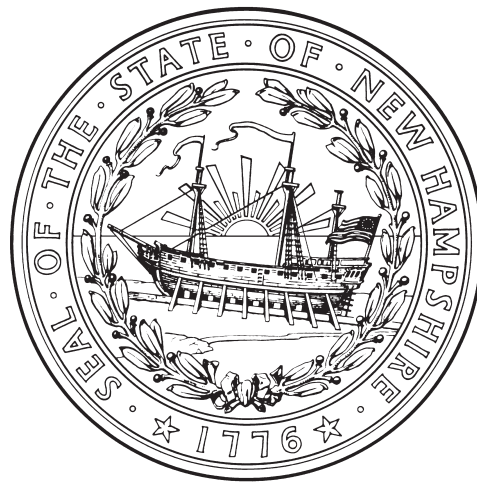


June 29, 2020
Nos. 8-9

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – JUNE 16, 2020 SESSION
COMMENCEMENT – JUNE 29, 2020 SESSION**

SENATE JOURNAL 8 *(continued)*

June 16, 2020

MOTION TO VACATE

The following House Bill was vacated from the Committee on Commerce and referred to the Committee on Judiciary processed in recess March 12, 2020. Adopted.

HB 1247, relative to notice of rent increases in certain residential rental property.

MOTION TO VACATE

The following House Bill was vacated from the Committee on Commerce and referred to the Committee on Election Law and Internal Affairs. Adopted.

HB 1230, relative to credit for reinsurance.

MOTION TO VACATE

The following House Bill was vacated from the Committee on Commerce and referred to the Committee on Judiciary. Adopted.

HB 1375, relative to cancellations of commercial insurance policies.

June 18, 2020
2020-1542-EBA
06/08

Enrolled Bill Amendment to HB 490

The Committee on Enrolled Bills to which was referred HB 490

AN ACT 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.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 490

This enrolled bill amendment corrects an RSA citation in the amending language

Enrolled Bill Amendment to HB 490

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

RSA 141-C by inserting after section 6 the following new section:

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

June 15, 2020
2020-1503-EBA
11/04

Enrolled Bill Amendment to HB 712-FN

The Committee on Enrolled Bills to which was referred HB 712-FN

AN ACT relative to a family and medical leave insurance program.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 712-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 712-FN

Amend RSA 282-B:2, X as inserted by section 1 of the bill by replacing line 2 with the following:

Act of 1993, 29 U.S.C. chapter 28.

Amend RSA 282-B:6, I as inserted by section 1 of the bill by replacing line 1 with the following:

I. An employee shall be limited to up to 12 weeks of FMLI in any benefit year. An employee

Amend RSA 282-B:6, II as inserted by section 1 of the bill by replacing line 2 with the following:

282-B:2, VIII.

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

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 9

June 29, 2020

The Senate reconvened at 1:00 p.m., a quorum being present.

SUSPENSION OF THE RULES

Without objection, Senate Rule 1-2 shall be suspended to allow the member to remain seated while speaking. Adopted, by the necessary 2/3 vote.

Senator Birdsell offered the following prayer:

Lord, lift up in prayer the lawmakers gathered here today. May we take that responsibility seriously and do our very best. May we realize the need for you and for your direction. May we hear your voice as we make our decisions and follow your guidance. May we have a passion for people for truth and for righteousness. Almighty Father, we ask you to bless the members of our armed forces. Give them courage hope and strength. May they ever experience your firm support, gentle love and compassionate healing. Be their power and protector leading them from darkness to light. Almighty father, we come to honor you this day. We come to acknowledge that you are the only who can rightly lead and guide our country. Amen.

Senator Ward led the Pledge of Allegiance.

ANNOUNCEMENT

PRESIDENT SOUCY: Good afternoon, everyone and welcome back. Once again, we meet in this historic chamber where many of us served before becoming members of the Senate. On behalf of the Senate, I once again want to thank Speaker Steve Shurtleff and the entire House for their generosity in allowing us to meet here in the Chamber.

And thank you, each and every one of you for your continued dedication that has put us in a position to complete our legislative work. Thank you for your commitment for being here today while following public health recommendations that allow us to all meet safely.

And finally, I would like to take a moment to remember the 367 Granite Staters we have lost to this pandemic, 47 more than when we met here less than two weeks ago. Our hearts go out to their families and loved ones, and I would ask all of you to join with me in a moment of silence to remember and reflect.

Thank you. Before we begin, I just want to stress again the importance of observing the recommendations about staying 6 feet apart and social distancing. We have worked very hard to provide a low risk environment, and it is critically important that we continue to adhere to the guidelines as we did two weeks ago.

On your desk is your iPad, Senate Calendar, a bag of snacks, bottle of water, extra masks, sanitizers, tissue and a bag for your trash. Also, on your desk is a blue folder in which you will find two mileage slips, one for today and one for June 16th session. If you would please before you leave today, sign those slips and a designated staff member will collect them to ensure that they are submitted.

Your iPad that has been charged and updated for you to be able to use the packet program. But at the end of today's session would you please leave your iPad on your desk so that the staff may collect them.

As a reminder, I would note that the microphones beside you at your desk will amplify your voice. You don't need to turn your microphone on or off. Gardner will be doing that for you and unmute your microphone at the appropriate time. Also, I again ask that for the sound to be picked up, Senators are to remain seated when delivering floor remarks and when asking and answering questions of other Senators. Thank you for observing these necessary changes from our normal process.

Please remain seated throughout the session except for caucusing and the use of restrooms. Once again, we will employ the same procedure for caucusing. If one is requested, please stay seated until your name is called.

For the Democratic Senators, Alan Raff will call your name one by one and you will proceed into the Senate Chamber which has been arranged to ensure adhering with social distancing guidelines. When the caucus has concluded, he will call your name once again and proceed into the House Chamber. For the Republican Senators, Josh Elliot will call your name one by one and ask you to proceed into the House Anteroom, which has also been arranged according to social distancing guidelines. When the caucus has concluded, Josh will call your name and ask you to assemble back into the chamber.

Both of the restrooms on this floor may be accessed during the session, however the Senate anteroom restroom will not be accessible during the session.

If, at any time, you would like a beverage, including coffee, please let a member of the staff know. Please do not attempt to get them. One will be brought to you.

When a roll call is requested, just please be mindful to be quiet so that the clerk can hear and record your vote.

Please note that access to the House gallery has been restricted to members of the press. But today's session is being livestreamed and a link to the website for the public to watch our proceedings has been published in the Senate Calendar.

At the conclusion of the session, we'll exit the House Chamber in the same manner in which we entered. And once again, thank you so much, each and every one of you for adhering to the basic guidelines and just ensuring that we're all in a safe place and have a very low risk environment.

Recess. Out of recess.

FACT-FINDERS' REPORTS

JOINT COMMITTEE ON EMPLOYEE RELATIONS (RSA 273-A:9, 12)

The fact-finder reports between the State of New Hampshire and:

[State Employees' Association of NH, Inc;](#)

[NH Troopers Association;](#)

[NH Troopers Association Command Staff; and](#)

Fish and Game Conservation Officers, Local 40

Fish and Game Conservation Supervisors, Local 45

Probation and Parole Officers I And II, Local 265

[Probation and Parole Officers III, Local 270.](#)

Acceptance of all recommendations in the fact-finding reports, Vote 12-3.

Senator Feltes for the committee.

Senator Feltes moves adoption of the Joint Committee on Employee Relations' acceptance of all Fact-finders' recommendations in the following reports between the State of New Hampshire and the

- State Employees' Association of NH, Inc;
- NH Troopers Association;
- NH Troopers Association Command Staff;
- Fish and Game Conservation Officers, Local 40;

- Fish and Game Conservation Supervisors, Local 45
- Probation and Parole Officers, I and II, Local 265; and
- Probation and Parole Officers III, Local 270

The question is on the adoption of all recommendations in the fact-finding reports.

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

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.

FN REPORT FOR JUNE 29, 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:

REGULAR CALENDAR:

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 1665-FN-A, establishing an independent advisory commission on redistricting.

JUDICIARY

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

Without objection, the FN Report is adopted.

REGULAR CALENDAR

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 1230, relative to credit for reinsurance.

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

Election Law and Municipal Affairs

June 25, 2020

2020-1577s

01/06

Amendment to HB 1230

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

AN ACT making an appropriation for the purpose of funding substance use disorder services in Nashua.

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

1 Appropriation; Department of Health and Human Services; Substance Use Disorder Services. Amend 2019, 346:352 to read as follows:

346:352 Appropriation; Department of Health and Human Services; Safe Stations; ***Substance Use Disorder Services***. The sum of \$375,000 for the fiscal year ending June 30, 2020 and the sum of \$375,000 for the fiscal year ending June 30, 2021 [is] ***are*** hereby appropriated to the department of health and human services for the purpose of funding existing Safe Stations located in Manchester and ***funding substance use disorder services in*** Nashua. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. ***Said funds shall not lapse until June 30, 2021.***

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

2020-1577s

AMENDED ANALYSIS

This bill makes an appropriation to the department of health and human services for the purpose of funding substance use disorder services in Nashua.

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

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

HB 1266, relative to absentee ballot request forms.

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

Recess. Out of recess.

Election Law and Municipal Affairs

June 25, 2020

2020-1582s

11/04

Amendment to HB 1266

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

AN ACT making temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

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

1 Absentee Registration and Voting; Covid-19.

I. Notwithstanding any law to the contrary, any person who is domiciled in any town or city in this state and is qualified to vote therein at the next subsequent election to be held in said town or city except for the fact that his or her name does not appear on the checklist to be used at the election, and who is temporarily absent therefrom or who by reason of concern for the novel coronavirus (Covid-19) disease is unable to attend a meeting of the supervisors of the checklist, may cause his or her name to be added to such checklist by applying to the city or town clerk or the secretary of state for a voter registration form provided for in RSA 654:7 and an appropriate absentee registration affidavit provided for in RSA 654:17.

II. Notwithstanding any law to the contrary, any person who cannot appear in public on an election day or who is unable to vote in person in the city, town, or unincorporated place in which he or she is registered because of concerns relating to the novel coronavirus (Covid-19) may vote at such an election as provided in RSA 657 and this act.

III. Notwithstanding any law of the contrary, any voter, after appearing at the polling place location prior to the closing of the polls to vote in person, who declares to the moderator under oath that said voter is unable to access a polling place due to concerns about the novel coronavirus (Covid-19) disease shall, upon the voter's request, have the required documents delivered to the voter outside the guardrail by the town or ward clerk or one of his or her assistants. The absentee ballot delivered by the town or ward clerk shall be processed using the same procedures as any other absentee ballot except the cutoff time listed in RSA 657:22 shall not apply.

2 Absentee Voting; Application; Forms. To increase accessibility, usage, and confidence of absentee ballots and to minimize errors that overburden clerks' offices, the absentee ballot application form described in RSA 657:4 is hereby suspended through December 31, 2020, provided that such form may be used in the event of a winter storm the day before the election. The secretary of state shall instead prepare new application forms for absentee ballots worded in substantially the following form to be used prior to any election occurring prior to December 31, 2020. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance, and Disability:

I hereby declare that (check one):

_____ I am a duly qualified voter who is currently registered to vote in this town/ward.

_____ I am absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability, and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

I will be entitled to vote by absentee ballot because (check one):

_____ I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.

_____ I am requesting a ballot for the presidential primary election and I may be absent on the day of the election from the city, town, or unincorporated place where I am domiciled, but the date of the election has not been announced. I understand that I may only make such a request 14 days after the filing period for candidates has closed, and that if I will not be absent on the date of the election I am not eligible to vote by absentee ballot.

_____ I cannot appear in public on election day because of observance of a religious commitment.

_____ I am unable to vote in person due to a disability.

_____ I am unable to vote in person due to concern for the novel corona virus (COVID-19).

_____ I cannot appear at any time during polling hours at my polling place because of an employment obligation. For the purposes of this application, the term "employment shall include the care of children and infirm adults, with or without compensation.

For use only on the Monday immediately prior to the election: I cannot appear at my polling place on election day because the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning for election day applicable to my city, town, or unincorporated place and either (check one):

_____ I am elderly or infirm or I have a physical disability, and would otherwise vote in person but I have concerns for my safety traveling in the storm.

_____ I anticipate that school, child care, or adult care will be canceled, and would otherwise vote in person but will need to care for children or infirm adults.

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an official absentee ballot for the following election(s):

(The date may appear as blank when the date is not known.)

_____ State Primary to be held on _____
(MM/DD/YYYY)

_____ General Election

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

_____ Republican Party

_____ Democratic Party

_____ (name of any party determined by the secretary of state to have achieved official status under RSA 652:11)

and am requesting a ballot for that party's primary.

Please print:

Applicant's Name:

(Last) (First) (Middle) (Sr., Jr., II., III)

Applicant's Voting Domicile (home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Mail the ballot to me at this address (if different than the home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Applicant's Phone Number : _____

Applicant's Email Address : _____

Applicant's Signature: _____

Date Signed: _____
(MM/DD/YYYY)

I attest that I assisted the applicant in executing this form because he or she has a disability.

Signature _____

Print Name _____

If your absentee ballot application or affidavit envelope has the printed name and signature of a person who assisted you with voting, your signature will not be compared to your signature on the absentee ballot affidavit to verify your identity. Otherwise, if your signatures do not appear to be made by the same person, your absentee ballot may not be counted.

The applicant must sign this form to receive an absentee ballot. Any person who witnesses and assists a voter with a disability in executing this form shall print and sign his or her name in the space provided on the application form. The moderator will not compare the voter's signature on the application with the signature on the absentee ballot affidavit when a person assisting the voter has signed the statement on the absentee ballot application or affidavit envelope that assistance was provided.

