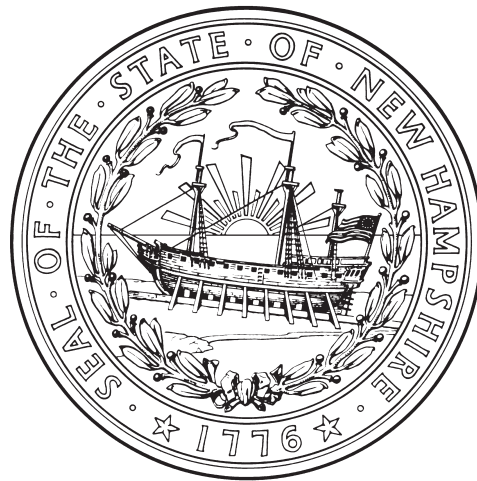


**March 4, 2021
Nos. 5-6**

STATE OF NEW HAMPSHIRE

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



**First Year of the 167th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – FEBRUARY 18, 2021 SESSION
COMMENCEMENT – MARCH 4, 2021 SESSION**

SENATE JOURNAL 5 *(continued)*

February 18, 2021

HOUSE MESSAGE

The House of Representatives has adopted the Secretary of State's report canvassing the votes for Governor and Executive Council.

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 70, authorizing certification for the microblading of eyebrows.

HB 73, relative to public notice requirements for certain permits issued by the department of environmental services.

HB 75, renaming and adjusting the membership of the New Hampshire commission on deafness and hearing loss.

HB 94-FN, relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.

HB 95-FN, relative to milk pasteurization.

HB 99, relative to seasonal platforms on public waters of the state.

HB 115, relative to wake surfing.

HB 117, relative to the use of force at New Hampshire national guard facilities.

HB 134, repealing certain inactive dedicated funds.

HB 137, relative to the rulemaking authority of the department of information technology.

HB 150, making a technical correction and a clarification in the law governing death benefits for emergency medical technicians and rescue squad members.

HB 173-FN, requiring the independent investment committee of the New Hampshire retirement system to report investment fees.

HB 192, relative to pistols permitted for the taking of deer.

HB 193, relative to penalties for improper timber harvesting.

HB 208, repealing RSA 323 regarding lightning rod dealers and salesmen.

HB 222-FN, (New Title) relative to official cover plates.

HB 226, relative to the repeal of laws on produce safety.

HB 233-FN, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment.

HB 240, relative to identification of cannabis strain for therapeutic cannabis.

HB 256, adding members from Londonderry to the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals into the air, soil, and groundwater in Merrimack, Bedford, and Litchfield.

HB 258, (New Title) permitting wage and hour records to be approved and retained electronically.

HB 281-FN, relative to the tax expenditure report and relative to delaying the enactment of the single sales factor under the business profits and business enterprise taxes.

HB 298, adding a member to the aviation users advisory board.

HB 301, relative to the compensation appeals board.

HB 302, relative to the creation and use of electronic records by government agencies.

HB 303, relative to required pay.

HB 304, establishing a committee to study the funding of tuition and transportation for career technical education.

HB 305, relative to motorist service signs on limited access highways.

HB 306, relative to revenue estimates while operating under emergency orders caused by the COVID-19 pandemic.

HB 311, establishing a committee to study rail trail best management practices.

HB 318, proclaiming the daring jumping spider to be the state spider of New Hampshire.

HB 324-FN, relative to the administration of certain state taxes by the department of revenue administration.

HB 330, relative to sports book locations.

HB 331-FN, relative to a forfeiture of personal property.

HB 342, (New Title) relative to the taking of game by certain lever-action firearms and relative to the number of rounds permitted in a firearm used to take deer.

HB 344, relative to temporary docks.

HB 350, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

HB 354, relative to the local option for sports betting.

HB 356, relative to the city of Manchester employees' contributory retirement system.

HB 375, allowing the destruction of valueless contraband by the chief of police.

