrees, 06 minutes, 15.85 seconds west, and 43 degrees, 47 minutes, 43.24 seconds north, 71 degrees, 06 minutes, 13.41 seconds west may obtain a permit under RSA 482-A:3 to have a single 4 foot by 24 foot seasonal dock centered on the lot frontage.

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

2020-0500s

#### AMENDED ANALYSIS

This bill allows certain lots in the town of Freedom located on Spindle Point on Ossipee Lake to build seasonal docks.

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

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

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

Energy and Natural Resources

February 5, 2020

2020-0502s

08/10

#### Amendment to SB 668-FN-A

Amend RSA 374-F:10, I as inserted by section 2 of the bill by replacing it with the following:

I. There is established a commission to investigate, in parallel with the work of the Gulf of Maine Inter-governmental Renewable Energy Task Force established by the Bureau of Ocean Energy Management (BOEM) study, the economic development opportunities for New Hampshire in supply chain needs, port capabilities, workforce development, energy procurement, transmission and storage, and fisheries and marine environment, to ensure the success of offshore wind in the Gulf of Maine. The commission may consider, at an appropriate time, in relation to the New Hampshire state energy strategy, outlined in RSA 4-E, how contracts with developers and utilities can deliver lower costs to ratepayers. The commission shall create working groups, including the offshore wind fisheries and marine environment working group, workforce working group, and the port facilities and supply chain working group, and after July 1, 2021 or after BOEM identifies potential sites for leasing, the procurement, transmission, financing, energy storage, renewable energy credits, and ratepayer benefits working group, to assist the commission in reaching its recommendations. Working group members and chairpersons shall be appointed by the chairperson of the commission in consultation with the commission, the governor, and any other parties deemed relevant by the commissioner.

Amend RSA 374-F:10, II(d) as inserted by section 1 of the bill by replacing it with the following:

(d) The commissioner of the department of business and economic affairs, or designee.

Amend RSA 374-F:10, II as inserted by section 1 of the bill by inserting after subparagraph (w) the following new paragraph:

(x) Two members representing offshore wind-related labor, one of whom shall be appointed by the IBEW and one of whom shall be appointed by the New Hampshire AFL-CIO.

Amend RSA 12-O:52, II(a) as inserted by section 3 of the bill by replacing it with the following:

(a) Support the work of the New Hampshire members of the Intergovernmental Renewable Energy Task Force administered by the federal Bureau of Ocean Energy Management (BOEM).

Amend the introductory paragraph of RSA 12-O:52, II(c) as inserted by section 3 of the bill by replacing it with the following:

(c) Assist the offshore wind commission to develop and implement offshore wind development strategies including:

Amend RSA 12-O:52, II(d) as inserted by section 3 of the bill by replacing it with the following:

(d) Collaborate with key state agencies and partners on offshore wind industry development initiatives.

Amend the bill by replacing sections 7-8 with the following:

7 New Subparagraph; Offshore Wind Development Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (358) the following new subparagraph:

(359) Moneys deposited in the offshore wind development fund established in RSA 374-F:10, XI.

8 Appropriation. The sum of \$102,000 for the fiscal year ending June 30, 2021 is appropriated to the department of business and economic affairs for deposit in the offshore wind development fund established in RSA 374-F:10, XI to support offshore wind development. Such funds shall be in addition to any other funds appropriated to the department of business and economic affairs. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

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

Senator Watters offered a Floor Amendment.

Sen. Watters, Dist 4

February 7, 2020

2020-0575s

08/10

#### Floor Amendment to SB 668-FN-A

Amend RSA 374-F:10, I as inserted by section 2 of the bill by replacing it with the following:

I. There is established a commission to investigate, in parallel with the work of the Gulf of Maine Inter-governmental Renewable Energy Task Force established by the Bureau of Ocean Energy Management (BOEM) study, the economic development opportunities for New Hampshire in supply chain needs, port capabilities, workforce development, energy procurement, transmission and storage, and fisheries and marine environment, to ensure the success of offshore wind in the Gulf of Maine. The commission may consider, at an appropriate time, in relation to the New Hampshire state energy strategy, outlined in RSA 4-E, how contracts with developers and utilities can deliver lower costs to ratepayers. The commission shall create working groups, including the offshore wind fisheries and marine environment working group, workforce working group, and the port facilities and supply chain working group, and after July 1, 2021 or after BOEM identifies potential sites for leasing, the procurement, transmission, financing, energy storage, renewable energy credits, and ratepayer benefits working group, to assist the commission in reaching its recommendations. Working group members and chairpersons shall be appointed by the chairperson of the commission in consultation with the commission, the governor, and any other parties deemed relevant by the commissioner.

Amend RSA 374-F:10, II(d) as inserted by section 2 of the bill by replacing it with the following:

(d) The commissioner of the department of business and economic affairs, or designee.

Amend RSA 374-F:10, II as inserted by section 2 of the bill by inserting after subparagraph (w) the following new paragraph:

(x) Two members representing offshore wind-related labor, one of whom shall be appointed by the IBEW and one of whom shall be appointed by the New Hampshire AFL-CIO.

Amend RSA 12-O:52, II(a) as inserted by section 3 of the bill by replacing it with the following:

(a) Support the work of the New Hampshire members of the Intergovernmental Renewable Energy Task Force administered by the federal Bureau of Ocean Energy Management (BOEM).