3 Absentee Registration Affidavit; Covid-19. The absentee registration affidavit form described in RSA 654:17 is hereby suspended through December 31, 2020. The secretary of state shall instead prepare new affidavits worded in substantially the following form to be used prior to any election occurring prior to December 31, 2020:

Affidavit (Absence from town)

I, _____ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

1) That my legal domicile is in the town of _____, New Hampshire, I will be of the age of 18 years or over on election day and am entitled to vote in the election to be held in said town on _____, _____ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;

2) That I do not intend to be present within said town at such time prior to said election as shall enable me personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;

3) That I am temporarily residing in _____ (city and state or city, province, and country);

4) That I hereby enclose one of the following as proof of identity and domicile:

(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or

(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;

5) That I acknowledge that if I do not provide a copy of proof of identity and domicile as required by section 4) above, this application may not be approved; and

6) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

Signature of Applicant

Date

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

Affidavit (Physical Disability or Concern for Covid-19)

I, _____ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

1) That my legal domicile is in the town of _____, New Hampshire, I will be of the age of 18 years or over on election day, and am entitled to vote in the election to be held in said town on _____, ____ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;

2) That I am unable by reason of physical disability or concern for the novel coronavirus (Covid-19) disease personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;

3) That I hereby enclose one of the following as proof of identity and domicile or shall send a photograph or photocopy of that proof to my clerk from the following email address: _____:

(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or

(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;

4) That I acknowledge that if I do not provide a copy of proof of identity and domicile as required by section 3) above, this application may not be approved; and

5) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

Signature of Applicant

Date

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

4 Processing of Absentee Ballots. Amend RSA 659:49 to read as follows: Amend RSA 659:49 to read as follows:

659:49 Processing Absentee Ballots.

I. Processing of previously received absentee ballots shall begin at 1:00 p.m. unless a different time[; ~~that is no earlier than 2 hours~~] after the opening of the polls[;] is posted and announced in accordance with paragraph II. The processing of the absentee ballots shall not unnecessarily interfere with normal voting procedures, nor shall the polls be closed at any time for the processing of such ballots during normal polling hours. Absentee ballots which are received after the start time for processing absentee ballots and prior to 5:00 p.m. on the day of the election shall be processed as soon after receipt as possible. Under no circumstances shall absentee ballots be counted prior to the closing of the polls.

II. Notwithstanding the provisions of paragraph I, ~~[upon the written challenges of 10 or more voters who are present at the polls no later than 1:00 p.m., the moderator shall postpone the processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election:]~~ the moderator, or his or her designee, shall post the time at which the processing of absentee ballots shall begin at the polling place and one other public location at least 24 hours before the polls open. In addition, when the polls open the moderator shall announce the time at which the processing of absentee ballots shall begin.

5 Opening Absentee Ballot Outer Envelopes. Amend RSA 659:49-b to read as follows:

659:49-b Opening Absentee Ballot Outer Envelopes. The moderator or the moderator's designee may authorize the opening of absentee ballot outer envelopes on election day **or the Thursday, Friday, Saturday, or Monday prior to the election** prior to the time established for processing absentee ballots in RSA 659:49, **but after the corrected checklist has been posted** provided that the opening of the outer envelopes occurs

in public with notice of the time and place. The envelope containing the ballot shall not be removed from the outer envelope at such time, [and] ***except to determine that the affidavit on the inner envelope is complete, and notations shall be made on the checklist to facilitate processing.*** The outer envelope containing the inner envelope shall ***then*** be secured until it is processed pursuant to RSA 659:50.

6 New Section; Election Procedure; Processing Absentee Ballots; Partial Processing of Absentee Ballots Prior to an Election. Amend RSA 659 by inserting after section 55 the following new section:

659:55-a Partial Processing of Absentee Ballots Prior to an Election.

I. The moderator, or his or her designee, may begin the processing of absentee ballots prior to the opening of the polls provided that the clerk shall post, in an appropriate public place and prior to election day, notice of the time and place of the processing. If the moderator chooses to do so it shall be posted in 2 appropriate public places, one of which shall be the public body's Internet website, if such exists, or shall be printed in a newspaper of general circulation in the city or town at least 48 hours, excluding Sundays and legal holidays, prior to such meeting. The partial processing of absentee ballots prior to an election shall occur on the Thursday, Friday, or Saturday prior to the date of the election after the posting of the checklist. The moderator shall be assisted by at least 3 other election officers as defined under RSA 652:14. Members of the general public may observe this process. Under no circumstances shall absentee ballots be counted prior to the opening of the polls.

II. Once notice of the processing has been posted, all absentee ballots received by the end of the day preceding the posted time for the meeting shall be partially processed. Only one session for the partial processing of absentee ballots may be scheduled prior to an election.

III. Except as otherwise provided, the moderator, or his or her designee, shall adhere to the procedures detailed in RSA 659:49-b, RSA 659:50, RSA 659:51, RSA 659:52, RSA 659:53, RSA 659:54, RSA 659:54-a, RSA 666:4, and RSA 666:5.

7 Processing Absentee Ballots. RSA 659:49 is repealed and reenacted to read as follows:

659:49 Processing Absentee Ballots.

I. Processing of previously received absentee ballots shall begin at 1:00 p.m. unless a different time, that is no earlier than 2 hours after the opening of the polls, is posted and announced in accordance with paragraph II. The processing of the absentee ballots shall not unnecessarily interfere with normal voting procedures, nor shall the polls be closed at any time for the processing of such ballots during normal polling hours. Absentee ballots which are received after the start time for processing absentee ballots and prior to 5:00 p.m. on the day of the election shall be processed as soon after receipt as possible. Under no circumstances shall absentee ballots be counted prior to the closing of the polls.

II. Notwithstanding the provisions of paragraph I, upon the written challenges of 10 or more voters who are present at the polls no later than 1:00 p.m., the moderator shall postpone the processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election. The moderator, or his or her designee, shall post the time at which the processing of absentee ballots shall begin at the polling place and one other public location at least 24 hours before the polls open. In addition, when the polls open the moderator shall announce the time at which the processing of absentee ballots shall begin.

8 Opening Absentee Ballot Outer Envelopes. RSA 659:49-b is repealed and reenacted to read as follows:

659:49-b Opening Absentee Ballot Outer Envelopes. The moderator or the moderator's designee may authorize the opening of absentee ballot outer envelopes on election day prior to the time established for processing absentee ballots in RSA 659:49, provided that the opening of the outer envelopes occurs in public with notice of the time and place. The envelope containing the ballot shall not be removed from the outer envelope at such time, and the outer envelope containing the inner envelope shall be secured until it is processed pursuant to RSA 659:50.

9 Repeal. Sections 1-3 and section 6 of this act, relative to temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease, are repealed.

10 Effective Date.

I. Sections 7-9 of this act shall take effect January 1, 2021.

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

2020-1582s

AMENDED ANALYSIS

This bill makes temporary changes to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

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

Senator Sherman offered a Floor Amendment.

Sen. Sherman, Dist 24

Sen. Birdsell, Dist 19

June 29, 2020

2020-1608s

11/05

Floor Amendment to HB 1266

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

AN ACT making temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

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

1 Absentee Registration and Voting; Covid-19.

I. Notwithstanding any law to the contrary, any person who is domiciled in any town or city in this state and is qualified to vote therein at the next subsequent election to be held in said town or city except for the fact that his or her name does not appear on the checklist to be used at the election, and who is temporarily absent therefrom or who by reason of concern for the novel coronavirus (Covid-19) disease is unable to attend a meeting of the supervisors of the checklist, may cause his or her name to be added to such checklist by applying to the city or town clerk or the secretary of state for a voter registration form provided for in RSA 654:7 and an appropriate absentee registration affidavit provided for in RSA 654:17.

II. Notwithstanding any law to the contrary, any person who cannot appear in public on an election day or who is unable to vote in person in the city, town, or unincorporated place in which he or she is registered because of concerns relating to the novel coronavirus (Covid-19) may vote at such an election as provided in RSA 657 and this act.

III. Notwithstanding any law of the contrary, any voter who, due to extenuating circumstances under Covid-19 is attempting but unable to access the polling place on the day of an election may follow the provisions set forth in RSA 659:20-a.

2 Absentee Voting; Application; Forms. To increase accessibility, usage, and confidence of absentee ballots and to minimize errors that overburden clerks' offices, the absentee ballot application form described in RSA 657:4 is hereby suspended through December 31, 2020, provided that such form may be used in the event of a winter storm the day before the election. The secretary of state shall instead prepare new application forms for absentee ballots worded in substantially the following form to be used prior to any election occurring prior to December 31, 2020. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance, Concern for the Novel Coronavirus (COVID-19), and Disability:

I hereby declare that (check one):

☐ I am a duly qualified voter who is currently registered to vote in this town/ward.

☐ I am absent from the town/city where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability or concern for the novel coronavirus (COVID-19), and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

I will be entitled to vote by absentee ballot because (check one):

☐ I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.

☐ I cannot appear in public on election day because of observance of a religious commitment.

☐ I am unable to vote in person due to a disability.

☐ I am unable to vote in person due to concern for the novel corona virus (COVID-19).

☐ I cannot appear at any time during polling hours at my polling place because of an employment obligation. For the purposes of this application, the term "employment shall include the care of children and infirm adults, with or without compensation.

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an official absentee ballot for the following election(s):

☐ State Primary to be held on _____
(MM/DD/YYYY)

☐ General Election

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

☐ Republican Party

☐ Democratic Party

and am requesting a ballot for that party's primary.

Please print:

Applicant's Name:

(Last) (First) (Middle) (Sr., Jr., II., III)

Applicant's Voting Domicile (home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Mail the ballot to me at this address (if different than the home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Applicant's Phone Number : _____

Applicant's Email Address : _____

Applicant's Signature: _____

Date Signed: _____
(MM/DD/YYYY)

I attest that I assisted the applicant in executing this form because he or she has a disability.

Signature _____

Print Name _____

If your absentee ballot application or affidavit envelope has the printed name and signature of a person who assisted you with voting, your signature will not be compared to your signature on the absentee ballot affidavit to verify your identity. Otherwise, if your signatures do not appear to be made by the same person, your absentee ballot may not be counted.

The applicant must sign this form to receive an absentee ballot. Any person who witnesses and assists a voter with a disability in executing this form shall print and sign his or her name in the space provided on the application form. The moderator will not compare the voter's signature on the application with the signature on the absentee ballot affidavit when a person assisting the voter has signed the statement on the absentee ballot application or affidavit envelope that assistance was provided.

3 Absentee Registration Affidavit; Covid-19. The absentee registration affidavit form described in RSA 654:17 is hereby suspended through December 31, 2020. The secretary of state shall instead prepare new affidavits worded in substantially the following form to be used prior to any election occurring prior to December 31, 2020:

Affidavit (Absence from town)

I, _____ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

1) That my legal domicile is in the town of _____, New Hampshire, I will be of the age of 18 years or over on election day and am entitled to vote in the election to be held in said town on _____, _____ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;

2) That I do not intend to be present within said town at such time prior to said election as shall enable me personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;

3) That I am temporarily residing in _____ (city and state or city, province, and country);

4) That I hereby enclose one of the following as proof of identity and domicile:

(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or

(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;

5) That I acknowledge that if I do not provide a copy of proof of identity and domicile as required by section 4) above, this application may not be approved; and

6) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

Signature of Applicant

Date

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

Affidavit (Physical Disability or Concern for Covid-19)

I, _____ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

1) That my legal domicile is in the town of _____, New Hampshire, I will be of the age of 18 years or over on election day, and am entitled to vote in the election to be held in said town on _____, _____ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;

2) That I am unable by reason of physical disability or concern for the novel coronavirus (Covid-19) disease personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;

3) That I hereby enclose one of the following as proof of identity and domicile or shall send a photograph or photocopy of that proof to my clerk from the following email address:_____:

(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or

(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;

4) That I acknowledge that if I do not provide a copy of proof of identity and domicile as required by section 3) above, this application may not be approved; and

5) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

Signature of Applicant

Date

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

4 Absentee Voting; Procedure by Clerk. Amend RSA 657:18 to read as follows:

657:18 Procedure by Clerk. Upon receipt of an outer envelope purporting to contain an official absentee voting ballot, the clerk of the city or town shall, subject to RSA 657:16, attach thereto the application for an absentee ballot submitted by said voter and record the information pursuant to RSA 657:15. All such envelopes shall be preserved unopened until election day ***except as provided by RSA 659:49-b.***

5 New Section; Absentee Voting; Procedure by Clerk; Single Application for Primary and General Election. Amend RSA 657 by inserting after section 18 the following new section:

657:18-a Procedure by Clerk; Single Application for Both Primary and General Elections. When the application for an absentee ballot requests both the primary and general election absentee ballot, a copy of the application shall be attached to the outer envelope of the primary ballot upon receipt and the original application preserved and attached to the general election ballot upon receipt.

6 New Paragraph; Preparation of Polling Place; Arrangement. Amend RSA 658:9 by inserting after paragraph VI the following new paragraph:

VII. The requirements of this section may be satisfied by alternative requirements issued by the secretary of state in consultation with the attorney general and the commissioner of the department of health and human services or designee.

7 Processing of Absentee Ballots. Amend RSA 659:49 to read as follows:

659:49 Processing Absentee Ballots.

I. Processing of previously received absentee ballots shall begin at 1:00 p.m. unless a different time, that is no earlier than ~~[2 hours]~~ ***one hour*** after the opening of the polls[;] is posted and announced in accordance with paragraph II. The processing of the absentee ballots shall not unnecessarily interfere with normal voting procedures, nor shall the polls be closed at any time for the processing of such ballots during normal polling hours. Absentee ballots which are received after the start time for processing absentee ballots and prior to 5:00 p.m. on the day of the election shall be processed as soon after receipt as possible. Under no circumstances shall absentee ballots be counted prior to the closing of the polls.