HB 377, relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses.

HB 378, repealing the therapeutic use of cannabis advisory council.

HB 380, relative to the election of Grafton county commissioners.

HB 383, relative to the quarterly or semi-annual collection of taxes in certain municipalities.

HB 423, establishing a commission to study the implementation of enhanced automation of traffic lights.

HB 425-FN, (New Title) establishing technical committees and a cybersecurity advisory committee in the department of information technology

HB 427, prohibiting corporal punishment of children in state agency programs.

HB 432, relative to the offenses that prevent employment in a school.

HB 442, relative to penalties for a school's failure to file department of education reports.

HB 479, relative to pharmacist provider status and nicotine cessation therapy.

HB 529-FN, relative to cruelty to a wild animal, fish, or wild bird.

HB 530, relative to candidate background checks for law enforcement officers.

HB 625-FN, relative to the protection of fetal life.

HCR 5, supporting democracy and human rights in Hungary, Poland, and Hong Kong and supporting democracy in Taiwan.

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 110, relative to the distribution of adequate education grants.

HB 194, relative to the release of student assessment information and data.

HB 197, relative to the use of deadly force in defense of another.

HB 242, relative to the content of an adequate education.

HB 320, requiring a civics competency assessment as a high school graduation requirement.

HB 349, relative to certification requirements for school nurses.

HB 513, relative to the degree granting authority of Signum university and relative to the authority of the higher education commission.

HB 609-FN-LOCAL, relative to innovation schools.

HOUSE MESSAGE

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

SB 30, permitting the towns of Tilton and Northfield to redraw their boundary lines.

MOTION TO ADJOURN FROM LATE SESSION

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

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted. Adjournment from the Late Session.

SENATE JOURNAL 6

March 4, 2021

The Senate reconvened Remote Session in the House Chamber at 10:00 a.m., a quorum being present.

PRESIDENT MORSE: Welcome. I am Senate President Chuck Morse from District 22. Today, we will be holding a meeting of the Senate. Before we get started, I'll read through a checklist to ensure that the meeting that we are holding is in compliance with the Right-to-Know Law.

As President of the New Hampshire State Senate, I find that due to the state of emergency declared by the Governor as a result of the Covid-19 pandemic, and in accordance with the Governor's Emergency Order Number 12, pursuant to Executive Order 2020-04 and its extensions, this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting which was authorized pursuant to the Governor's Emergency Order.

In accordance with the Emergency Order, I am confirming that:

We are providing public access to the meeting with links provided on the General Court Website and in the Senate Calendar. We are utilizing Zoom for this electronic meeting. All members of the Senate have the ability to communicate contemporaneously in this meeting through this platform and the public has access to contemporaneously watch and or listen to the meeting with links provided on the General Court Website and in the Senate Calendar. Please note, that the only public access to session is through the livestream provided on the General Court Website and in the Senate Calendar. There is no access to the Zoom other than by way of the livestream, just as there would be no access to the Senate floor, other than by way of the Senate Gallery, or the livestream.

We have provided public notice of the necessary information for accessing the meeting in the Senate Calendar since Friday, February 19, 2021.

We are providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anyone has a problem please email HelpDesk@leg.state.nh.us, or call 603-271-2180.

In the event that technical problems on our end make it impossible for Senators to participate or for members of the public to access the meeting, it will be adjourned and rescheduled.

Please note that all votes taken during this meeting shall be done by roll call vote and will be recorded in the Permanent Journal.

Finally, let's start the meeting by taking a roll call attendance. When each member states their presence please also state where they are and if anyone else is in the room with you during this meeting, and if any other such person is present, each member will identify such person, which is required under the Right-to-Know Law.

The Clerk will call the roll of the Senate for attendance.

The Honorable Tammy L. Wright, Clerk of the Senate, called the Roll of the Senate for attendance.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

There were 24 members present.

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

Let us pray.