Amend the introductory paragraph of RSA 12-O:52, II(c) as inserted by section 3 of the bill by replacing it with the following:

(c) Assist the offshore wind commission to develop and implement offshore wind development strategies including:

Amend RSA 12-O:52, II(d) as inserted by section 3 of the bill by replacing it with the following:

(d) Collaborate with key state agencies and partners on offshore wind industry development initiatives.

Amend the bill by replacing sections 7-8 with the following:

7 New Subparagraph; Offshore Wind Development Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (358) the following new subparagraph:

(359) Moneys deposited in the offshore wind development fund established in RSA 374-F:10, XI.

8 Appropriation. The sum of \$102,000 for the fiscal year ending June 30, 2021 is appropriated to the department of business and economic affairs for deposit in the offshore wind development fund established in RSA 374-F:10, XI to support offshore wind development. Such funds shall be in addition to any other funds appropriated to the department of business and economic affairs. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

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).

Senator Dietsch is in favor of the motion of Ought to Pass with Amendment on SB 668-FN-A.

#### FINANCE

SB 305-FN, relative to the establishment of an election information portal.

Interim Study, Vote 6-0. Senator D'Allesandro for the committee.

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

SB 435-FN-A, making a supplemental appropriation to the department of education for the purpose of funding the Hudson CTE center.

Ought to Pass with Amendment, Vote 6-0. Senator D'Allesandro for the committee.

Senate Finance  
February 4, 2020  
2020-0473s  
05/10

#### Amendment to SB 435-FN-A

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

AN ACT making an appropriation to the department of education for the purpose of funding the Hudson CTE center.

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

#### 1 Department of Education; Hudson CTE Center; Supplemental Appropriation.

I. The sum of \$2,550,000 for the biennium ending June 30, 2021, is hereby appropriated to the department of education for the purpose of completing the construction and renovation of the Wilbur H. Palmer Career and Technical Education Center located at the Alvirne High School in Hudson, New Hampshire. The appropriation shall be part of, and not in addition to, the \$17,000,000 appropriated to the department for renovation of the center in 2019, 146:18, I. The appropriation made in this section shall not lapse until June 30, 2023 and shall be in lieu of the anticipated appropriation for the biennium ending June 30, 2023 in 2019, 146:18, II, B.

II. To provide funds for the appropriation made in paragraph I, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$2,550,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

III. All contracts and projects and plans and specifications therefor for the projects authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

2 Appropriation Lapses. To offset \$1,018,000 of sums appropriated in section 1 of this act, the sum of \$865,000 from the unencumbered balance of the appropriation made to the department of administrative services in 2015, 220:1, II, D, 1, extended by 2017, 228:22, 26 and extended by 2019, 146:20, 36 for Merrimack county superior court - new courthouse, \$99,186 from the unencumbered balance of the appropriation made to the department of administrative services in 2017, 228:1, II, D, 1, extended by 2019, 146:20, 25 for convert AOC building to probate court and the sum of \$53,814 from the unencumbered balances of the appropriation made to the department of administrative services in 2017, 228:1, II, B, 8, extended by 2019, 146:20, 20 for state library parapet and ceiling repair shall lapse on June 30, 2020.

#### 3 Effective Date. This act shall take effect upon its passage.

2020-0473s

## AMENDED ANALYSIS

This bill makes a bonded, supplemental appropriation to the department of education for the purpose of completing construction of the Hudson CTE center.

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

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

SB 465, relative to the cost estimate or fiscal note requirement for legislation proposing a study. Inexpedient to Legislate, Vote 6-0. Senator Feltes for the committee.

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

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

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.

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

SB 569, relative to the borrowing authority of the university system of New Hampshire. Interim Study, Vote 5-1. Senator D'Allesandro for the committee.

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

SB 638-FN, establishing the New Hampshire housing and conservation planning program. Interim Study, Vote 5-0. Senator Giuda for the committee.

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

SB 639-FN, relative to hazardous pay for certain employees of the state prison and New Hampshire hospital. Interim Study, Vote 6-0. Senator Rosenwald for the committee.

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

SB 640-FN, relative to the art fund administered by the council on the arts. Interim Study, Vote 6-0. Senator Kahn for the committee.

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

Recess. Out of recess.

## SPECIAL ORDER

Without objection, the following bill is special ordered to Thursday, March 5, 2020. Adopted.

## WAYS AND MEANS

SB 682, relative to the sale of Lucky 7 tickets.

## TRANSPORTATION

SB 659-FN, relative to agricultural and farm motor vehicle plates. Ought to Pass with Amendment, Vote 3-0. Senator Ward for the committee.

Senate Transportation

February 5, 2020

2020-0487s

11/04

## Amendment to SB 659-FN

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

1 Motor Vehicles; Definitions; Truck. Amend RSA 259:115-b to read as follows:

259:115-b Truck. "Truck" shall mean every motor vehicle designed, used or maintained primarily for the transportation of property, *except as provided in RSA 261:82 and RSA 261:84.*

2 Motor Vehicles; Agricultural Plates. Amend RSA 261:82, V(a) to read as follows:

V.(a)(I) To be eligible for the issuance of an agricultural vehicle registration for agricultural and farming purposes, the applicant shall sign the following form which the treasurer of a city or such other official as the city government may designate or the town clerk shall provide. This form shall be provided to the applicant upon request without further evidence from the applicant that the plate shall be used for purposes of this section.