II. Notwithstanding the provisions of paragraph I, ~~[upon the written challenges of 10 or more voters who are present at the polls no later than 1:00 p.m., the moderator shall postpone the processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election.]~~ the moderator, or his or her designee, shall post the time at which the processing of absentee ballots shall begin at the polling place and one other public location at least 24 hours before the polls open. In addition, when the polls open the moderator shall announce the time at which the processing of absentee ballots shall begin.

8 Opening Absentee Ballot Outer Envelopes. Amend RSA 659:49-b to read as follows:

659:49-b Opening Absentee Ballot Outer Envelopes. The moderator or the moderator's designee may authorize the opening of absentee ballot outer envelopes on election day ***or the Thursday, Friday, Saturday, or Monday*** prior to the time established for processing absentee ballots in RSA 659:49, ***but after the corrected checklist has been posted*** provided that the opening of the outer envelopes occurs in public with notice of the time and place. ~~[The envelope containing the ballot shall not be removed from the outer envelope at such time, and The outer envelope containing the inner envelope shall be secured until it is processed pursuant to~~

RSA 659:50.] After the outer envelope has been opened, the affidavit on the inner envelope shall be examined, the voter's name shall be announced, an opportunity for a challenge of the ballot shall be given, and a notation may be made on the checklist to help facilitate processing of the ballot on election day. Notwithstanding RSA 659:51, if absentee ballots are partially processed before election day a challenge may not be made after the notation has been made on the checklist. The ballot shall remain secure in the unopened affidavit envelope until final processing on election day.

9 New Section; Election Procedure; Processing Absentee Ballots; Partial Processing of Absentee Ballots Prior to an Election. Amend RSA 659 by inserting after section 55 the following new section:

659:55-a Partial Processing of Absentee Ballots Prior to an Election.

I. The moderator, or his or her designee, may begin the processing of absentee ballots prior to the opening of the polls provided that the clerk shall post, in an appropriate public place and prior to election day, notice of the time and place of the processing. If the moderator chooses to do so it shall be posted in 2 appropriate public places, one of which shall be the public body's Internet website, if such exists, or shall be printed in a newspaper of general circulation in the city or town at least 48 hours, excluding Sundays and legal holidays, prior to such meeting. A copy of the notice shall be provided to the secretary of state. The partial processing of absentee ballots prior to an election shall occur on the Thursday, Friday, Saturday, or Monday prior to the date of the election after the posting of the checklist. The moderator shall be assisted by at least 3 other election officers as defined under RSA 652:14. Members of the general public may observe this process. Under no circumstances shall absentee ballots be counted prior to the opening of the polls.

II. Once notice of the processing has been posted, all absentee ballots received by the end of the day preceding the posted time for the meeting shall be partially processed. Only one session for the partial processing of absentee ballots may be scheduled prior to an election.

III. Except as otherwise provided, the moderator, or his or her designee, shall adhere to the procedures detailed in RSA 659:49-b, RSA 659:50, RSA 659:51, RSA 659:52, RSA 659:53, RSA 659:54, RSA 659:54-a, RSA 666:4, and RSA 666:5.

10 Absentee Voting; Procedure by Clerk RSA 657:18 is repealed and reenacted to read as follows:

657:18 Procedure by Clerk. Upon receipt of an outer envelope purporting to contain an official absentee voting ballot, the clerk of the city or town shall, subject to RSA 657:16, attach thereto the application for an absentee ballot submitted by said voter and record the information pursuant to RSA 657:15. All such envelopes shall be preserved unopened until election day.

11 Processing Absentee Ballots. RSA 659:49 is repealed and reenacted to read as follows:

659:49 Processing Absentee Ballots.

I. Processing of previously received absentee ballots shall begin at 1:00 p.m. unless a different time, that is no earlier than 2 hours after the opening of the polls, is posted and announced in accordance with paragraph II. The processing of the absentee ballots shall not unnecessarily interfere with normal voting procedures, nor shall the polls be closed at any time for the processing of such ballots during normal polling hours. Absentee ballots which are received after the start time for processing absentee ballots and prior to 5:00 p.m. on the day of the election shall be processed as soon after receipt as possible. Under no circumstances shall absentee ballots be counted prior to the closing of the polls.

II. Notwithstanding the provisions of paragraph I, upon the written challenges of 10 or more voters who are present at the polls no later than 1:00 p.m., the moderator shall postpone the processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election. The moderator, or his or her designee, shall post the time at which the processing of absentee ballots shall begin at the polling place and one other public location at least 24 hours before the polls open. In addition, when the polls open the moderator shall announce the time at which the processing of absentee ballots shall begin.

12 Opening Absentee Ballot Outer Envelopes. RSA 659:49-b is repealed and reenacted to read as follows:

659:49-b Opening Absentee Ballot Outer Envelopes. The moderator or the moderator's designee may authorize the opening of absentee ballot outer envelopes on election day prior to the time established for processing absentee ballots in RSA 659:49, provided that the opening of the outer envelopes occurs in public with notice of the time and place. The envelope containing the ballot shall not be removed from the outer envelope at such time, and the outer envelope containing the inner envelope shall be secured until it is processed pursuant to RSA 659:50.

13 Repeal. The following are repealed:

I. Sections 1-3 of this act, relative to temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

II. RSA 657:18-a, relative to the procedure by clerk upon receipt of a single application for both primary and general elections.

III. RSA 658:9, VII, relative to alternative requirements for preparation of the polling place.

IV. RSA 659:55-a, relative to partial processing of absentee ballots prior to election.

14 Effective Date.

I. Sections 10-13 of this act shall take effect January 1, 2021.

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

2020-1608s

AMENDED ANALYSIS

This bill makes temporary changes to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

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.

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

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.

HB 1520, establishing the New Hampshire health policy commission.

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

Election Law and Municipal Affairs

June 25, 2020

2020-1581s

01/04

Amendment to HB 1520

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

AN ACT establishing the New Hampshire health professionals' program administration fund and making an appropriation therefor, and relative to state board of education rulemaking regarding criminal history records checks.

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

1 New Paragraph; Office of Professional Licensure and Certification; Fees; Fund Established. Amend RSA 310-A:1-e by inserting after paragraph I the following new paragraph:

I-a. There is hereby established a nonlapsing fund to be known as the New Hampshire health professionals' program administration fund for the administration of the professionals' health program, including the professionals' health program in RSA 329:13-b, the alternative recovery monitoring program in RSA 326-B:36-a, and the impaired pharmacist program set forth in RSA 318:29-a, with a fee charged to licensees per year at the time of licensure renewal for the board of medicine, board of dental examiners, pharmacy board, board of nursing, board of veterinary medicine, board of psychologists, board of chiropractic examiners, board of mental health practice, midwifery council, board of registration in optometry, board of podiatry, licensed dietitians, and board of licensing for alcohol and other drug use professionals, not to exceed 125 percent of the actual cost of providing the services. Other health and technical professions boards may be added to program at the same annual fee per licensee. The moneys in this fund shall be continually appropriated to the office.

2 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (358) the following new subparagraph:

(359) Moneys deposited in the New Hampshire health professionals' program administration fund established in RSA 310-A:1-e, I-a.

3 Department of Education; Rulemaking. Amend RSA 21-N:9, II(s) to read as follows:

(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]~~ **authorizations**, 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.

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

2020-1581s

AMENDED ANALYSIS

This bill establishes the New Hampshire health professionals' program administration fund. The bill also requires the state board of education to adopt rules requiring criminal background checks for first-time applicants to certain educational personnel positions.

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

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

HB 1665-FN-A, establishing an independent advisory commission on redistricting.
Ought to Pass, Vote 3-2. Senator Morgan for the committee.

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

A roll call was requested by Senator Morgan, seconded by Senator Sherman.

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

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

Roll Call, Yeas: 15 - Nays: 9. Adopted, bill ordered to Third Reading.

JUDICIARY

HB 687-FN, relative to extreme risk protection orders.
Ought to Pass, Vote 3-2. Senator Hennessey for the committee.

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

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

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.

HB 1249, relative to the legal representation of children in the juvenile justice system.
Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

Senate Judiciary
June 24, 2020
2020-1570s
05/10

Amendment to HB 1249

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

AN ACT relative to the commission on the interdisciplinary primary care workforce; relative to multicounty grand juries; and allowing remote notarization of paper estate planning documents during the COVID-19 state of emergency.

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

1 Commission on the Interdisciplinary Primary Care Workforce; Title Change. Amend the chapter title preceding RSA 126-T:1 to read as follows:

COMMISSION ON *THE INTERDISCIPLINARY* PRIMARY CARE WORKFORCE [ISSUES]

2 Commission on the Interdisciplinary Primary Care Workforce. Amend the introductory paragraph of RSA 126-T:1 to read as follows:

126-T:1 There is hereby established a commission on *the interdisciplinary* primary care workforce [issues]. The members of the commission shall be as follows:

3 Commission on the Interdisciplinary Primary Care Workforce; Duties. Amend RSA 126-T:3, I-IV, to read as follows:

I. Reviewing the impact of existing policies related to strengthening New Hampshire's primary care workforce and making recommendations relative to appropriate use of funds for *workforce retention*, training, education, and recruitment.

II. ~~[Assessing the degree to which insurers, managed care organizations, and state and federal payment sources may present inequities and problems regarding payment for primary care services which may serve as a barrier for attracting and retaining the providers necessary for network adequacy.]~~

~~[H:] Collecting and reviewing data and information that informs decisions and planning for the primary care workforce and looking for innovative ways for expanding New Hampshire's primary care resources including, but not limited to, interstate collaboration~~ *and the use of telehealth*.

~~[IV:]~~ *III.* Assembling and ~~[including]~~ *disseminating* in its reports, *as* required under RSA 126-T:4, data ~~[on the]~~ *related to* availability, accessibility, and effectiveness of primary care in New Hampshire, with special attention to such data in rural and underserved areas of the state *in order to inform state policy and planning*.

IV. Exploring and developing strategies to further the integration of primary care, oral health, and behavioral health.

4 Commission on the Interdisciplinary Primary Care Workforce; Reports. Amend RSA 126-T:4 to read as follows:

126-T:4 Reports. The commission shall make an interim report on November 1, ~~[2018]~~ *2020* which shall focus on the status of the New Hampshire state loan repayment program and the New Hampshire division of public health service's health professions survey, and a final report on November 1, ~~[2020]~~ *2024*, including its findings and any recommendations for proposed legislation, to the speaker of the house of representatives, the president of the senate, the governor, the oversight committee on health and human services, and the chairpersons of the senate and house executive departments and administration committees.

5 Department of Health and Human Services; Commissioner's Duties. Amend RSA 126-A:5, XVIII-a(b) to read as follows:

(b) The data collected shall be reviewed, evaluated, and analyzed by the SORH to provide policy decision makers and the commission on *the interdisciplinary* primary care workforce [issues] established under RSA 126-T:1, with critical information to develop and plan for New Hampshire's primary workforce current and future needs and to identify innovative ways for expanding primary care capacity and resources.

6 Department of Health and Human Services; Commissioner's Duties. Amend RSA 126-A:5, XVIII-a(e) to read as follows:

(e) On or before December 1, 2019, and annually thereafter, the SORH shall make a written report to the speaker of the house of representatives, the senate president, the governor, the oversight committee on health and human services established under RSA 126-A:13, the chairs of the house and senate executive departments and administration committees, the chairs of the house and senate policy committee having jurisdiction over health and human services, and the commission on *interdisciplinary* primary care workforce [issues] established by RSA 126-T:1. The report shall include, but not be limited to, aggregate data and information on current and projected primary workforce needs and the participation rate on surveys completed pursuant to this paragraph. This report shall be incorporated into the report required pursuant to RSA 126-A:5, XVIII(c).

7 Commission on the Interdisciplinary Primary Care Workforce Extended. Amend 2010, 114:4, I as amended by 2015, 238:4 and 2018, 248:3 to read as follows:

I. Section 3 of this act shall take effect November 1, [2020] **2024**.

8 Declaration of Purpose. The purpose of sections 9-10 of this act is to authorize a procedure by which grand jury process may resume in this state in a manner consistent with the need to protect public health during the continuing COVID-19 public health emergency. Sections 9-10 of this act authorize the superior court to convene a multicounty grand jury that has jurisdiction in every county or judicial district thereof as a means of reducing the number of large gatherings of individuals that would otherwise occur under the county grand jury system established pursuant to RSA 600 and RSA 600-A.

9 New Chapter; Multicounty Grand Juries Convened by the Superior Court. Amend RSA by inserting after chapter 600-A the following new chapter:

CHAPTER 600-B

MULTICOUNTY GRAND JURIES CONVENED BY THE SUPERIOR COURT

600-B:1 Multicounty Grand Jury Convened by the Superior Court. The chief justice of the superior court shall have authority to issue an order convening a multicounty grand jury.

600-B 2 Contents of Superior Court Order.

I. An order convening a multicounty grand jury pursuant to RSA 600-B:1 shall:

(a) Designate a superior court judge to be the presiding judge over such multicounty grand jury and provide that such judge shall, with respect to all proper activities of the multicounty grand jury, have jurisdiction over all counties or judicial districts thereof in the jurisdiction of the multicounty grand jury;

(b) Designate a location or locations for the multicounty grand jury proceeding, which may be conducted remotely with appropriate technologies; and

(c) Provide for such other incidental arrangements as may be necessary.

II. All matters to be included in such order shall be determined in any manner which the chief justice of the superior court deems appropriate, except that the supreme court may adopt general rules, consistent with the provisions of this chapter, establishing standard procedures for the convening of a multicounty grand jury.

600-B:3 Composition. The counties and judicial districts thereof shall supply jurors for selection upon a multicounty grand jury ordered pursuant to this chapter in proportion to the population of the counties or the judicial districts thereof.

600-B:4 Jurisdiction.

I. The jurisdiction of a multicounty grand jury impaneled under this chapter shall extend throughout the state, including but not limited to, a single county or judicial district.

II. The subject matter jurisdiction of such multicounty grand jury shall be co-extensive with the subject matter jurisdiction of any grand jury authorized by RSA 600 or multicounty grand jury authorized by RSA 600-A.