Good Morning, everybody. Let's begin with just a quick moment of silence.

O God, you are called by many names in different languages in our state. Worshipped in many ways and many places within the communities we serve. You, who are the author of life, love, and justice. We are humbled by this opportunity to serve in the New Hampshire State Senate. Help us remember our neighbors who are food insecure and pray that we would work to increase access to the food that is necessary for healthy bodies and minds. Help us to remember our neighbors who are unhoused or housing insecure and pray that we work to increase access to safe affordable and comfortable housing. Remember our neighbors who struggle with chronic illnesses, with addictions, with the burden of medical debt and pray we work to increase access to dignified, adequate, and affordable health care. Remember our neighbors who are struggling in school or are in schools that are struggling and pray that we work to increase access to an education that will prepare all our children to succeed in life. We remember today that we are here to serve the hard working people in the state of New Hampshire. Help us to work just as hard as they do to pass laws that will grant them their freedom to rise up and the ability to support their families and serve their communities. We cannot solve all their problems, but we can pass laws that are just and fair. We can pass laws that help everyone live out their God given right to life, liberty, and the pursuit of happiness. We can make a difference in this state. We pray this morning for the wisdom and the strength to do our best so that all citizens of the great state of New Hampshire have increased their sense of safety and of worth. We pray that we continue to work to cultivate the kind of state where everyone flourishes and where we no longer know anything but peace and justice. Amen.

Senator Gray led the Pledge of Allegiance.

FN REPORT FOR MARCH 4, 2021

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

CONSENT CALENDAR:

COMMERCE

SB 66-FN, allowing on-premises licensees to transport beverages and wines for delivery to consumers.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 86-FN, adopting omnibus legislation relative to planning and zoning.

REGULAR CALENDAR:

HEALTH AND HUMAN SERVICES

SB 152-FN-A, relative to affordable housing program funding.

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

CONSENT CALENDAR:

COMMERCE

SB 124-FN, adopting omnibus legislation relative to insurance.

REGULAR CALENDAR:

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 85-FN, establishing a broadband matching grant initiative and fund.

HEALTH AND HUMAN SERVICES

SB 132-FN, adopting omnibus legislation relative to COVID-19.

SB 157-FN-A, relative to funding of children's mental health services and making an appropriation to fund positions in the department of health and human services contracts and procurement unit.

Senator Daniels moved to adopt today's FN Report.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

CONSENT CALENDAR REPORTS REMOVED

COMMERCE

SB 63, by Senator Hennessey

EDUCATION

SB 108, by Senator Bradley

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 86-FN, by Senator Ricciardi

CONSENT CALENDAR

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

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

COMMERCE

SB 66-FN, allowing on-premises licensees to transport beverages and wines for delivery to consumers.

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

Similar legislation was introduced last session; however, it died on the table. This bill would allow on-premises licensees to transport and deliver alcoholic beverages and wines with food to consumers. To deliver beverages, an on-premises licensee would need to purchase a restaurant delivery license from the Liquor Commission. These licenses would cost \$250 and they would have to be renewed annually. As amended, Section 1 of this bill would be repealed on June 30, 2023 to allow the Liquor Commission and Legislature to review its effectiveness.

Commerce

February 19, 2021

2021-0458s

08/11

Amendment to SB 66-FN

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

2 Transportation of Beverages and Wine; Effective June 30, 2023. RSA 179:15 is repealed and reenacted to read as follows:

179:15 Transportation of Beverages and Wine.

I. A person may transport or deliver beverages and wines in this state without a license, provided such beverages and wines were obtained as authorized by this title and provided such beverages and wines are for consumption only and not for resale purposes.

II. Licensees may transport and deliver to their place of business beverages and wines purchased as authorized under this title, and, except on-premises licensees, may transport and deliver anywhere in the state such beverages and wines ordered from and sold by them in vehicles operated under the control of themselves or of their employees or agents, provided that the owner of such vehicles shall carry a copy of the license issued by the commission in the vehicle driven on behalf of the licensee for whom they are transporting such beverages and wines.