I, the undersigned, fully understand the limitations concerning the use of trucks, tractor-trucks, tractors, or cargo vans registered under RSA 261:82, and hereby certify that my vehicle will be used only for agricultural and farming purposes and uses incidental thereto, within a 20 mile radius of the main entrance of the farm upon which the vehicle is to be driven.

Signed:

\_\_\_\_\_

Date: \_\_\_\_\_

Copies to:

Town or City Clerk

Applicant

***(2) The owner of a vehicle registered with agricultural plates pursuant to paragraph I shall affix the name of the farm along with the address of the farm to the driver's side of the vehicle in letters no less than 3 inches tall.***

3 New Paragraph; Motor Vehicles; Agricultural Plates. Amend RSA 261:82 by inserting after paragraph VI the following new paragraph:

VII. For purposes of this section:

(a) "Truck" means a vehicle designated by the manufacturer as such and which has a passenger cab which is separate from the cargo or material hauling portion of the vehicle.

(b) "Cargo van" means a van which was manufactured with seats for only a driver or a driver and a front passenger, and in which the area behind the driver does not include any seating. The term "cargo van" shall not include a van manufactured as a cargo van and subsequently converted to a passenger vehicle.

4 Motor Vehicles; Farm Plates. Amend RSA 261:84, I-III to read as follows:

I. A truck, tractor-truck, ***van***, or semi-trailer shall qualify for farm registration rates and number plates and shall be driven with such registration only if such vehicle is used solely for the transportation of agricultural products produced on and meant to be used in connection with the operation of a farm or farms owned, operated, or occupied by the registrant. Additionally, any vehicle which qualifies for farm plates may transport ***farm workers. It may also be used to transport*** or tow an implement of husbandry. A vehicle which qualifies for farm registration and number plates shall not be used for the transportation of wood and lumber for sale other than from such farms on which the production of wood and lumber is incidental to other farm operations, nor shall such trucks be used for the retail delivery of milk.

II. This section shall be construed as authorizing the holder of farm plates or a driver authorized by the holder to operate the vehicle while it is empty so long as it is being used generally to accomplish the purposes allowed in this section, and to transport within such vehicle incidental personal property such as food, tools, and clothing.

III.(a) To be eligible for the issuance of a farm vehicle registration, the applicant shall sign the following form which the treasurer of a city or such other official as the city government may designate or the town clerk shall provide. This form shall be provided to the applicant upon request without further evidence from the applicant that the plate shall be used for purposes of this section.

I, the undersigned, fully understand the limitations concerning the use of trucks, tractor-trucks, or semi-trailers registered under RSA 261:84, and hereby certify that my vehicle will be used only for agricultural and farming purposes and uses incidental thereto.

Signed:

\_\_\_\_\_

Date: \_\_\_\_\_

Copies to:

Town or City Clerk

Applicant

***(b) The owner of a vehicle registered with farm plates pursuant to paragraph I shall affix the name of the farm along with the address of the farm to the driver's side of the vehicle in letters no less than 3 inches tall.***

***IV. For purposes of this section:***

***(a) "Truck" means a vehicle designated by the manufacturer as such and which has a passenger cab which is separate from the cargo or material hauling portion of the vehicle.***

***(b) "Cargo van" means a vehicle which was manufactured for the purpose of transporting cargo and/or passengers.***

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

2020-0487s

AMENDED ANALYSIS

This bill requires owners of vehicles registered with agricultural plates to affix the name and address of the farm upon which such vehicle is to be driven to the sides of the vehicle.

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

Senator Watters offered a Floor Amendment.

Sen. Watters, Dist 4

February 7, 2020

2020-0559s

11/04

Floor Amendment to SB 659-FN

Amend RSA 261:84, IV(b) as inserted by section 4 of the bill by replacing it with the following:

***(b) "Van" means a vehicle which was manufactured for the purpose of transporting cargo and/or passengers.***

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.

SB 680-FN, relative to materials used in the construction or repair of state roads.

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

Senate Transportation

February 5, 2020

2020-0493s

06/10

Amendment to SB 680-FN

Amend the bill by replacing section 1 with the following:

1 Department of Transportation; Utilization of Processed Glass Aggregate. By July 1, 2021, the department of transportation shall establish a program to use processed glass aggregate (PGA) to the extent it is available and feasible in state projects. The department shall work with contractors and materials suppliers to determine appropriate specifications for and the best use of the materials. The department shall report on the program by December 1, 2021 to the chairpersons of the senate transportation committee, the house transportation committee, and the house public works and highways committee.

2020-0493s

AMENDED ANALYSIS

This bill requires the department of transportation to establish a program to use processed glass aggregate in state projects.

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

Senator Morse offered a Floor Amendment.

Sen. Morse, Dist 22  
February 12, 2020  
2020-0632s  
06/10

#### Floor Amendment to SB 680-FN

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

AN ACT relative to materials used in the construction or repair of state roads and establishing a committee to study issues relating to paving New Hampshire Route 111 in Hampstead and Atkinson.

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

2 Committee Established. There is established a committee to study issues relating to paving New Hampshire Route 111 in Hampstead and Atkinson.

3 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Two members of the senate, one of whom shall be a member of the senate transportation committee and one of whom shall represent Hampstead or Atkinson, appointed by the president of the senate.