600-B:5 Presentation of Evidence. Any prosecutorial authority authorized to present evidence to a county grand jury convened pursuant to RSA 600 or to a multicounty grand jury convened pursuant to RSA 600-A may present evidence to a multicounty grand jury impaneled pursuant to this chapter.

600-B:6 Term. The regular term of a multicounty grand jury impaneled under this chapter shall be no greater than 6 months. The chief justice of the superior court may extend the term for a specified time period upon a written petition by a prosecuting authority stating that an extension is needed.

600-B:7 Applicable Law. All laws and rules applicable to county grand juries, including their powers, duties and functions, shall apply to multicounty grand juries impaneled pursuant to this chapter, except insofar as they are in conflict with this chapter.

600-B:8 Indictment; Designation of Venue; Prosecution of Indictments. Any indictment by a multicounty grand jury impaneled pursuant to this chapter shall be returned to the presiding judge and shall include a finding as to the county, judicial district thereof, or counties in which the alleged offense was committed. Thereupon, the supervising judge shall, by order, designate the county of venue for the purpose of trial.

600-B:9 Costs and Expenses. The New Hampshire judicial branch shall pay the costs and expenses incurred in association with impaneling a multicounty grand jury pursuant to this chapter.

10 Repeal. RSA 600-B, relative to multicounty grand juries convened by the superior court, is repealed.

11 New Paragraph; Uniform Law on Notarial Acts; Remote Video Notarization of Estate Planning Documents During State of Emergency. Amend RSA 456-B:2 by inserting after paragraph VI the following new paragraph:

VII.(a) For the purposes of this section, but only in the context of executing an estate planning instrument such as a will, trust, or power of attorney, the requirement that a person appear before a notarial officer at the time of the notarial act is satisfied if the notarial officer is:

(1) The attorney, licensed to practice law in New Hampshire and in good standing, who drafted the estate planning instrument;

(2) Another attorney licensed to practice law in New Hampshire and in good standing, under the drafting attorney's supervision; or

(3) A paralegal under the supervision of either such attorney; and

(b) The person and the notarial officer can communicate simultaneously by sight and sound through an electronic device or process at the time of the notarial act.

(c) This paragraph shall apply only to notarial acts performed on or after March 23, 2020 and ending on the last day of the state of emergency declared by executive order 2020-04. In addition, a notarial act performed in compliance with emergency order #11 pursuant to executive order 2020-04 from its effective date through the date of its expiration is valid.

12 Wills; Requirements; Execution of Estate Planning Documents During State of Emergency. RSA 551:2 is amended to read as follows:

551:2 Requirements.

I. To be valid, a will or codicil to a will shall:

[I.] **(a)** Be made by a testator qualifying under RSA 551:1; and

[II.] **(b)** Be in writing; and

[III.] **(c)** Be signed by the testator, or by some person at his or her express direction in his or her presence; and

[IV.] **(d)** Be signed by 2 or more credible witnesses, who shall, at the request of the testator and in the testator's presence, attest to the testator's signature.

II. No seal shall be required. These requirements shall apply to all wills executed on or after January 1, 1993.

III.(a) For the purposes of this chapter, a person attesting a will or codicil as a witness shall be deemed in the presence of the testator if the witness, the testator, the other witness or witnesses, as the case may be, and a notarial officer who is (1) the attorney, licensed to practice law in New Hampshire and in good standing, who drafted the will or codicil; (2) another attorney, licensed to practice law in New Hampshire and in good standing, under the drafting attorney's supervision;

or (3) a paralegal under the supervision of either such attorney, can communicate simultaneously by sight and sound through an electronic device or process at the time all of them sign the will or codicil, which may be signed in multiple counterparts. A witness need not be physically present within the state of New Hampshire at the time the witness attests to the testator's signature.

(b) Nothing in this paragraph shall be deemed to allow an electronic will or codicil. This paragraph shall apply only to wills executed on or after March 23, 2020 and ending on the last day of the state of emergency declared by executive order 2020-04.

13 Effective Date.

I. Section 10 of this act shall take effect June 30, 2022.

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

2020-1570s

AMENDED ANALYSIS

This bill:

I. Changes the title and the duties of the commission on the interdisciplinary primary care workforce, and extends the repeal date of the commission.

II. Authorizes the chief justice of the superior court to issue an order convening a multicounty grand jury.

III. Allows witnessing of a will and appearance before a notary public by remote video conference for purposes of executing estate planning documents during the COVID-19 state of emergency.

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

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

HB 1375, relative to cancellations of commercial insurance policies.

Ought to Pass with Amendment, Vote 3-2. Senator Chandley for the committee.

Senate Judiciary

June 24, 2020

2020-1568s

01/06

Amendment to HB 1375

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

AN ACT relative to claims for medical monitoring.

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

1 New Chapter; Claims for Medical Monitoring. Amend RSA by inserting after chapter 125-S the following new chapter:

CHAPTER 125-T

CLAIMS FOR MEDICAL MONITORING

125-T:1 Purpose. The general court finds that a claim for medical monitoring is consistent with currently existing common law in the state of New Hampshire and other jurisdictions. The purpose of this chapter is to make the remedy of medical monitoring damages more uniform and better address the needs of those exposed.

125-T:2 Definitions. In this chapter:

I. "Exposure" means ingestion, inhalation, contact with skin or eyes, or any other physical contact.

II. "Hazardous or toxic substance" means any chemical or biological substance that is categorized as toxic, or an equivalent, by the United States Environmental Protection Agency (EPA) or the Agency for Toxic Substance and Disease Registry (ATSDR) of the United States Department of Health and Human Services. Chemical or biological substances which are not so categorized may be proven to be hazardous or toxic by a preponderance of the evidence by expert testimony.

125-T:3 Elements of Claim.

I. In order to prove a claim for medical monitoring damages, the plaintiff must show by a preponderance of the evidence for each of the following that:

- (a) The defendant negligently caused significant exposure to a proven hazardous or toxic substance;
- (b) The plaintiff now suffers from an increased risk of illness, disease, or latent disease. The plaintiff does not need to prove that the illness, disease, or latent disease is certain or likely to develop as a result of the exposure;
- (c) The increased risk under subparagraph (b) makes the need for diagnostic testing reasonably necessary; and
- (d) Medical tests exist to detect the illness, disease, or latent disease.

II. A claim for medical monitoring damages may be made without proof of present physical injury or symptoms.

III. Present or past health status shall not be at issue in a claim for medical monitoring.

125-T:4 Damages.

I. Damages shall be limited to reasonably necessary periodic examinations and related costs. The costs and necessity of such examinations shall be proven by expert testimony.

II. If medical monitoring relief is awarded, a court may place the award into a court-supervised program administered by one or more medical professionals.

III. Upon an award of medical monitoring damages, the court may award to the plaintiff reasonable attorney's fees and other litigation costs reasonably incurred.

125-T:5 Statute of Limitation. Medical monitoring claims shall be made with 3 years of the effective date of this chapter or discovery of exposure. The date when the hazardous or toxic substance was released is immaterial for purposes of this section.

125-T:6 Severability. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

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

2020-1568s

AMENDED ANALYSIS

This bill establishes the elements of a claim for medical monitoring and the damages that may be awarded. The question is on the adoption of the Committee Amendment.

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

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.

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

MOTION TO REMOVE FROM THE TABLE

Senator Feltes moved to remove HB 1240 from the Table. Adopted.

HB 1240, relative to the grounds for sexual assault and related offenses, establishing a special marriage officiant license, modifying requirements for renewal of pharmacy licenses, and relative to occupational licensure and the office of professional licensure and certification.

Without objection, take up HB 1240 at the present time. Adopted, by the necessary 2/3 vote.

Senator Feltes moved Ought to Pass.

Senator Hennessey offered a Floor Amendment.

Sen. Hennessey, Dist 5

Sen. Rosenwald, Dist 13

Sen. Bradley, Dist 3

June 29, 2020

2020-1603s

05/06

Floor Amendment to HB 1240

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

AN ACT relative to the grounds for sexual assault and related offenses, establishing a special marriage officiant license, modifying requirements for renewal of pharmacy licenses, and relative to occupational licensure and the office of professional licensure and certification.

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

6 New Section; Solemnization of Marriage; Special Marriage Officiant License. Amend RSA 457 by inserting after section 32-a the following new section:

457:32-b Special Marriage Officiant License.

I. The secretary of state may issue a special marriage officiant license, which shall temporarily authorize an individual to solemnize a marriage in this state. Any individual who applies for the special marriage officiant license shall register with the secretary of state, complete the registration form prescribed by the secretary of state, and submit an \$85 fee to the department of state. The secretary of state shall forward \$80 of the fee to the department of health and human services for deposit in the fund for domestic violence programs, established in RSA 173-B:15, and shall retain the remainder of the fee for administrative costs associated with issuance of the license.

II. Upon registration as a special marriage officiant, the individual shall be authorized to solemnize only the civil marriage designated on the registration form and shall receive proof of such authority from the secretary of state. The individual's authority to solemnize the marriage shall expire at the same time as the corresponding license.

7 Pharmacy Board; Permit; Fees. Amend RSA 318:38, II to read as follows:

II. All pharmacy permits shall expire when there is a change of ownership of the pharmacy or at midnight on December 31 biennially in each odd-numbered year ***for odd-numbered licenses or on December 31 of each even-numbered year for even-numbered licenses.*** Every pharmacy that wishes to continue to operate as such shall renew its permit no later than December ~~[15 biennially in odd-numbered years]~~ ***31 of the renewal year according to license number*** or immediately when the permit expires for any other reason. It shall be deemed a violation of the provisions of this chapter for any pharmacy to be open or operated beyond the expiration date of its permit.

8 New Section; Office of Professional Licensure and Certification. Temporary Licensing Process. Amend RSA 310-A by inserting after section 1-e the following new section:

310-A:1-f Temporary Licensing Process; Rulemaking. Notwithstanding any other state law to the contrary, the office of professional licensure and certification shall be authorized to issue temporary licenses to out-of-state health care professionals who present evidence of an active license in good standing from another jurisdiction, in accordance with rules adopted by executive director of the office of professional licensure and certification under RSA 541-A. The rules shall contain the following provisions:

I. Health care professionals shall be defined as those individuals licensed by the boards, councils, and commissions within the division of health professions as set forth in RSA 310-A:1-a, II, with the exception of those licensed pursuant to RSA 314, RSA 314-A, RSA 313, RSA 328-B, and RSA 328-H.

II. The temporary licenses shall be valid for 120 days, or until the board, council, or commission takes action on an application for full licensure, whichever happens first.

III. All individuals licensed under this section shall be subject to the jurisdiction of the state licensing body for that profession.

9 Findings; Electronic Signatures. On May 19, 2020, in response to the COVID-19 State of Emergency, Governor Sununu issued Exhibit H to Emergency Order #29. Exhibit H requires all boards, councils, or commissions administered by the office of professional licensure and certification to accept electronic signatures or scans of signed documents in addition to original signatures.

10 New Paragraph; Electronic Signatures. Amend RSA 310-A:1-d by inserting after paragraph II the following new paragraph:

III. Notwithstanding any other provisions of law to the contrary, for the performance of the administrative, clerical, and business processing responsibilities under paragraph II(b), all boards, councils, or commissions shall accept electronic signatures and scans of signed documents in addition to original signatures.

11 Allied Health Professionals; Temporary Licensure. Amend the introductory paragraph of RSA 328-F:18, VI to read as follows:

VI. Occupational therapists, occupational therapist assistants, recreational therapists, speech pathologists, respiratory care practitioners, *athletic trainers, genetic counselors*, physical therapists, and physical therapist assistants from the states of Connecticut, Rhode Island, Massachusetts, Maine, New York, and Vermont, who are currently licensed, shall be eligible for temporary licensure for 120 days while the person makes application for licensure to the respective governing board under this chapter. ***Temporary licensure shall not apply to an allied health governing board that is a member of an interstate licensure compact.*** An applicant for temporary licensure to practice, who is currently licensed or certified in Connecticut, Rhode Island, Massachusetts, Maine, New York, or Vermont, shall:

12 Effective Date.

I. Sections 1-5 of this act shall take effect January 1, 2021.

II. Sections 6 and 11 of this act shall take effect 60 days after its passage.

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

2020-1603s

AMENDED ANALYSIS

This bill:

I. Amends the definition of sexual contact in the criminal sexual assault statutes.

II. Expands the elements of the crime of felonious sexual assault and aggravated sexual assault to include sexual contact between school employees and students, and to include circumstances when the actor is in a position of authority over a victim who is between 13 and 18 years of age.

III. Establishes a special marriage officiant license to temporarily authorize an individual to solemnize a marriage. A portion of the license fee shall be deposited in the fund for domestic violence programs.

IV. Modifies requirements for renewal of pharmacy licenses.

V. Expands the professions in the allied health governing boards which grant temporary licensure to licensees from other states.

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.

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

The following Senators voted Yes: 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: Starr.

Roll Call, Yeas: 23 - Nays: 1. Adopted, bill ordered to Third Reading.

MOTION TO REMOVE FROM THE TABLE

Senator French moved to remove HB 1442 from the Table. Adopted.

HB 1442, relative to the Gunstock area commission and ski resort.

Without objection, take up HB 1442 at the present time. Adopted, by the necessary 2/3 vote.

Senator French moved Ought to Pass.

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

MOTION TO REMOVE FROM THE TABLE

Senator Carson moved to remove HB 1637-FN from the Table.

HB 1637-FN, establishing a kinship navigator program in the department of health and human services.

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

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

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

Roll Call, Yeas: 10 - Nays: 14. Failed.

MOTION TO REMOVE FROM THE TABLE

Senator Carson moved to remove HB 1328 from the Table. Failed.

HB 1328, relative to a change of school or assignment due to manifest educational hardship.

Recess. Out of recess.

MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider the following action taken by the body on HB 1240, relative to the grounds for sexual assault and related offenses, establishing a special marriage officiant license, modifying requirements for renewal of pharmacy licenses, and relative to occupational licensure and the office of professional licensure and certification. Rescind Order to Third Reading, Ought to Pass with Amendment. Adopted.

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

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

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.

MOTION TO REMOVE FROM THE TABLE

Senator Bradley moved to remove HB 647 from the Table.

HB 647-FN, relative to lucky 7 tickets.

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

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

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

Roll Call, Yeas: 10 - Nays: 14. Failed.

MOTION TO REMOVE FROM THE TABLE

Senator Bradley moved to remove HB 1216 from the Table. Failed.

HB 1216, relative to the impaired driver education program.

MOTION TO REMOVE FROM THE TABLE

Senator Bradley moved to remove HB 1330 from the Table.

HB 1330, proclaiming an annual observance of a day commemorating caregivers of wounded veterans.

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

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

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

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

Without objection, the Clerk shall read the first complete House Message and thereafter only the title of each bill shall be read. Adopted.

HOUSE MESSAGE

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

SB 19, relative to the privacy of certain information concerning public employees.

Senator Cavanaugh moved Concurrence. Adopted.

HOUSE MESSAGE

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

SB 63, relative to sharing of insurer rebates with enrollees.

Senator Cavanaugh moved Concurrence. Adopted.

HOUSE MESSAGE

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

SB 7-FN-LOCAL, establishing the secure modern accurate registration act (SMART ACT).

Senator Levesque moved Concurrence.

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

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

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

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

HOUSE MESSAGE

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

SB 44, relative to election procedures, delivery of ballots, and assents to candidacy.

Senator Levesque moved Concurrence. Adopted.

HOUSE MESSAGE

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

SB 45, relative to electioneering at polling places.

Senator Levesque moved Concurrence. Adopted.

HOUSE MESSAGE

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

SB 283-FN, relative to post-election audits of electronic ballot counting devices.

Senator Levesque moved Concurrence. Adopted.

HOUSE MESSAGE

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

SB 122-FN, relative to expenditures from the energy efficiency fund.

Senator Fuller Clark moved Concurrence.

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

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.

HOUSE MESSAGE

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

SB 124, (New Title) relative to the minimum electric renewable portfolio standards.

Senator Fuller Clark moved Concurrence.

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

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.

HOUSE MESSAGE

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

SB 166, relative to competitive electricity supplier requirements under net energy metering.

Senator Fuller Clark moved Concurrence.

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

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

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

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

HOUSE MESSAGE

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

SB 209, (New Title) establishing a commission to create a New Hampshire recovery monument.

Senator Carson moved Concurrence. Adopted.

HOUSE MESSAGE

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

SB 34, relative to the applicability of certain DWI prohibitions.

Senator Hennessey moved Concurrence.

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

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

The following Senators voted No: Bradley, Gray, Ward, Chandley.

Roll Call, Yeas: 20 - Nays: 4. Adopted.

HOUSE MESSAGE

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

SB 311-FN, relative to annulment of criminal records.

Senator Hennessey moved Concurrence.

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

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

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

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

(The Chair recognized Senator Fuller Clark.)

SENATOR FULLER CLARK: Thank you very much, Madam President. I would like to speak to the fact that this August will mark the hundredth anniversary of the ratification of the 19th amendment, which gave most women the right to vote. The fight for an equal voice spanned seven decades beginning on July 19th and 20th in 1848 in Seneca Falls New York.

(The Chair recognized Senator Ward.)

SENATOR WARD: In 1920, 10 million women raised their voice and cast their votes. In the past hundred years we have continued to speak up and in the 2018 mid-term elections the turnout rate for women was 3.2 percent higher than that of our male counterparts.

(The Chair recognized Senator Hennessey.)

SENATOR HENNESSEY: A woman's place is in the House, the Senate, in Congress, and in executive leadership. We stand here today because of the bravery of our predecessors.

(The Chair recognized Senator Dietsch.)

SENATOR DIETSCH: We have the privilege to cast our votes today, because of the women who fought, who marched, and who sang.

(The Chair recognized Senator Levesque.)

SENATOR LEVESQUE: We bring forward legislation to continue their work and their vision.

(The Chair recognized Senator Rosenwald.)

SENATOR ROSENWALD: We stand here in honor of the women who were arrested for saying the world needed to change.

(The Chair recognized Senator Carson.)

SENATOR CARSON: We hold public office, thanks to the women who gave everything they had for the hope of a better nation.

(The Chair recognized Senator Birdsell.)

SENATOR BIRDSELL: We are proud to continue their legacy. We work towards the day where a woman being elected to office can no longer be labeled the first time.

(The Chair recognized Senator Chandley.)

SENATOR CHANDLEY: We stand here knowing the path toward equal representation will be long but like the women who came before us we are prepared for the journey.

PRESIDENT SOUCY: To women across New Hampshire and across the country, happy anniversary. We may mark the day in August, but let's celebrate together at the polls in September and November. There is history still to be made.

PRESIDENT SOUCY: I'd also like to take a moment to thank a number of people who helped us certainly over the entire session, but extraordinarily so in the last few weeks as we did yeoman's work to pull together a legislative session despite a significant interruption in our work. I'd like to start by thanking Terry Pfaff, our Chief Operating Officer for all of his great work in helping to organize us and helping to ensure that we have a safe environment.

I'd like to thank Mike Kane and the staff of the Legislative Budget Assistant Office. Steve Smith and the staff of the LBA Audit Division. Without their attention to detail, numbers and without their consummate professionalism we would have struggled mightily to get through a budget process. I thank all of them for all of their great work and their assistance.

The staff of the General Court Technology Services Office; Scott Kelley, Laurie Sortevik, Sue Forcier, Ray LaRose and Ryan Dorrington. What would we have done without them keeping us connected and making sure that we had our iPads, that we always had the ability to research our legislation. Thank you so much to all of them.

To Jennifer Becker and the staff of the General Court Administrative Office. They make sure that we get reimbursed for our mileage and they make sure that our legislature stays on budget and that our bills get paid. Thank you so much for all that you do to serve all of us.

To Virginia Drew and Margaret Waterhouse who just put a smile on everyone's face when they enter the State House. They haven't been able to do so live; they've put together an amazing virtual tour of our State House, which if you haven't checked out is worth looking at. Thank you so much to Virginia and Margaret for being at the Visitors' Center and for all the great work that you do.

To Doug Dolcino and his staff, making sure that they're carrying out some of the plans that Terry has implemented, and making sure that each of us is safe, and that our building is well cared for. Thank you so much to Doug and his staff.

To Joe Burke and his team of officers, all here today helping us, making sure that we're staying safe. Thanks for always being there for all of us. We truly appreciate your dedication and each and every one of you. So, thank you very much.

To Nurse Dianne who always had yeoman's work to do. Certainly, without us being in the building it's been a little different but she's always there for us to call upon and always there to make sure that in time of crisis, in a time of health care need, we all have access to service and to care. So, thank you so much to Nurse Dianne.

A big thanks to David Alukonis and the staff of OLS. Oh, my gosh, what we have asked them to do in the last three weeks was absolutely extraordinary and they rose to the challenge and they provided all of us with just amazing service. So, thanks to each and every one of them, David and all of your staff.

And thanks of course to our staff starting with our legislative aides and assistants. Each and every one of us is successful because we have someone working with us to make sure that we're where we need to be, that our bills are filed, that our amendments get pulled back. Thanks to Deb Martone, Jenny Horgan, Kathy Cummings, Marie Marston, Griffin Roberge, Tricia Melillo, Ava Hawkes, Monica Cooper, Cam Lapine, Aaron Jones, and Jennifer Gallagher. Thank you all very, very much.

And thanks of course to our Sergeant-At-Arms, Herb Turner. Thank you so much, Herb for being here with us, for keeping us safe, for keeping us in order.

Our Doorkeeper, Doctor Roger Brooks who's been with us for so long. We're so pleased that you're here and that you continue not only to work with us but especially work with our Senate pages and provide them with such a meaningful experience. Thank you, Doctor Brooks for all that you do for us.

To the folks in our Research Division, although they're on the fourth floor of the LOB, we don't see them quite as often, we certainly appreciate each and every one of them and the work they do for us. Diana Ferguson, Theresa Neves, and Patrick Murphy, thank you, thank you for always finding the right answer.

And to our Director of Legislative Aides and Administrative Assistants, Sonja Caldwell. Sonja did an amazing job. Not only does Sonja take care of Senator D'Allesandro, which is a task in and of itself, Sonja supervised the work of all of our legislative aides, put together scheduling for all of our remote hearings, and really, really did fabulous work. So, thank you, Sonja for your great work.

To the minority staff, to Shannon Girard, Josh Elliot, and Bobby Collins, a big shout out and a big thank you for many, many, many tireless nights and taking great care of all of us.

To the staff upstairs in my office, led by Donald Manning, Alan Raff, Nancy Nolin, Patty Houde, Marina Altschiller, and Sara Persechino. We would not have gotten through all of this without each and every one of you. Thank you so, so very much. A lot of time put in, a lot of sleepless nights, a lot of late night texting, it is truly, truly appreciated, everything that you do to help each and every one of us. So thank you.

And of course, how would we ever keep that chamber running or this chamber running without our Senate Clerk's staff. The Senate Clerk's staff has just obviously risen to the occasion and always does. Rene, Gardner, Jack, Annie, and of course their leader, Tammy Wright, our Senate Clerk. Thank you so, so very, very much for all the amazing work that you do.

And of course, to the tallest man in the room, he's by our side, who is our counselor, our legal counsel, Greg Silverman, who works for each and every one of us, both as a body and certainly on an individual basis when we need his help. Thank you, Greg.

And I also have to thank a few other people. I want to just take a moment to thank certainly each and every one of you for the jobs that you do. Standing here doing this job sometimes isn't easy but it's amazing having great people backing you up. The person that I do want to reach out to is someone who I've been able to talk to and whose advice I've sought out and who I truly admire and want to thank, a person who's been in these shoes before, Senator Chuck Morse. Thank you, Senator Morse for all of your kindness, your leadership.

And then, I think the only thing we have left other than, I know there are some announcements. I would like to make a presentation to a few of our members who will not be returning. This is sort of like the last day of school for some of us, although we may have a veto day, we may have a session. We don't know yet. But it's truly been an honor to serve with so many of you and some of you will sorely be missed.

First, I would like to make a presentation, I think it's okay to step forward a little bit, to Senator Martha Hennessey. For your two terms in the Senate, your service in the House, your service as a committee chair, we will sorely miss you and we truly appreciate you and your dedication to your District, the people of the state of New Hampshire and your commitment to service here in the Senate. Thank you, Senator Hennessey.

I'd like to make a similar presentation to the Senate Majority Leader, Dan Feltes. For your years of service, for your dedication to the people of your district, dedication to the people of the state of New Hampshire, and for just being a great guy. Thank you, Senator Feltes.

And of course, last but certainly not least, Senator Martha Fuller Clark. Senator Martha Fuller Clark and I started our legislative career a long time ago. Back in 1990 we were first elected to the House together, served on the Municipal and County Government Committee, and through various iterations and various titles, we've worked together for a number of years. Senator Fuller Clark as all of you know, is probably one of the most prolific legislators ever. She has sponsored and co-sponsored and enacted more bills than anyone can imagine, and she's been an extraordinary member, both of the House, but most especially of the Senate, and she will be sorely, sorely missed. Senator Martha Fuller Clark.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Madam President. A point of personal privilege, please. I've said it on many occasions what a great, just what a great feeling it is to be a Senator and to be part of

this Senate. I don't think we should forget Senators who served and who have passed. I want to bring to note to my colleagues, the passing of Ted Snell. Now Ted was elected to the Senate in 1970. Ted was a 1962 graduate of the University of New Hampshire. I was a student when Ted was there. He then became Director of Alumni Relations at the University of New Hampshire and was a tremendous support to me. He then went on to be the Director of Public Relations for the Seabrook Greyhound Track and spent a great deal of the rest of his professional life working in that vineyard, so to speak. He passed away in Florida. He was in retirement. He was a quality guy. Always willing to help someone, always willing to go out of his way to help somebody and I think that's the mark of a good person. He didn't stay around the legislature a long time, which was probably to his best interest. But he did serve in the Senate, he did serve our state, he did serve our university, and he was a class A guy, and a credit to New Hampshire. His son called me and told me about his passing, and I want all of us to remember all of those who serve here. You know, one thing that we should have, is we should have a confederation of all of those who serve, and bring those who served together on occasion so that we can talk about the things that happened when we were here and the thing that we would have liked to have seen happen when we were here. But the Senate's a small group, we're the third smallest Senate in the United States. A credit to those who have served, a credit to Ted Snell who served, and a credit to all who serve in the New Hampshire State Senate. So, thank you, Madam President.

(The Chair recognized Senator Sherman.)

SENATOR SHERMAN: Thank you, Madam President. I haven't done this very often where I've spoken about somebody, but, and generally I think people tend to speak about people they've known for a long time. But I want to just mention very briefly someone who I've really known well just since the Covid outbreak. And when I heard of his retirement, I sent him a text and said Perry, I'm crushed. I want to recognize Perry Plummer today. I know there are others who are retiring, but when I think of Perry, I think of him as the soul of the state response to this Covid crisis. As Director of the EOC, he has done amazing work. I would get calls from him at 9 o'clock, 10 o'clock at night to ask me questions about ventilators. His work on behalf of the state and its residents and its citizens, the nursing home residents, has just been amazing. I've never seen anyone who has put so much into caring for so many with absolutely no restraints on being available and affable. And so, I just wanted to mention him today. I think it's incredibly important that we recognize the people who keep our state safe and Perry is a giant in that field. So, thank you, Perry for all you've done for us.

(The Chair recognized Senator Hennessey.)