III. Every person operating such a vehicle, when engaged in such transportation or delivery, shall carry a copy of the license in the vehicle so operated, and shall carry such evidence as the commission by rule may prescribe showing the origin and destination of the beverages and wines being transported or delivered. Upon demand of any law enforcement officer, investigator, or employee of the commission, the person operating such vehicle shall produce for inspection a copy of the license and the evidence required by this section. Failure to produce such license or evidence shall constitute prima facie evidence of unlawful transportation. Except as otherwise provided, beverages and wines may be transported within the state only by a railroad or steamboat corporation or by a person regularly and lawfully conducting a general express or trucking business, and in each case holding a valid carrier's license issued by the commission. Nothing in this section shall prohibit individual retail licensees from arranging for the delivery of wine products to a location central for the parties involved.

3 Effective Date.

I. Section 2 of this act shall take effect June 30, 2023.

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

2021-0458s

AMENDED ANALYSIS

This bill allows an on-premise licensee to purchase a restaurant delivery license in order to deliver beverages and wine with food ordered from the on-premise licensee.

SB 124-FN, adopting omnibus legislation relative to insurance.

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

This four part omnibus bill would adopt legislation related to insurance. Part I would modernize the existing travel insurance statute, RSA 402-L, to benefit consumers, empower the Department of Insurance, and create a fairer marketplace. Part II would permit domestic insurance companies to engage in replication transactions. These transactions would grant companies greater flexibility as well as allow them to remain competitive. Part III would allow self-storage owners to acquire a limited lines license to sell self-service storage insurance to consumers. This section would provide considerable consumer protections, require that employees offering insurance be trained, and specify that insurance isn't compulsory. Finally, Part IV would require insurers offer a disabled Medicare Supplemental insurance policyholder, who has reached age 65, a premium that's not greater than the existing over age 65 premium. As amended, Section 415-F:10 in Part IV would be removed to allow for the sponsor and affected stakeholders to discuss potential changes that can be made in the future.

Commerce
February 16, 2021
2021-0375s
06/11

Amendment to SB 124-FN

Amend Part IV of the bill by replacing section 1 with the following:

1 New Section; Medicare Supplemental Insurance; Premiums. Amend RSA 415-F by inserting after section 8 the following new section:

415-F:9 Premiums. The issuer is prohibited from charging a Medicare eligible disabled member a premium greater than the over age 65 premium, once the disabled covered member is aged 65.

EDUCATION

SB 81, adopting omnibus legislation on chartered public schools.

Re-refer to Committee, Vote 5-0. Senator Ward for the committee.

This omnibus bill has two parts. Part one seeks to permit the use of school district facilities by chartered public schools. Part two of the bill seeks to implement the adoption of a code of conduct for educators of chartered public schools, as requested by the department of education. The committee unanimously recommended to rerefer this bill to committee to allow more time to understand and further explore how this bill would impact New Hampshire.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 46, relative to the use of electronic poll books by cities and towns.

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

This bill, as amended, is enabling legislation that authorizes cities and towns to use electronic poll book devices for voter registration and check-in during elections once approved by the Secretary of State. Additionally, it creates guidelines that must be followed by those municipalities that choose to utilize an electronic poll book system. The cities and towns shall assume all costs associated with implementing the system, only devices approved by the Secretary of State may be used, and within thirty days of initial use, a report must be submitted for review, detailing the outcome of the program.

Election Law and Municipal Affairs

February 17, 2021

2021-0419s

11/05

Amendment to SB 46

Amend the bill by replacing section 1 with the following:

1 Electronic Poll Books; Authorization. Amend RSA 652:27 to read as follows:

652:27 Electronic Poll Books.