(b) Three members of the house of representatives, one of whom shall be a member of the public works and highways committee, one of whom shall represent the town of Hampstead, and one of whom shall represent the town of Atkinson, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

4 Duties. The committee shall:

I. Review the contract approved by the governor and council, X-A004(830), 42246 concerning section 19602- Atkinson-Hampstead- NH111.

II. Determine the causes of the cost overruns that resulted in roughly 20 percent of the original paving project left uncompleted.

III. Determine the causes for the premature failure of the newly laid asphalt.

IV. Review if best practices were followed and if not why they were not followed.

5 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 first-named 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.

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2020.

7 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

2020-0632s

#### AMENDED ANALYSIS

This bill requires the department of transportation to establish a program to use processed glass aggregate in state projects. This bill also establishes a committee to study issues relating to paving of New Hampshire Route 111 in Hampstead and Atkinson.

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.

SB 725-FN, relative to toll collection enforcement.

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

Senate Transportation

February 5, 2020

2020-0516s

06/10

#### Amendment to SB 725-FN

Amend RSA 263:56-f, I as inserted by section 1 of the bill by replacing it with the following:

I. Upon receiving a report from the commissioner of the department of transportation or designee, or another state having a reciprocal toll collection enforcement agreement, that the owner of a vehicle, as defined in RSA 236:31, has violated the terms of RSA 236:31, or a reciprocal toll collection enforcement agreement in accordance with RSA 237:16-c, the director shall notify the owner in writing by first class mail that the owner's motor vehicle registration renewal privileges ***for the vehicle driven in violation of RSA 236:31*** may be suspended on the date which is 30 days from the date of notification unless the toll and any administrative fees assessed by the department of transportation are paid. ***Furthermore, the registered owner of the vehicle driven in violation of RSA 236:31 is prohibited from transferring a plate to said vehicle or obtaining a new plate for said vehicle until such tolls and fees are paid.*** The director shall also notify the owner that he or she may request an administrative hearing before the suspension takes effect. The hearing shall be limited in scope and shall not constitute an appeal of the fees or fines related to the unpaid tolls, which can only be determined by the department of transportation. A request for a hearing shall be in writing. A request for a hearing received by the division more than 30 days from the date the notice is issued shall be denied as untimely.

2020-0516s

#### AMENDED ANALYSIS

This bill prohibits the owner of a vehicle driven in a manner that evades toll collection from obtaining a new plate for the vehicle until the toll is paid.

This bill is a request of the department of transportation.

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.

#### WAYS AND MEANS

SB 474, relative to the income tax on interest and dividends.

Inexpedient to Legislate, Vote 4-1. Senator D'Allesandro for the committee.

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

SB 475, enabling municipalities to adopt a property tax credit for densely-built workforce housing.

Ought to Pass with Amendment, Vote 3-2. Senator D'Allesandro for the committee.

Senate Ways and Means

February 5, 2020

2020-0510s

05/04

#### Amendment to SB 475

Amend RSA 72:87, II as inserted by section 2 of the bill by replacing it with the following:

II. The workforce housing density credit shall be subtracted each year from the local education property tax assessed on the qualifying residential real estate. The credit shall be equal to twice the amount of the state education property tax assessed for the property in the prior year; provided that the credit shall not reduce the amount of the local education property tax below zero. A property shall be eligible for the credit for a period of not more than 10 years, as determined by the municipality.

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.

A division vote was requested.

Yeas: 15 - Nays: 7. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

SB 527-FN, relative to historical racing.

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

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

SB 528, relative to games of chance.

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

Senate Ways and Means

February 5, 2020

2020-0520s

08/10

#### Amendment to SB 528

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

AN ACT establishing a committee to study charitable gaming.

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

1 Committee Established. There is established a committee to study charitable gaming.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Two members of the senate, one of whom shall be from the ways and means committee and one of whom shall be from the finance committee, appointed by the president of the senate.

(b) Three members of the house of representatives, one of whom shall be from the ways and means committee and one of whom shall be from the finance committee, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall:

I. Study the amounts and distribution of revenues generated by each charitable gaming operator to the state and to the charities served by that operator, including all costs borne by the operator and charities.

II. Compare and contrast each charitable gaming operator in New Hampshire with traditional casino gambling organizations.

III. Discuss the potential impact of regulating gaming operators overall, on donations to charities, and on tax revenues to the state.

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 first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2020.

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

2020-0520s

#### AMENDED ANALYSIS

This bill establishes a committee to study charitable gaming.

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

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

SB 616, establishing a committee to study the meals and rooms tax distribution formula.

Inexpedient to Legislate, Vote 5-0. Senator D'Allesandro for the committee.

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

SB 617-FN, relative to a voluntary additional charge in the registry of deeds used to support the land and community heritage investment program (LCHIP), and establishing a committee to study the economic impact of land conservation and to review the LCHIP surcharge to the land and community heritage investment program.

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

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

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

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

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

Roll Call, Yeas: 15 - Nays: 9. Adopted.

SB 660-FN, relative to secondary game operator licenses.

Interim Study, Vote 4-1. Senator Feltes for the committee.

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

SB 661-FN, relative to economic revitalization zone tax credits.

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

Senate Ways and Means

February 5, 2020

2020-0518s

10/04

#### Amendment to SB 661-FN

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

AN ACT relative to economic revitalization zone tax credits and the New Hampshire college graduate retention incentive partnership (NH GRIP).