SENATOR HENNESSEY: I'm not going to say goodbye, because I'm going to hope to see everybody again, many times. But I would like to say a little something about our legislative aide, Jenny, who is losing two Martha's. Jenny, I have to say, well here are her ABCs: She's affable, she's articulate, she's brilliant, she's buoyant, she's competent, and maybe most importantly, she's comedic, knowing that there's nothing like a little comic relief. When I was first the Chair of Judiciary, I think Jenny pretty much taught me everything I needed to know. She still sits there in the Zoom shaking her head no, that's wrong, yes, that's right. And the combination of Jenny and Greg are, I have felt, if it's an act, you're very good actors. But you've been amazing supporters, just incredible supporters. Jenny and Greg. And incredible encouragers and perhaps most importantly, they have become my good friends. I'm going to miss them terribly. As, we've already talked about Sara, who's put up with, along with many of us, a lot of my late night calls and requests and Alan, who always makes me feel like what I have to say matters, which is a real gift. And thank you so much to all of my colleagues also. It has been, when I was convinced to come into the legislature by a guy named Bernie Benn, some of you may recall, when I ran for the House. He was moving out of New Hampshire and he convinced me to run for the House and when I was saying no, no, no, no, I can't do that, no, no, I have a private practice et cetera, he said, Martha, it's like going back to college. And I just immediately had to say yes. Because everyone who's been to college would say it was some of the best years of their lives, and I was ready to learn new things. So, thank you for being my college education. Four years in the Senate as for my own personal postsecondary education was four years. And while I may not be sitting amongst you, I will be keeping close tabs, and working hard. And thank you for everything everybody has done.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Madam President. And I have to just speak out on behalf of Sonja Caldwell. Sonja Caldwell has been with me for almost twenty years. That in essence is a lifetime and she deserves platitudes beyond anything I can give. To put up with me for twenty, my wife's put up with me for almost sixty, but I have to tell you, it's just an honor to serve with her and to have her be with me in it. It's

not easy as Kermit the Frog said, it's not easy being green. Well, let me tell you it's not easy working Senator D'Allesandro, but she's done a great job over the years and she's hung in and taken on new responsibilities this term to manage all of the staff that works under her. So, to Sonja, thank you very much for everything that you've done for me and for the Senate and I truly, truly appreciate it. Thank you, Madam President.

(The Chair recognized Senator Kahn.)

SENATOR KAHN: I want to echo the fine remarks of our colleague from Senate District 24 about Perry Plummer. I first met Perry when I was at Keene State College and the flood emergencies that took place in the western side of the state. His responsiveness then was amazing. I learned a lot about the state's emergency response system. I'll remind us that when I came into the Senate, in 2016 '17, that we had a series of school shootings and that school safety was paramount on our agenda. Perry led that effort, made the commission that developed fifty-nine recommendations, many of which have turned into legislation and led the way in the distribution of dollars to I think every school district in the state of New Hampshire. And certainly, during this Covid crisis, he has been a giant. He has responded without even leaving, without ever talking to him. Just leave a message and the job gets done. He's a very impressive leader, he'll be sorely missed, and I thank him so much for the responsiveness and the quality of service.

When I think of him, I think too of the many people, the quality of service that we have had and Madam President, I appreciate everybody that you recognized because it has indeed been an honor to be a part of this body and to watch it transform itself over the last three months. The people who stepped forward are amazing and so dedicated to their work. I know Tricia Melillo is listening because she would. She loves her job, and if it is emblematic of the dedication of the staff that we have in the Senate, she certainly is that symbol. Her support of the Election Law and Municipal Affairs and Education and Workforce Development and me throughout this two years, is remarkable and I am so appreciative and I wanted to at least recognize her superb effort.

And then finally, I want to recognize the three colleagues that were saying thank you for your leadership. I just, you know, two terms into this and each one of you have provided me with learning and support that is unimaginable in friendship and in value of what you bring to the Senate. You'll be sorely missed. I just want to share my fond appreciation for everything you've done, and everything that you will do, because I know that service is a part of your lives and that you'll continue to serve our state. Thanks so much.

(The Chair recognized Senator French.)

SENATOR FRENCH: Thank you, Madam President. I'd like to take a moment to thank Senator Reagan's and my assistant, Kathy Cummings. She's been a great assistant although, she's never once gotten us coffee, never gotten us lunch, never baked cookies for us. So, if you're looking for that in an assistant, don't ever have Kathy, right John? But if you're looking for someone who's going to prepare you for the next day and make sure you go, ready and be there on time, I advise any one of you to be very happy to get Kathy as your assistant. Thank you, Madam President.

(The Chair recognized Senator Feltes.)

SENATOR FELTES: Thank you very much, Madam President. I, like my good friend from Hanover will defer a quote unquote swan song until we meet again. But one reflection right now, every intern or staff that I've had the opportunity to work with in the State Senate, Madam President, upon them exiting I've asked my own I guess, exit question which is, do you have more or less faith in the State Senate and state government having served here? And to a tee everybody has said, more faith in state government. And that's a tribute to everybody in this chamber. A few people to recognize, Jen Gallagher, who stepped into this as our assistant right as Covid-19 was hitting and just adapted in did amazing work so, she's listening, thank you.

Chris Tappan, Associate Commissioner of HHS has worked for Senator Bradley, myself and so many people in this chamber, has left HHS, but she has been pivotal on so many key issues and I think it's important to recognize her and her service to the state of New Hampshire, including the Children's System of Care, I remember Senator Carson, myself, Senator Fuller Clark going to New Jersey and visiting New Jersey's system and taking a look at that with Chris Tappan and her getting that up and running and working on that so I would ask, I have one more person to recognize but I would ask the chamber to kindly give a round of applause to Chris Tappan as well.

Lastly, Madam President, Madam President, you. Your service, your leadership especially during this difficult time has been outstanding. Let's all give a standing ovation for Donna Soucy.

PRESIDENT SOUCY: Thank you. Thank you, very much.

(The Chair recognized Senator Fuller Clark.)

SENATOR FULLER CLARK: Thank you, Madam President. I would like to take a few moments to reflect on my years here in the House and the Senate as I begin my departure, but I can assure you I'm not going far. I will be here one way or another because it's just such an important institution and I care so much. My deciding not to run again has not been an easy decision, one that I have wrestled with for months, because I do love what I do and because I so value all of you as colleagues and friends. And it's truly been an honor and a privilege for me to serve in the New Hampshire Citizen's Legislature for twenty-four years. First in the House and now in the Senate. It is hard for me to believe that it is thirty years ago this June, that I first signed up to run for the House as a State Representative from Ward 2 in Portsmouth. Little did I know that decision to run for public office would lead to such an amazing lengthy and rewarding career as an elected official.

First, I want to publicly thank my husband, Doctor Geoffrey Clark., and my children, Caleb, Nathaniel, and Anna, who have been there for me and supported me time and time again over these many years, making it possible for me to devote myself whole-heartedly to the challenges and rewards of being an elected official. I also thought you might want to know what I have learned as a legislator, and how I've benefitted personally from this experience. I have learned the importance of listening. The value of patience, the willingness to work with those you may disagree with, the need to be open and receptive to compromise, but still remain faithful to certain core values. To commit to do the hard work, learning about the many different issues needing a vote, and finally to never go back on your word. This experience has also allowed me to make many new friends and learn so much about our state and its issues. I like to say, every year in the legislature is like getting a master's degree in a new area. Not necessarily of one's choosing, but always interesting and rewarding.

I could not have been successful as a member of this institution without the support of you, my colleagues, our Senate staff. I will so miss my wonderful legislative assistants, Jenny Horgan and earlier Susan Duncan. The staff of our Research Department and of the Office of Legislative Services, the expertise of our commissioners, their staff, their departments, the input from advocates of so many special interest groups, and the general public. I can't thank everyone enough for your assistance and friendship over so many years.

It is clear to me that the next two years will be an extremely difficult time, especially given the dramatic and sudden decline in state revenues. Additionally, the legislature will undoubtedly be challenged to find new ways to address how we all will live, work and thrive as a result of the Covid crisis and our weakened economy. Will I miss not being here? Will I be sad to leave? Yes, of course. But I have great confidence in all of you to successfully negotiate these challenging times.

I want to thank those of you who are leaving and those who will be returning for your hard work and continuing commitment. And I would be remiss if I did not especially thank our current President, Senator Donna Soucy who has done such an outstanding job. I want to thank her for her leadership and her friendship of so many years. Godspeed, good luck, thank all of you from the bottom of my heart, for enabling me to have had such a transformative and meaningful career. Thank you.

(The Chair recognized Senator Rosenwald.)

SENATOR ROSENWALD: Thank you, Madam President. I knew I was luck when I got elected to the Senate, but I didn't know how lucky I was to be assigned Deb Martone as my legislative aide. She kept me focused, she kept me moving forward, she kept me on time and prepared and beyond that herculean task, she makes the Finance Committee run like clockwork, which is a huge, huge lift. And I think we're all better off because Deb Martone works for the Senate. Thank you.

(The Chair recognized Senator Levesque.)

SENATOR LEVESQUE: Thank you, Madam President. I would like to recognize our assistant, of three very busy Senators and recognize Ava Hawkes, who keeps us straight, who seems to know what we need even before we need it, we articulate it. One of things I worked on was Senate Bill 7, automated voter registration. She set up our meetings with three different states with the secretaries of states, with the moderators, with all of the participants. She made all of that happen. So, I'm very thankful to have her.

I also want to thank Tricia Melillo, who is keeping my head straight on Election Law, very knowledgeable, I feel very fortunate to have this kind of support especially coming from the House, where you get no support. And lastly, I want to thank all of my colleagues. I feel very fortunate to be a Senator. I feel fortunate to be able to share my experiences with you. And I know that at the end of the day that we are all colleagues, whether we agree with each other every time or not, there is a lot of respect. And I thank you, Madam President for your leadership. Thank you.

(The Chair recognized Senator Cavanaugh.)

SENATOR CAVANAUGH: Thank you, Madam President. I'd just like to thank my legislative aide, Aaron Jones as well. When he was being hired, I asked well, what's he like. Everyone kept on saying you're going to be like the Odd Couple, and I said so, what's that kid like? He said, he's organized, he's smart, he's polite, he's respectful, and he's willing to help people. I still don't get the Odd Couple part, but he is all of those, and he really did keep me on track with everything, even that last Zoom call we had in Commerce. The committees always ran smooth and he had everything all in line just to really help the whole committee get through a very tough process. And I just want to say thank you to him. And thank you, Madam President.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Madam President. I want you to know that Griffin Roberge thanks me for training him. He likened it to a three wood shot in a tile bathroom and so, I can't say enough. I literally could not do this without him, through the travails of my personal side of my life as well as the legislative efforts and that short-haired young man, I think you would agree, he's a really bright light and a very up spirit. Sometimes when we need that and I'm very glad to have had the privilege of working with him.

(The Chair recognized Senator Starr.)

SENATOR STARR: I'd like to second that. Griffin Roberge is really good. He keeps me straight, he keeps me informed, and we ought to give him a raise. Thank you.

(The Chair recognized Senator Sherman.)

SENATOR SHERMAN: Thank you, Madam President. I just wanted to say thank you to Monica Cooper who stepped in at a time when we needed a lot of help. Her staffing of Health and Human Services has been impeccable. Her staffing of my office mate, she should get hazard pay, I'm just kidding. She has been amazing. And I wish her all the best as she leaves us to go off to law school. Thank you, Monica.

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 687-FN, relative to extreme risk protection orders.

HB 1230, making an appropriation for the purpose of funding substance use disorder services in Nashua.

HB 1240, relative to the grounds for sexual assault and related offenses, establishing a special marriage officiant license, modifying requirements for renewal of pharmacy licenses, and relative to occupational licensure and the office of professional licensure and certification.

HB 1249, relative to the commission on the interdisciplinary primary care workforce; relative to multicounty grand juries; and allowing remote notarization of paper estate planning documents during the COVID-19 state of emergency.

HB 1266, making temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

HB 1375, relative to claims for medical monitoring.

HB 1442, relative to the Gunstock area commission and ski resort.

HB 1520, establishing the New Hampshire health professionals' program administration fund and making an appropriation therefor, and relative to state board of education rulemaking regarding criminal history records checks.

HB 1665-FN-A, establishing an independent advisory commission on redistricting.

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, vacating bills, 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.

SENATE CLERK'S NOTE

The information below reflects the work that was processed in recess June 29, 2020.

HOUSE MESSAGE

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

HB 250, (Second New Title) establishing a dental benefit under the state Medicaid program.

HB 466, relative to the capacity of electricity customer generators for eligibility for net energy metering.

HB 578-FN, (Second New Title) establishing a committee to study the safety of residents and employees in long-term care facilities, relative to cost controls in long-term care, and relative to the reimbursement of costs of training nursing assistants.

HB 685-FN, (Second New Title) relative to insurance plans that cover maternity benefits.

HB 705-FN, (Second New Title) relative to sexual assault, sexual misconduct in institutions of higher education, and the rights of victims of crime.

HB 731-FN, (Second New Title) relative to the state minimum hourly rate.

HB 1111, (Second New Title) relative to municipal broadband infrastructure bonds and establishing communications districts.

HB 1129, (Second New Title) relative to notice requirements for certain municipal public hearings, providing for optional town meeting procedures during the state of emergency declared in response to the novel coronavirus disease (Covid-19), and relative to online reporting of CARES Act disbursements.

HB 1135, (New Title) naming a portion of route 49 in honor of Specialist Marc P. Decoteau; designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway; declaring June 6 as D-Day Remembrance Day; proclaiming August 31 as Overdose Awareness Day; naming certain courtrooms in the tenth circuit district court and relative to circuit court, district and family division cases in Rockingham county; and relative to Holocaust and genocide studies legislation and establishing a commission to study genocide education.