I. Cities and towns are hereby authorized to ~~[conduct a trial of]~~ **use** electronic poll book devices for voter registration and check-in for elections~~[-The trial shall be compliant]~~, ***provided that any city or town using electronic poll book devices shall comply*** with all statutes directly or indirectly related to voter checklists and maintenance of the statewide centralized voter registration database including the processes related to voter registration, voter check-in and check-out, the processing of absentee ballots, the collection of all fields of data required for registration or check-in, and the delivery of that data to the secretary of state in a format compatible with the statewide centralized voter registration database. The provisions of RSA 654:34, RSA 659:55, RSA 659:13, RSA 659:14, and RSA 659:23, as they relate to manual entries on a paper checklist, are hereby waived in order to accommodate an electronic poll book, provided the same information required of the voter is obtained and recorded by the electronic poll book, and can be retrieved and/or printed at any time including during an election. In addition, nonpublic data related to individual voter data shall remain confidential, and no voter data shall be released or retained by an electronic poll book vendor, including its agents, or any company or individual that provides software, hardware, or services to the vendor for any purpose. An electronic poll book vendor shall not have access to any voter data except as specifically necessary to setup, maintain, or train for an electronic poll book program authorized under RSA 652:27. Adequate back-up systems shall be in place as determined by the local election officials for local elections and the secretary of state for all other elections. A back-up system shall include a “real time” download ***or accurate account*** of voters who have checked in or registered on the day of the election. The electronic poll book shall have the ability to generate a paper voter checklist completely marked to reflect participation in the election up to the time of any system failure or malfunction~~[-A]~~, ***and*** sufficient number of high speed printers shall be available in the polling place to produce a back-up paper checklist for use in the event of a system failure, ***or a paper checklist shall be marked in parallel with the electronic poll book reflecting the real time check-in of voters with a lag time of no more than 10 minutes.*** A marked checklist shall be printed upon the completion of every election along with any reports required by statute and shall be retained by the clerk.

II. The cities and towns shall assume all costs associated with electronic poll books. No electronic poll book ~~[trial]~~ program may proceed unless the electronic poll books system and application has been recommended for approval by an evaluator of electronic election systems ***approved by the secretary of state*** using requirements established by the secretary of state. ~~[Within 30 days of the effective date of this section, the secretary of state shall designate at least one evaluator of electronic election systems to draft test cases, conduct tests, and make recommendations.]~~ Recommendations to the secretary of state from an evaluator of electronic election systems shall be conditioned upon safe use procedures. The secretary of state may approve electronic poll book systems, ***in whole or in part***, based on recommendations from an evaluator of electronic election systems. No city or town may use an electronic poll book system that has not been approved by the secretary of state. ~~[The secretary of state, within 30 days of the effective date of this section, shall prepare requirements for conducting a trial of electronic poll book devices that outline specific conditions that must be met for compliance with this section. An electronic poll book trial program must originate with a city or town election before becoming eligible for use at a state election in the same city or town.]~~

III. ***For the initial use of an electronic poll book approved by the secretary of state, in whole or in part***, the city or town clerk shall file with the secretary of state all documentation that is necessary to show that all requirements in this section have been met no later than 30 days before an electronic poll book ~~[trial]~~ program shall take place. Within 30 days after the initial use of electronic poll books in accordance with this section, the city or town shall submit a report to the secretary of state, who shall review such reports and forward them to the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate standing committees with jurisdiction over election law. Each report shall describe the outcome of the program, addressing voter experiences, wait times, voter throughput times, personnel costs, hardware and software costs, and the completeness and accuracy of the data recorded, reported, and submitted for import to the statewide centralized voter registration database.

IV. ***The secretary of state shall prepare at least once each calendar year a regularly updated set of instructions and best use practices for the use of electronic poll books in state elections based on reports from the city and town clerks, evaluation vendors, and electronic poll book system providers.***

The question is on the adoption of the Consent Calendar.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avar, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: D'Allesandro.

Roll Call, Yeas: 23 - Nays: 1. Adopted.

REGULAR CALENDAR

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 54, relative to the procedure used to complete and submit applications for absentee ballots and absentee ballots.