Amend RSA 162-N:4, II(a) as inserted by section 2 of the bill by replacing it with the following:

(a) Quality and quantity of full-time jobs ~~[to be]~~ created.

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

6 New Hampshire College Graduate Retention Incentive Partnership (NH GRIP); Definition; Certification.

Amend RSA 12-O:46, I to read as follows:

**I. "Certification" means written verification from the department of business and economic affairs that the agreement to be used between the participating employer and the employee meets the requirements of RSA 12-O:48.**

**I-a.** "Commissioner" means the commissioner of the department of business and economic affairs.

7 Graduate Retention Incentive Partnership; Definitions. Amend RSA 12-O:46, VII to read as follows:

**VII. "Participating employer agreement" or "agreement" means an agreement ~~[prepared jointly by the department of business and economic affairs in consultation with the New Hampshire College and University Council and the Business and Industry Association of New Hampshire]~~ that an employer will use to offer each employee an incentive in the amount and duration provided in RSA 12-O:48 and which is to be certified by the department of business and economic affairs.**

8 Graduate Retention Incentive Partnership; Advertising; Department Certification. Amend RSA 12-O:49 to read as follows:

12-O:49 Advertising. ***Upon certification***, the department shall, in cooperation with the Business and Industry Association of New Hampshire, the New Hampshire College and University Council, the New Hampshire Higher Education Assistance Fund, the New Hampshire Coalition for Business and Education, and Stay, Work, Play NH, advertise to New Hampshire employers and New Hampshire college students the details of NH GRIP, through print and electronic media. The department shall maintain a list of employers who have a valid participating employer agreement and shall make the list available on the department's public Internet site as well as in writing.

9 Effective Date.

I. Sections 4 and 5 of this act shall take effect June 30, 2020.

II. The remainder of this act shall take effect July 1, 2020.

2020-0518s

#### AMENDED ANALYSIS

This bill requires the commissioner of business and economic affairs to certify each application for an economic revitalization zone tax credit, modifies the calculation of the credits which may be issued to a taxpayer by the commissioner of business and economic affairs, and extends the prospective repeal of the economic revitalization zone tax credit program to January 1, 2028.

The bill also requires the department of business and economic affairs to certify the agreements that employers participating in the New Hampshire college graduate retention incentive partnership (NH GRIP) offer to employees.

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

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

SB 662-FN, relative to an exemption from interest and dividends taxes for medical expenses. Ought to Pass, Vote 3-2. Senator Giuda for the committee.

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

#### ELECTION LAW AND MUNICIPAL AFFAIRS

SB 488, relative to public inspection of absentee ballot lists. Inexpedient to Legislate, Vote 3-2. Senator Morgan for the committee.

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

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

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.

SB 489, relative to the absentee ballot application process. Inexpedient to Legislate, Vote 3-2. Senator Morgan for the committee.

At this time, President Soucy asked to suspend discussion on SB 489, in order to meet for Joint Convention.

The Clerk read the following House Message.

#### HOUSE MESSAGE

The House of Representatives is ready to meet with the honorable Senate in Joint Convention for the purpose of hearing the State of the State Address by his Excellency, Governor Christopher T. Sununu.

Senator Feltes offered the following Resolution:

RESOLVED, that the Senate is ready to meet with the honorable House of Representatives in Joint Convention for the purpose of hearing the State of the State Address by his Excellency, Governor Christopher T. Sununu. Adopted.

Recess to meet in Joint Convention. Out of recess.

SB 489, relative to the absentee ballot application process.

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

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

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

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.

Recess. Out of recess.

#### ADDENDUM REGULAR CALENDAR

##### HEALTH AND HUMAN SERVICES

SB 647-FN, relative to medication assisted treatment (MAT) by telemedicine and telehealth services.

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

Health and Human Services

February 11, 2020

2020-0609s

01/04

##### Amendment to SB 647-FN

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

AN ACT relative to telemedicine and substance use disorder.

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

##### 1 Statement of Intent.

##### I. The general court hereby recognizes that:

(a) Recent medical research indicates that substance use treatment can be safely done utilizing telemedicine (Rubin R., Using Telemedicine to Treat Opioid Use Disorder in Rural Areas. JAMA. Published online August 28, 2019); and

(b) Recent court decisions (*Smith v. Aroostook County*, No. 19-1340 (1st Cir. 2019)) require the increased availability of substance use treatment in correctional facilities; and

(c) Recent changes in federal law allow the registration of certain individuals to prescribe opioid drugs to be used in substance use disorder without first conducting an in person examination (21 U.S.C. section 831(h)), which registration regulations are pending.

##### II. Therefore, the general court hereby enacts the following legislation.

##### 2 Medicaid Coverage of Telehealth Services. Amend RSA 167:4-d, II(c)-(e) to read as follows:

(c) ***“Doorways” means the statewide points of entry for the delivery of substance use services.***

(d) ***“Originating site” means the location of the patient, whether or not accompanied by a health care provider, at the time services are provided by a health care provider through telemedicine, including, but not limited to, a health care provider’s office, a hospital, or a health care facility, or the patient’s home or another nonmedical environment such as a school-based health center, a university-based health center, or the patient’s workplace.***

[(d)] (e) ***“Remote patient monitoring” means the use of electronic technology to remotely monitor a patient’s health status through the collection and interpretation of clinical data while the patient remains at an originating site. Remote patient monitoring may or may not take place in real time. Remote patient monitoring shall include assessment, observation, education and virtual visits provided by all covered providers including licensed home health care providers.***

~~[(e)]~~ (f) “Store and forward,” as it pertains to telemedicine and as an exception to 42 C.F.R. section 410.78, means the use of asynchronous electronic communications between a patient at an originating site and a health care service provider at a distant site for the purpose of diagnostic and therapeutic assistance in the care of patients. This includes the forwarding and/or transfer of stored medical data from the originating site to the distant site through the use of any electronic device that records data in its own storage and forwards its data to the distant site via telecommunication for the purpose of diagnostic and therapeutic assistance.