HB 1162, (New Title) relative to adoption and parentage; the office of the child advocate; reimbursement of court ordered services for juveniles; the legal representation of children in the juvenile justice system; the best interest of the child under RSA 169-C and the duties of the oversight commission on children's services; insurance coverage for children's early intervention services; expanding the family-centered early supports and services (FCESS) program to children under the age of 3 who are born substance-exposed; the child abuse and neglect central registry; establishing a kinship navigator program; missing children; dispositional hearings under RSA 169-B; and the rebuttable presumption of harm under the child protection act.

HB 1166, (New Title) relative to unemployment compensation, certain sanitary protections for COVID-19, extending the federal Family and Medical Leave Act for certain COVID-19 protections, and waiving cost sharing for testing and treatment for COVID-19.

HB 1182, (New Title) establishing the commission to study the on road usage of non-traditional motor vehicles, relative to motor vehicles and transportation, relative to roadable aircraft, and making an appropriation to the department of education for the purpose of funding the Hudson CTE center.

HB 1230, (New Title) making an appropriation for the purpose of funding substance use disorder services in Nashua.

HB 1234-FN-A, (Second New Title) relative to state and local government administration.

HB 1240, (Second New Title) relative to the grounds for sexual assault and related offenses, establishing a special marriage officiant license, modifying requirements for renewal of pharmacy licenses, and relative to occupational licensure and the office of professional licensure and certification.

HB 1245, (Second New Title) adopting omnibus legislation concerning state agencies.

HB 1246, (New Title) relative to reporting of health care associated infections, establishing a COVID-19 nursing home and long-term care fund, relative to an independent COVID-19 nursing home and long-term care review, needs assessment, and recommendations, authorizing pharmacists to administer a COVID-19 vaccine, and relative to the reimbursement of costs of training nursing assistants.

HB 1247, (Second New Title) relative to mortgage defaults and nonpayment of rent during the novel coronavirus disease (Covid-19) outbreak state of emergency.

HB 1249, (New Title) relative to the commission on the interdisciplinary primary care workforce; relative to multicounty grand juries; and allowing remote notarization of paper estate planning documents during the COVID-19 state of emergency.

HB 1264, (New Title) extending the commission on the seacoast cancer cluster investigation, setting the maximum contaminant levels for certain perfluorochemicals in drinking water, establishing a per and poly-fluoroalkyl substances fund and programs and making an appropriation therefor, requiring insurance coverage for PFAS and PFC blood tests, and expanding the statute governing ambient groundwater quality standards.

HB 1266, (Second New Title) making temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

HB 1280-FN, (New Title) relative to copayments for insulin, establishing a wholesale prescription drug importation program, establishing a New Hampshire prescription drug affordability board, establishing the prescription drug competitive marketplace, relative to the pricing of generic prescription drugs, relative to prior authorization for prescription drug coverage, and requiring insurance coverage for epinephrine auto-injectors.

HB 1375, (New Title) relative to claims for medical monitoring.

HB 1454, (New Title) relative to alternative learning credit rules of the state board of education.

HB 1494-FN, (Second New Title) adopting omnibus legislation concerning workers.

HB 1520, (New Title) establishing the New Hampshire health professionals' program administration fund and making an appropriation therefor, and relative to state board of education rulemaking regarding criminal history records checks.

HB 1558-FN, (Second New Title) relative to discipline of students, addressing students' behavioral needs, and making an appropriation therefor; kindergarten funding; violence in schools; policies for students with head injuries; child sexual abuse prevention education and training; authorizing the issuance of bonds or notes by a municipality; adding the chancellor of the university system of New Hampshire to the department of business and economic affairs council of partner agencies; change of school or assignment due to manifest educational hardship; school board expenditure of year-end fund balances; a children's system of care; student wellness; and criminal background checks for bus drivers.

HB 1582-FN, (New Title) relative to free tuition at colleges and universities for children of veterans who are totally and permanently disabled; programs to aid veterans' access to employment, housing, health care, and college degrees; educational assistance for members of the New Hampshire national guard; tuition waivers for children in state foster care or guardianship; and prohibiting higher education institutions from discriminating on the basis of military, law enforcement, or veterans status.

HB 1623-FN, (New Title) relative to telemedicine.

HB 1639-FN, (New Title) relative to health care.

HB 1645-FN, (New Title) relative to superior court judgments; adding a bail commissioner to the commission on pretrial detention, pretrial scheduling, and pretrial services and the release of a defendant pending trial; prison privatization; misdemeanor domestic violence offenses; immunity from arrest or prosecution for certain alcoholic beverage violations; police officers reporting misconduct; criminal mischief; screening for all law enforcement officers for psychological stability prior to assuming their duties as certified officers; and prohibiting the use of chokeholds by law enforcement officers.

HB 1672-FN, (New Title) relative to absentee voting.

HOUSE MESSAGE

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

HB 1717-FN, relative to the sale of beer in refillable containers.

HOUSE MESSAGE

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

HB 1491, (New Title) relative to occupational licensure and the office of professional licensure and certification.

July 8, 2020

2020-1630-EBA

11/10

Enrolled Bill Amendment to HB 687-FN

The Committee on Enrolled Bills to which was referred HB 687-FN

AN ACT relative to extreme risk protection orders.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 687-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 687-FN

Amend 159-E:5, IV as inserted by section 2 of the bill by replacing line 3 with the following:
to the court in a sworn written affidavit, with copies to each party and his or her attorney, if one is
Senator Soucy moved adoption of the Enrolled Bill Amendment. Adopted.

July 1, 2020
2020-1618-EBA
11/10

Enrolled Bill Amendment to HB 705-FN

The Committee on Enrolled Bills to which was referred HB 705-FN

AN ACT relative to sexual assault, sexual misconduct in institutions of higher education, and the rights of victims of crime.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 705-FN

This enrolled bill amendment makes a technical change.

Enrolled Bill Amendment to HB 705-FN

Amend subparagraph II(b) of section 8 of the bill by replacing line 2 with the following:
victims of crimes and provide recommendations on enhancing enforcement of victims'
Senator Soucy moved adoption of the Enrolled Bill Amendment. Adopted.

July 7, 2020
2020-1628-EBA
11/01

Enrolled Bill Amendment to HB 1111

The Committee on Enrolled Bills to which was referred HB 1111

AN ACT relative to municipal broadband infrastructure bonds and establishing communications districts.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1111

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 1111

Amend RSA 33:3-g, I as inserted by section 1 of the bill by replacing it with the following:

I. A municipality or communications district formed under RSA 53-G may issue bonds for the purpose of financing the development, construction, reconstruction, **renovation**, [and] improvement, **and acquisition** of broadband infrastructure in any locations within a municipality unserved by broadband as defined in RSA 38:38, I(c). Without limiting the foregoing, broadband infrastructure may be the subject of public-private partnerships established in accordance with the provisions of RSA 33:3.

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

July 7, 2020
2020-1629-EBA
08/04

Enrolled Bill Amendment to HB 1166

The Committee on Enrolled Bills to which was referred HB 1166

AN ACT relative to unemployment compensation, certain sanitary protections for COVID-19, extending the federal Family and Medical Leave Act for certain COVID-19 protections, and waiving cost sharing for testing and treatment for COVID-19.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1166

This enrolled bill amendment corrects the section numbering in the bill.

Enrolled Bill Amendment to HB 1166

Amend the bill by renumbering sections 9-24 to read as 7-22, respectively.

Amend the bill by replacing line 2 of section 22 with the following:

I. Sections 17 and 19 shall take effect January 1, 2021 at 12:03 p.m.

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

July 7, 2020

2020-1621-EBA

10/05

Enrolled Bill Amendment to HB 1234-FN-A

The Committee on Enrolled Bills to which was referred HB 1234-FN-A

AN ACT relative to state and local government administration.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1234-FN-A

This enrolled bill amendment makes technical corrections and adds contingencies.

Enrolled Bill Amendment to HB 1234-FN-A

Amend paragraph III of section 39 of this act by replacing line 1 with the following:

III. Paragraphs II, IV, and V of section

Amend paragraph IV of section 121 of this act by replacing it with the following:

IV. Paragraphs II, IV, and V of section 38 of this act shall take effect as provided in paragraph III of section 39 of this act.

Amend RSA 149-M:61, I(h) as inserted by section 45 of the bill by replacing it with the following:

(h) One representative of the Northeast Resource Recovery Association, appointed by that association.

Amend the bill by inserting after section 120 the following new section and renumbering the original section 121 to read as 122:

121 Contingencies; HB 715; HB 1494.

I. If HB 715 of the 2020 regular legislative session becomes law then new chapter RSA 374-H as inserted by section 101 of this act shall be renumbered as RSA 374-I.

II. If HB 1494 of the 2020 regular legislative session becomes law then section 9 of this act, amending RSA 21-I:29-a, I(c), shall not take effect.

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

July 7, 2020

2020-1627-EBA

11/05

Enrolled Bill Amendment to HB 1240

The Committee on Enrolled Bills to which was referred HB 1240

AN ACT relative to the grounds for sexual assault and related offenses, establishing a special marriage officiant license, modifying requirements for renewal of pharmacy licenses, and relative to occupational licensure and the office of professional licensure and certification.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1240

This enrolled bill amendment resolves conflicts with HB 705 of the 2020 regular legislative session.

Enrolled Bill Amendment to HB 1240

Amend the bill by replacing all after section 11 with the following:

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

(k)(1) When the victim is 13 years of age or older and under 18 years of age and the actor is in a position of authority over the victim [~~and uses this authority to coerce the victim to submit~~] **and is more than 4 years older than the victim.**

(2) When the actor is an employee, contractor, or volunteer at a primary or secondary educational institution and the victim is a student and up to 10 months after the student's graduation or departure.

(3) Consent of the victim under any of the circumstances set forth in subparagraph (k) shall not be considered a defense.

13 Felonious Sexual Assault. Amend RSA 632-A:3, III to read as follows:

III.(a) Engages in sexual contact with a person:

(1) Who is under 13 years of age.

(2) Thirteen years of age or older and under 18 years of age when the actor is in a position of authority over the victim and is more than 4 years older than the victim.

(3) When the actor is an employee, contractor, or volunteer at a primary or secondary educational institution and the victim is a student and up to 10 months after the student's graduation or departure.

(b) Consent of the victim under any of the circumstances set forth in subparagraph (a) shall not be considered a defense.

14 Contingency. If HB 705 of the 2020 regular legislative session becomes law, then sections 12 and 13 of this act shall take effect on January 1, 2021 and sections 3 and 4 of this act shall not take effect. If HB 705 of the 2020 regular legislative session does not become law, then sections 3 and 4 of this act shall take effect on January 1, 2021 and sections 12 and 13 of this act shall not take effect.

15 Effective Date.

I. Sections 1, 2, and 5 of this act shall take effect January 1, 2021.

II. Sections 6 and 11 of this act shall take effect 60 days after its passage.

III. Sections 3, 4, 12, and 13 of this act shall take effect as provided in section 14 of this act.

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

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

July 7, 2020

2020-1625-EBA

06/10

Enrolled Bill Amendment to HB 1245

The Committee on Enrolled Bills to which was referred HB 1245

AN ACT adopting omnibus legislation concerning state agencies.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1245

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1245

Amend section 10 of the bill by replacing line 1 with the following:

10 Reference to Oversight Committee on Innovation Research Center. Amend RSA 187-A:31 to

Amend section 11 of the bill by replacing line 1 with the following:

11 Reference to Oversight Committee on Innovation Research Center. Amend RSA 187-A:33 to

Amend section 12 of the bill by replacing line 1 with the following:

12 Reference to Oversight Committee on Innovation Research Center. Amend RSA 187-A:33-c to

Amend section 72 of the bill by replacing line 1 with the following:

72 Administrative Procedure Act; Filing of Proposed Rule Text; Establishing and Revising Text.

Amend RSA 541-A:13, I as inserted by section 74 of the bill by replacing line 7 with the following:

add or amend grounds for objection after a preliminary objection is made under paragraph

Amend RSA 328-J:6 as inserted by section 89 of the bill by replacing lines 3 and 4 with the following:

board provide. ~~[Four members shall constitute]~~ A quorum ***of the board shall be described in RSA 21:15.***

Amend RSA 328-J:13 as inserted by section 92 of the bill by replacing it with the following:

328-J:13 Applications; Temporary License.

I. Applications for licensure or for a temporary license shall be ~~[on forms]~~ ***in the manner*** prescribed ~~[and furnished by the board]~~ ***by the office of professional licensure and certification***, shall contain statements made under oath, showing the applicant's education and a detailed summary of the applicant's technical work. The ~~[board]~~ ***office of professional licensure and certification*** shall establish fees for application and any examination required under this chapter. If the board denies the issuance of a license or a temporary permit to any applicant, any initial fee deposited shall be retained as an application fee.

II. The board may issue a temporary license to any person whose certification and registration is pending ~~[or when issuance is for the purpose of providing medical imaging or radiation therapy services to medically underserved areas as determined by the board]~~ ***for a period not to exceed 120 days.*** A temporary license shall be issued only if the board finds that it will not violate the purpose of this chapter or endanger the public health and safety. ~~[A temporary license shall expire 90 days after the date of the next examination if the applicant is required to take an examination. If the applicant does not take the examination on the scheduled date, the temporary license shall expire. In all other cases, a temporary license shall expire when the determination is made either to issue or deny the applicant a regular license. A temporary license shall not be issued for a period longer than 180 days.]~~

II-a. If an applicant is required to take an examination, the board may issue a temporary license for a period not to exceed 90 days after the date of the next examination. If the applicant does not take the examination on the scheduled date, the temporary license shall expire.

II-b. In all other cases, a temporary license shall expire when the determination is made either to issue or deny the applicant a regular license.

III. New graduates awaiting national certification and registration may be issued a temporary license for employment purposes for a period not to exceed one year.

IV. Any person issued a license under this chapter shall display the official license document or a verified copy in each place of regular employment.