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

Election Law and Municipal Affairs

February 17, 2021

2021-0422s

11/10

Amendment to SB 54

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

AN ACT relative to the absentee ballot application form.

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

1 Absentee Ballot Application Form. Amend RSA 657:4, I to read as follows:

I. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. 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 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 (check one):

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

(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)

Identity Information (please provide one or more of the following, or contact the town clerk for assistance):

(Driver's License or Nondriver's Picture Identification Card Number and State of Issuance)

(Last 4 digits of applicant's social security number)

(Other - contact town clerk)

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.

2 New Section; Absentee Ballot Application Procedure; Identity Information. Amend RSA 657 by inserting after section 6 the following new section:

657:6-a Absentee Ballot Application Procedure; Identity Information. Identity information sufficient to satisfy the requirements of RSA 657:4, I shall include a driver's license number and state of issuance, a nondriver's picture identification card number and state of issuance, the last 4 digits of a social security number, or any other information or records that the town clerk may verify. The town clerk is authorized to verify driver's license and nondriver's picture identification card information, when provided, with the department of safety, division of motor vehicles or local law enforcement. The statewide centralized voter registration database shall be reviewed and updated based on any information provided with the absentee ballot application.

2021-0422s

AMENDED ANALYSIS

This bill requires that applications for absentee ballots include identity information.

The question is on the adoption of the Committee Amendment.

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

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

The following Senators voted No: Watters, Prentiss, Kahn, Rosenwald, Whitley, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

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

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

The following Senators voted No: Watters, Prentiss, Kahn, Rosenwald, Whitley, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

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

SB 85-FN, establishing a broadband matching grant initiative and fund.

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

Election Law and Municipal Affairs

February 18, 2021

2021-0449s

05/10

Amendment to SB 85-FN

Amend the bill by replacing section 2 with the following:

2 New Subdivision; Broadband Matching Grant Initiative. Amend RSA 4-C by inserting after section 37 the following new subdivision:

Broadband Matching Grant Initiative

4-C:38 Broadband Matching Grant Initiative Established.

I. There is hereby established within the office of strategic initiatives a broadband matching grant initiative, the purpose of which shall be to provide matching grants to broadband providers, political subdivisions, and communications districts in order to improve broadband availability across the state. When awarding grants, the office of strategic initiatives shall take into consideration broad geographic coverage of broadband services in New Hampshire and participation of political subdivisions and broadband providers in the grant process that will support business and residential users.

II. Eligible projects shall provide high speed Internet access in unserved areas of the state that lack access to broadband services, as defined in RSA 38:38, I(f), from at least one broadband provider.

III. Any broadband provider, political subdivision, or communications district formed under RSA 53-G shall be eligible for a grant of up to 50 percent of the total eligible costs of a project. Projects under construction at the time of application shall be ineligible. Projects in the planning stages shall be eligible.

4-C:39 Program Guidelines; Rulemaking.

I. The office of strategic initiatives shall adopt rules under RSA 541-A and RSA 4-C:5, relative to grant application and distribution procedures.

II. The rules shall, at a minimum, include the following:

(a) Establishment of a technology-neutral competitive grant process based on objective criteria.

(b) Establishment of a challenge process, with reasonable timelines, through which information may be provided to the state to ensure that funds are not used to build projects in served areas or areas where construction of a network to provide broadband service is planned to be complete within one year.

(c) A method to ensure an applicant's trade secrets, financial information, and proprietary information submitted as part of an application are exempt from disclosure under RSA 91-A.

(d) Establishment of a process that promotes faster service, up to and including gigabit service.

III. The office of strategic initiatives shall ensure that any grants awarded to broadband providers are provided with an appropriate level of consultation with the local governing bodies and a determination that the grants advance the goal of deploying broadband to unserved areas within communities.

IV. Eligible costs for the program shall include, but are not limited to:

(a) Costs associated with access to utility poles and other necessary structures.