3 Medicaid Coverage of Telehealth Services. Amend RSA 167:4-d, III(a)(2) to read as follows:

(2) By which telemedicine services for primary care, remote patient monitoring, and substance use disorder services shall only be covered in the event that the patient has already established care at an originating site via face-to-face in-person service. ***A provider shall not be required to establish care via face-to-face in-person service when:***

***(A) The provider is a Department of Veterans Affairs (VA) practitioner or VA-contracted practitioner not required to obtain a special registration pursuant to 21 U.S.C. section 831(h);***

***(B) The patient is being treated by, and is physically located in a correctional facility administered by the state of New Hampshire or a New Hampshire county;***

***(C) The patient is being treated by, and is physically located in a doorway as defined in RSA 167:4-d, II(c);***

***(D) The patient is being treated by and is physically located in a state designated community mental health center pursuant to RSA 135; or***

***(E) The patient is being treated by, and physically located in, a hospital or clinic registered in a manner fully consistent with 21 U.S.C. section 823(f); and***

4 New Paragraph; Medicaid Coverage of Telehealth Services. Amend RSA 167:4-d by inserting after paragraph V the following new paragraph:

VI. With written consent of the patient receiving medication assisted treatment through telehealth services provided under this section, the health care provider shall provide notification of the patient’s medication assisted treatment to the doorway, as defined in RSA 167:4-d, II(c), within the region where the patient resides.

5 Controlled Drug Act; Prohibited Acts. Amend RSA 318-B:2, XVI to read as follows:

XVI.(a)(1) The prescribing of a non-opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), who are treating a patient with whom the prescriber has an in-person practitioner-patient relationship, for purposes of monitoring or follow-up care~~], or who are treating patients at a state designated community mental health center pursuant to RSA 135-C or at a Substance Abuse and Mental Health Services Administration (SAMHSA)-certified state opioid treatment program, and shall require an initial in-person exam by a practitioner licensed to prescribe the drug].~~ ***A provider shall not be required to establish care via face-to-face in-person service when:***

***(A) The provider is a Department of Veterans Affairs (VA) practitioner or VA-contracted practitioner not required to obtain a special registration pursuant to 21 U.S.C. section 831(h);***

***(B) The patient is being treated by, and is physically located in a correctional facility administered by the state of New Hampshire or a New Hampshire county;***

***(C) The patient is being treated by, and is physically located in a doorway as defined in RSA 167:4-d, II(c);***

***(D) The patient is being treated by and is physically located in a state designated community mental health center pursuant to RSA 135; or***

***(E) The patient is being treated by, and physically located in, a hospital or clinic registered in a manner fully consistent with 21 U.S.C. section 823(f).***

(2) Subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and drug, but not less than annually.

(b)(1) The prescribing of an opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a) ~~who are treating patients at a SAMHSA-certified state opioid treatment program. Such prescription authority shall require an initial in-person exam by a practitioner licensed to prescribe the drug and~~. ***A provider shall not be required to establish care via face-to-face in-person service when:***

***(A) The provider is a Department of Veterans Affairs (VA) practitioner or VA-contracted practitioner not required to obtain a special registration pursuant to 21 U.S.C. section 831(h);***

***(B) The patient is being treated by, and is physically located in a correctional facility administered by the state of New Hampshire or a New Hampshire county;***

***(C) The patient is being treated by, and is physically located in a Doorway as defined in RSA 167:4-d, II(c);***

***(D) The patient is being treated by and is physically located in a state designated community mental health center pursuant to RSA 135; or***

***(E) The patient is being treated by, and physically located in, a hospital or clinic registered in a manner fully consistent with 21 U.S.C. section 823(f).***

(2) Subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and opioid, but not less than annually.

6 New Paragraph; Nurse Practice Act; Rulemaking Added. Amend RSA 326-B:9 by inserting after paragraph XII the following new paragraph:

XIII. A process for registering practitioners who have been granted a special registration to prescribe controlled substances via telemedicine pursuant to 21 U.S.C. section 831(h).