Amend RSA 12-O:52, II(b) as inserted by section 104 of the bill by replacing line 1 with the following:

(b) Support the work of the offshore wind commission established in RSA 374-F:10.

Amend section 111 of the bill by deleting line 3.

Amend RSA 485-C:22, VII as inserted by section 142 of the bill by replacing line 2 with the following:

withdrawal in accordance with paragraph III. Actions of the department under

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

June 30, 2020
2020-1616-EBA
06/04

Enrolled Bill Amendment to HB 1266

The Committee on Enrolled Bills to which was referred HB 1266

AN ACT making temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1266

This enrolled bill amendment contingently renumbers an RSA section to avoid conflict with HB 1672-FN.

Enrolled Bill Amendment to HB 1266

Amend the bill by inserting after section 13 the following and renumbering the original section 14 to read as 15.

14 Contingent Renumbering; HB 1672-FN. If HB 1672-FN of the 2020 regular legislative session becomes law, then RSA 659:55-a, as inserted by section 9 of this act and as repealed by paragraph IV of section 13 of this act, shall be renumbered as RSA 659:55-c.

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

July 9, 2020
2020-1631-EBA
05/10

Enrolled Bill Amendment to HB 1280-FN

The Committee on Enrolled Bills to which was referred HB 1280-FN

AN ACT relative to copayments for insulin, establishing a wholesale prescription drug importation program, establishing a New Hampshire prescription drug affordability board, establishing the prescription drug competitive marketplace, relative to the pricing of generic prescription drugs, relative to prior authorization for prescription drug coverage, and requiring insurance coverage for epinephrine auto-injectors.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1280-FN

This enrolled bill amendment makes a grammatical and technical correction.

Enrolled Bill Amendment to HB 1280-FN

Amend RSA 126-CC:3, VIII as inserted by section 6 of the bill by replacing it with the following:

VIII. Create an outreach and marketing plan to work with health carriers and provider associations to generate public awareness of the program.

Amend RSA 21-I:97, II as inserted by section 16 of the bill by replacing line 1 with the following:

II. "Pharmacy benefits manager" or "PBM" means a person, business, or other entity, including a

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

July 10, 2020
2020-1619-EBA
05/08

Enrolled Bill Amendment to HB 1558-FN

The Committee on Enrolled Bills to which was referred HB 1558-FN

AN ACT relative to discipline of students, addressing students' behavioral needs, and making an appropriation therefor; kindergarten funding; violence in schools; policies for students with head injuries; child sexual abuse prevention education and training; authorizing the issuance of bonds or notes by a municipality; adding the chancellor of the university system of New Hampshire to the department of business and economic affairs council of partner agencies; change of school or assignment due to manifest educational hardship; school board expenditure of year-end fund balances; a children's system of care; student wellness; and criminal background checks for bus drivers.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1558-FN

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 1558-FN

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

AN ACT relative to discipline of students, addressing students' behavioral needs; kindergarten funding; violence in schools; policies for students with head injuries; child sexual abuse prevention education and training; authorizing the issuance of bonds or notes by a municipality; adding the chancellor of the university system of New Hampshire to the department of business and economic affairs council of partner agencies; change of school or assignment due to manifest educational hardship; school board expenditure of year-end fund balances; a children's system of care; student wellness; and criminal background checks for bus drivers.

Amend RSA 193:13, VII as inserted by section 1 of the bill by replacing line 3 with the following:

enrollment requirements under paragraphs IV and VI on a case by case basis.

Amend RSA 193:3, I(f)(3) as inserted by section 24 of the bill by replacing it with the following:

(3) The student's transfer to a public school or public academy in another district.

Amend the bill by replacing section 26 with the following:

26 Short Title. Sections 27 through 30 of this act shall be known as the Children's System of Care in Schools Act of 2020.

Amend RSA 135-F:5, II(c) as inserted by section 29 of this act by replacing line 4 with the following:

Titles I, II, IV-A, and IV-B under the Elementary and Secondary Education Act (ESEA).

Amend the bill by replacing paragraph V of section 37 with the following:

V. Sections 11-16 and 18-30 of this act shall take effect 60 days after its passage.

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

July 10, 2020
2020-1633-EBA
06/10

Enrolled Bill Amendment to HB 1639-FN

The Committee on Enrolled Bills to which was referred HB 1639-FN

AN ACT relative to health care.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 1639-FN

This enrolled bill amendment inserts contingencies for renumbering certain RSA sections inserted by this bill to avoid conflicts with other acts enacted by the regular 2020 legislative session.

Enrolled Bill Amendment to HB 1639-FN

Amend the bill by inserting after section 68 the following and renumbering the original section 69 to read as 72.

69 Contingency; HB 1623; Renumbering. If HB 1623 of the regular 2020 legislative session becomes law, RSA 329:1-f as inserted by section 63 of this act shall be renumbered to read as RSA 329:1-g.

70 Contingency; HB 1582; Renumbering. If HB 1582 of the regular 2020 legislative session becomes law, RSA 126-A:81 and RSA 126-A:82 as inserted by section 16 of this act, and the subdivision heading preceding them, shall be renumbered to read as RSA 126-A:87 and RSA 126-A:88, respectively.

71 Authorization for Contingent Renumbering; Publication. If any of the provisions of HB 1166, HB 1264, and HB 1280-FN of the regular 2020 legislative session adding an RSA 415:6-y and RSA 415:18-cc, and amending RSA 420-A:2 and RSA 420-B:20, III, become law, the director of legislative services is authorized to make any technical changes to the numbering in such RSA sections inserted by those acts, and the corresponding provisions in section 6, 7, 8, and 20-25 of this act, as necessary to conform said sections to proper RSA numbering and format in order to reflect the intent of the legislature. The authority granted under this section shall not include the power to make any substantive changes to the law and shall expire upon publication of the 2020 session laws.

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

July 10, 2020
2020-1632-EBA
05/01

Enrolled Bill Amendment to SB 7-FN-LOCAL

The Committee on Enrolled Bills to which was referred SB 7-FN-LOCAL

AN ACT establishing the secure modern accurate registration act (SMART ACT).

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 7-FN-LOCAL

This enrolled bill amendment makes a technical correction and inserts a renumbering contingency to prevent a conflict with HB 1672 of the regular legislative session.

Enrolled Bill Amendment to SB 7-FN-LOCAL

Amend RSA 645:15-a, VI as inserted by section 1 of the bill by replacing line 3 with the following:
in the voter registration application pursuant to paragraph VII.

Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 7:

6 Contingent Renumbering. If HB 1672 of the 2020 regular legislative session becomes law, RSA 260:14, III-e as inserted by section 3 of this act shall be renumbered as RSA 260:14, III-f.

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

June 30, 2020
2020-1615-EBA
06/05

Enrolled Bill Amendment to SB 44

The Committee on Enrolled Bills to which was referred SB 44

AN ACT relative to election procedures, delivery of ballots, and assents to candidacy.

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

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 44

This enrolled bill amendment clarifies amending language.

Enrolled Bill Amendment to SB 44

Amend section 9 of the bill by replacing line 2 with the following:

659:91-a, II to read as follows:

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 250, establishing a dental benefit under the state Medicaid program.

HB 466, relative to the capacity of electricity customer generators for eligibility for net energy metering.

HB 578-FN, establishing a committee to study the safety of residents and employees in long-term care facilities, relative to cost controls in long-term care, and relative to the reimbursement of costs of training nursing assistants.

HB 685-FN, relative to insurance plans that cover maternity benefits.

HB 731-FN, relative to the state minimum hourly rate.

HB 1135, naming a portion of route 49 in honor of Specialist Marc P. Decoteau; designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway; declaring June 6 as D-Day Remembrance Day; proclaiming August 31 as Overdose Awareness Day; naming certain courtrooms in the tenth circuit district court and relative to circuit court, district and family division cases in Rockingham county; and relative to Holocaust and genocide studies legislation and establishing a commission to study genocide education.

HB 1182, establishing the commission to study the on road usage of non-traditional motor vehicles, relative to motor vehicles and transportation, relative to roadable aircraft, and making an appropriation to the department of education for the purpose of funding the Hudson CTE center.

HB 1230, making an appropriation for the purpose of funding substance use disorder services in Nashua.

HB 1246, relative to reporting of health care associated infections, establishing a COVID-19 nursing home and long-term care fund, relative to an independent COVID-19 nursing home and long-term care review, needs assessment, and recommendations, authorizing pharmacists to administer a COVID-19 vaccine, and relative to the reimbursement of costs of training nursing assistants.

HB 1249, relative to the commission on the interdisciplinary primary care workforce; relative to multicounty grand juries; and allowing remote notarization of paper estate planning documents during the COVID-19 state of emergency.

HB 1264, extending the commission on the seacoast cancer cluster investigation, setting the maximum contaminant levels for certain perfluorochemicals in drinking water, establishing a per and polyfluoroalkyl substances fund and programs and making an appropriation therefor, requiring insurance coverage for PFAS and PFC blood tests, and expanding the statute governing ambient groundwater quality standards.

HB 1266, making temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

HB 1375, relative to claims for medical monitoring.

HB 1442, relative to the Gunstock area commission and ski resort.

HB 1454, relative to alternative learning credit rules of the state board of education.

HB 1494-FN, adopting omnibus legislation concerning workers.

HB 1520, establishing the New Hampshire health professionals' program administration fund and making an appropriation therefor, and relative to state board of education rulemaking regarding criminal history records checks.

HB 1645-FN, relative to superior court judgments; adding a bail commissioner to the commission on pretrial detention, pretrial scheduling, and pretrial services and the release of a defendant pending trial; prison privatization; misdemeanor domestic violence offenses; immunity from arrest or prosecution for certain alcoholic beverage violations; police officers reporting misconduct; criminal mischief; screening for all law enforcement officers for psychological stability prior to assuming their duties as certified officers; and prohibiting the use of chokeholds by law enforcement officers.

HB 1665-FN-A, establishing an independent advisory commission on redistricting.

SB 19, relative to the privacy of certain information concerning public employees.

SB 34, relative to the applicability of certain DWI prohibitions.
SB 63, relative to sharing of insurer rebates with enrollees.
SB 122-FN, relative to expenditures from the energy efficiency fund.
SB 124, relative to the minimum electric renewable portfolio standards.
SB 166, relative to competitive electricity supplier requirements under net energy metering.
SB 209, establishing a commission to create a New Hampshire recovery monument.
SB 283-FN, relative to post-election audits of electronic ballot counting devices.
SB 311-FN, relative to annulment of criminal records.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 253, relative to criminal records checks in the employee application process.
HB 496, relative to the definition of antique snowmobiles, relative to water quality rules, and relative to the disposition of administrative fines for asbestos management violations.
HB 712, relative to a family and medical leave insurance program.
HB 715-FN, relative to electrical energy storage.
HB 1660-FN, establishing a protective order for vulnerable adults.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 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.
HB 1129, relative to notice requirements for certain municipal public hearings, providing for optional town meeting procedures during the state of emergency declared in response to the novel coronavirus disease (Covid-19), and relative to online reporting of CARES Act disbursements.
HB 1247, relative to mortgage defaults and nonpayment of rent during the novel coronavirus disease (Covid-19) outbreak state of emergency.
HB 1672-FN, relative to absentee voting.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 687-FN, relative to extreme risk protection orders.
HB 1111, relative to municipal broadband infrastructure bonds and establishing communications districts.
HB 1234-FN-A, relative to state and local government administration.
HB 1245, adopting omnibus legislation concerning state agencies.
HB 1558-FN, relative to discipline of students, addressing students' behavioral needs, and making an appropriation therefor; kindergarten funding; violence in schools; policies for students with head injuries; child sexual abuse prevention education and training; authorizing the issuance of bonds or notes by a municipality; adding the chancellor of the university system of New Hampshire to the department of business and economic affairs council of partner agencies; change of school or assignment due to manifest educational hardship; school board expenditure of year-end fund balances; a children's system of care; student wellness; and criminal background checks for bus drivers.
HB 1582-FN, relative to free tuition at colleges and universities for children of veterans who are totally and permanently disabled; programs to aid veterans' access to employment, housing, health care, and college degrees; educational assistance for members of the New Hampshire national guard; tuition waivers for children in state foster care or guardianship; and prohibiting higher education institutions from discriminating on the basis of military, law enforcement, or veterans status.

HB 1623-FN, relative to telemedicine.

HB 1639-FN, relative to health care.

SB 7-FN-LOCAL, establishing the secure modern accurate registration act (SMART ACT).

SB 44, relative to election procedures, delivery of ballots, and assents to candidacy.

SB 45, relative to electioneering at polling places.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 705-FN, relative to sexual assault, sexual misconduct in institutions of higher education, and the rights of victims of crime.

HB 1162, relative to adoption and parentage; the office of the child advocate; reimbursement of court ordered services for juveniles; the legal representation of children in the juvenile justice system; the best interest of the child under RSA 169-C and the duties of the oversight commission on children's services; insurance coverage for children's early intervention services; expanding the family-centered early supports and services (FCESS) program to children under the age of 3 who are born substance-exposed; the child abuse and neglect central registry; establishing a kinship navigator program; missing children; dispositional hearings under RSA 169-B; and the rebuttable presumption of harm under the child protection act.

HB 1240, relative to the grounds for sexual assault and related offenses, establishing a special marriage officiant license, modifying requirements for renewal of pharmacy licenses, and relative to occupational licensure and the office of professional licensure and certification.

HB 1280-FN, relative to copayments for insulin, establishing a wholesale prescription drug importation program, establishing a New Hampshire prescription drug affordability board, establishing the prescription drug competitive marketplace, relative to the pricing of generic prescription drugs, relative to prior authorization for prescription drug coverage, and requiring insurance coverage for epinephrine auto-injectors.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 1166, relative to unemployment compensation, certain sanitary protections for COVID-19, extending the federal Family and Medical Leave Act for certain COVID-19 protections, and waiving cost sharing for testing and treatment for COVID-19.

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

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