7 Physicians and Surgeons; Telemedicine. Amend RSA 329:1-d, III and IV to read as follows:

III. It shall be unlawful for any person to prescribe by means of telemedicine a controlled drug classified in schedule II through IV, ***except substance use disorder (SUD) treatment as permitted in locations enumerated in paragraph IV. Methadone hydrochloride, as defined in RSA 318-B:10, VII(d)(2) shall not be included in the exemption.***

IV.(a)(1) The prescribing of a non-opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), who are treating a patient with whom the prescriber has an in-person practitioner-patient relationship, for purposes of monitoring or follow-up care ~~or who are treating patients at a state designated community mental health center pursuant to RSA 135-C or at a Substance Abuse and Mental Health Services Administration (SAMHSA)-certified state opioid treatment program, and shall require an initial in-person exam by a practitioner licensed to prescribe the drug~~. ***A provider shall not be required to establish care via face-to-face in-person service when:***

***(A) The provider is a Department of Veterans Affairs (VA) practitioner or VA-contracted practitioner not required to obtain a special registration pursuant to 21 U.S.C. section 831(h);***

***(B) The patient is being treated by, and is physically located in a correctional facility administered by the state of New Hampshire or a New Hampshire county;***

***(C) The patient is being treated by, and is physically located in a Doorway as defined in RSA 167:4-d, II(c);***

***(D) The patient is being treated by and is physically located in a state designated community mental health center pursuant to RSA 135; or***

***(E) The patient is being treated by, and physically located in, a hospital or clinic registered in a manner fully consistent with 21 U.S.C. section 823(f).***

(2) Subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and drug, but not less than annually.

(b)(1) The prescribing of an opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a) ~~who are treating patients at a SAMHSA-certified state opioid treatment program. Such prescription authority shall require an initial in-person exam by a practitioner licensed to prescribe the drug and~~. **A provider shall not be required to establish care via face-to-face in-person service when:**

**(A) The provider is a Department of Veterans Affairs (VA) practitioner or VA-contracted practitioner not required to obtain a special registration pursuant to 21 U.S.C. section 831(h);**

**(B) The patient is being treated by, and is physically located in a correctional facility administered by the state of New Hampshire or a New Hampshire county;**

**(C) The patient is being treated by, and is physically located in a Doorway as defined in RSA 167:4-d, II(c);**

**(D) The patient is being treated by and is physically located in a state designated community mental health center pursuant to RSA 135; or**

**(E) The patient is being treated by, and physically located in, a hospital or clinic registered in a manner fully consistent with 21 U.S.C. section 823(f).**

(2) Subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and opioid, but not less than annually.

8 New Paragraph; Physicians and Surgeons; Rulemaking. Amend RSA 329:9 by inserting after paragraph XX the following new paragraph:

XXI. A process for registering practitioners who have been granted a special registration to prescribe controlled substances via telemedicine pursuant to 21 U.S.C. section 831(h).

9 Contingency. If HB 1623-FN of the 2020 regular legislative session becomes law, sections 1-8 of this act shall not take effect. If HB 1623-FN does not become law, then sections 1-8 of this act shall take effect upon its passage.

10 Effective Date.

I. Sections 1-8 of this act shall take effect as provided in section 9 of this act.

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

2020-0609s

#### AMENDED ANALYSIS

This bill clarifies prescribing certain drugs via telemedicine.

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

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

SB 731-FN, relative to foster family assistance and making an appropriation therefor. Ought to Pass with Amendment, Vote 4-0. Senator Fuller Clark for the committee.

Health and Human Services

February 11, 2020

2020-0606s

05/04

#### Amendment to SB 731-FN

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Foster Parents; Foster Care Allowance. Amend RSA 170-E:52 by inserting after paragraph VI the following new paragraph:

VII. The department shall establish a supplemental foster care allowance program to provide financial support to assist first-time foster parents or licensees at renewal, who are required to make in-home adjustments to meet licensure requirements. In order for an expense to be eligible, the department shall require prior approval of the project before any improvements are initiated. Upon receipt of an authorized invoice for

an improvement, the department may make payments directly to the contractor on behalf of the applicant or provide reimbursement to the applicant upon demonstration of payment. There shall be a limit of \$2,500 in reimbursable expenses per foster family home. The department may transfer unexpended funds from other accounting units and class lines in order to supplement any appropriation made to the department for purposes of this paragraph; provided that the funding for the supplemental foster care allowance program shall not exceed \$100,000 per fiscal year.

Amend the bill by replacing section 5 with the following:

5 Effective Date.

I. Section 4 of this act shall take effect July 1, 2021.

II. The remainder of this act shall take effect September 1, 2020.

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

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

SB 741-FN, establishing the born alive protection act.

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

Recess. Out of recess.

Senator Fuller Clark 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 Giuda.

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.

HB 490, establishing a commission to study the role of clinical diagnosis and the limitations of serological diagnostic tests in determining the presence or absence of Lyme and other tick-borne diseases and available treatment protocols, and appropriate methods for educating physicians and the public about the inconclusive nature of prevailing test methods and available treatment alternatives.

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

Health and Human Services

February 11, 2020

2020-0611s

01/04

Amendment to HB 490

Amend RSA 141-C:6-a, II(a)(3) as inserted by section 2 of the bill by replacing it with the following:

(3) A representative of the New Hampshire Medical Society, appointed by the society.

Amend RSA 141-C:6-a, II(a) as inserted by section 2 of the bill by inserting after subparagraph (7) the following new subparagraphs:

(8) A physician specializing in neurology, rheumatology, or later-stage tick-borne infection treatment specialist, appointed by the Infectious Disease Society of America (IDSA).

(9) A tick-borne disease expert, appointed by the SOLO Wilderness Medicine School.

(10) A nurse practitioner or a representative of the New Hampshire Nurse Practitioner Association, appointed by the association.

Amend RSA 141-C:6-a, III-V as inserted by section 2 of the bill by replacing them with the following:

III. The commission shall:

(a) Consider expert studies and testimony on the role of clinical diagnosis, the limitations of serological diagnostic tests, and the complexities presented by co-infections relating to symptomology, diagnosis, and treatment in determining the presence or absence of Lyme and other tick-borne diseases, including at a minimum testing methods recommended respectively by IDSA, ILADS, the Center for Disease Control and Prevention (CDC), and the Tick-Borne Disease Working Group (TBDWG) established under the 21st Century Cures Act of 2016.

(b) Consider and make recommendations relative to appropriate methods to educate the medical profession and the public on the inconclusive nature of currently prevailing methods of diagnosing Lyme and other tick-borne diseases.

(c) Consider the newly proposed recommendations on tick-borne illness by the Centers for Disease Control and Prevention.

(d) Recommend legislation that the commission deems appropriate to address the rising incidence of chronic Lyme and other tick-borne diseases in New Hampshire.

IV. The first meeting of the commission shall be called by the first-named house member, who shall serve as chairperson of the commission. The first meeting of the commission shall be held within 45 days of the effective date of this section. The commission shall meet as often as necessary, but no less often than monthly, and shall hear testimony from patients treated for chronic Lyme and other tick-borne diseases, medical practitioners licensed in New Hampshire or other states who diagnose and treat chronic Lyme and other tick-borne diseases, and academic and professional experts experienced in the diagnosis and treatment of such diseases. Six members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

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

I. Section 3 of this act shall take effect November 1, 2021.

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.

## JUDICIARY

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

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

Senate Judiciary  
February 11, 2020  
2020-0604s  
06/04

## Amendment to HB 263

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

AN ACT establishing a committee to study reunification and termination of parental rights when a parent has been convicted of a crime against a child.

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

1 Committee Established. There is established a committee to study reunification and termination of parental rights when a parent has been convicted of a crime against a child.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

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

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall look at issues of reunification and termination of parental rights in cases where a parent has been convicted of an offense against a child as defined in RSA 651-B:1, VII.

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.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2020.

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

2020-0604s

#### AMENDED ANALYSIS

This bill establishes a committee to study reunification and termination of parental rights when a parent has been convicted of a crime against a child.

Senator D'Allesandro 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 Carson, seconded by Senator Giuda.

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

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

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

The Clerk read the following House Message.

#### HOUSE MESSAGE

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

SJR 2, awarding the New Hampshire Medal of Honor to Captain Ryan S. Phaneuf of Hudson, New Hampshire.

#### 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:

SJR 2, awarding the New Hampshire Medal of Honor to Captain Ryan S. Phaneuf of Hudson, New Hampshire.

Without objection, the Report of the Committee on Enrolled Bills is 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 Bradley: SB 662-FN

Senator Chandley: HB 263

## ANNOUNCEMENTS

PRESIDENT SOUCY: I'd just like to remind all members that if you have late filed legislation, the deadline is near for finalizing your co-sponsors. Please be attentive to those, so that those can be released from OLS and assigned to committees. In addition, I would also note, we will not have session on February 20<sup>th</sup>. Some committees have therefore, taken the option of scheduled extra sessions, so please look carefully at the calendar for Wednesday afternoon and Thursday sessions.

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 490, establishing a commission to study the role of clinical diagnosis and the limitations of serological diagnostic tests in determining the presence or absence of Lyme and other tick-borne diseases and available treatment protocols, and appropriate methods for educating physicians and the public about the inconclusive nature of prevailing test methods and available treatment alternatives.

SB 287-FN, setting the maximum contaminant levels for certain perfluorochemicals in drinking water.

SB 421-FN, relative to educational assistance for members of the New Hampshire national guard and relative to tuition waivers for children in state foster care or guardianship.

SB 422, relative to changes of registration of voters at primary elections.

SB 432, relative to the definition of "licensing agency" for purposes of licensing places of assembly.

SB 435-FN-A, making an appropriation to the department of education for the purpose of funding the Hudson CTE center.

SB 455, prohibiting higher education institutions from discriminating on the basis of military, law enforcement, or veterans status.

SB 485, relative to the disqualification of certain persons from performing duties as an election official.

SB 500, relative to financial disclosures by legislators.

SB 502, establishing a nursing review subcommittee.

SB 504, establishing a committee to study the effectiveness of outdoor therapy, art therapy, and music therapy as alternative covered treatments for individuals with post-traumatic stress disorder and substance abuse disorders.

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

SB 514, relative to alternative learning credit rules of the state board of education.

SB 528, establishing a committee to study charitable gaming.

SB 534, relative to state board of education rulemaking regarding criminal history records checks.

SB 539, relative to classification of certain employee positions.

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

SB 554, establishing a committee to study state regulation of net neutrality.

SB 563, relative to authorizing the issuance of bonds or notes by a municipality.

SB 565, adding the chancellor of the university system of New Hampshire to the department of business and economic affairs council of partner agencies.

SB 584, relative to policies for students with head injuries.

SB 589, allowing seasonal docks on certain lots in the town of Freedom.

SB 634, relative to establishing a peer support program in the department of health and human services.

SB 647-FN, relative to telemedicine and substance use disorder.

SB 659-FN, relative to agricultural and farm motor vehicle plates.

SB 680-FN, relative to materials used in the construction or repair of state roads.

SB 725-FN, relative to toll collection enforcement.

SB 740-FN, relative to the definition of health care facility under the state board of fire control.

SJR 2, awarding the New Hampshire Medal of Honor to Captain Ryan S. Phaneuf of Hudson, New Hampshire.

Adopted.

## 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.