(b) Construction of broadband network infrastructure in eligible areas.

(c) Construction of service connections to individual homes or businesses.

(d) Upgrades to existing infrastructure that currently provides service that does not meet the minimum definition of broadband in RSA 38:38, I(c).

(e) All other costs directly attributable to the construction project. In cases where a cost is shared with another ongoing project, shared costs shall be prorated.

(f) Planning costs related to network design and program eligibility.

V. Eligible costs shall not include any operating expenses or other recurring costs.

VI. The broadband provider, political subdivision, or communications district shall provide a minimum of 50 percent of the total cost of the project. Sources of the match may include revenue bonds issued by the political subdivision, bonds issued by the communication district, or private investment by broadband providers either jointly or independently. Sources of the match provided by broadband providers shall not include other federal or state funding awarded specifically to support the expansion of broadband networks.

VII. The office of strategic initiatives shall not, as a condition of an award of grant money, impose any requirement, rate regulation, or other term or condition of service that differs from the applicant's terms or conditions of service in its other service areas.

4-C:40 Broadband Matching Grant Fund.

I. There is hereby established the broadband matching grant fund. The fund shall be kept separate and distinct from all other funds and shall be continually appropriated to the director of the office of strategic initiatives for the purposes of this subdivision. In addition to state appropriations, the office of strategic initiatives may accept gifts, grants, and donations for deposit into the fund.

II. Any federal funds received by the state for the purposes of expanding or improving Internet access that are not otherwise committed to other programs or required by the federal legislation authorizing the funds shall be deposited into the broadband matching grant fund.

The question is on the adoption of the Committee Amendment.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

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

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

FINANCE

SB 98-FN, relative to the SNAP incentive program.

Ought to Pass, Vote 7-0. 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 Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

SB 118-FN-A-L, relative to the property tax relief act of 2021.

Ought to Pass, Vote 4-3. Senator D'Allesandro for the committee.

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

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

The following Senators voted Yes: Bradley, Watters, Prentiss, Ward, Ricciardi, Kahn, Rosenwald, Whitley, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators voted No: Hennessey, Giuda, Gray, French, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

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

Senator Bradley moved to Lay on the Table.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

PRESIDENT MORSE: Let me just explain and if Senator Daniels disagrees, it's always been a courtesy in the Senate that we take bills like this and put them on the table and then invite those Senators to come back to Finance when we receive the budget from the House to talk about how we can work these bills into the budget. That's what you just did by putting this on the table. So, unless Senator Daniels wants to add anything, I believe that's going to be our process.

HEALTH AND HUMAN SERVICES

SB 132-FN, adopting omnibus legislation relative to COVID-19.

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

Health and Human Services

February 19, 2021

2021-0452s

08/11

Amendment to SB 132-FN

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

1 Sponsorship. This act consists of the following proposed legislation:

Part I: LSR 21-939, establishing a COVID-19 micro enterprise relief fund, sponsored by Sen. Prentiss, Prime/Dist 5; Sen. Whitley, Dist 15; and Sen. Sherman, Dist. 24.

Part II: LSR 21-0946, requiring a COVID-19 needs assessment of nursing homes and long-term care facilities and making an appropriation therefor, sponsored by Sen. Rosenwald, Prime/Dist 13; Sen. Cavanaugh, Dist 16; Sen. Whitley, Dist 15; Sen. D'Allesandro, Dist 20; Sen. Prentiss, Dist 5; Sen. Sherman, Dist 24; Sen. Perkins Kwoka, Dist 21; Sen. Soucy, Dist 18; Rep. McMahon, Rock 7; Rep. Rogers, Merr 28; and Rep. Norgren, Graf 12; Rep. Klee, Hills 30.

Part III: LSR 21-1058, relative to support and promotion of New Hampshire's live performance industry to the council on the arts, sponsored by Sen. Whitley, Prime/Dist 15; Sen. Perkins Kwoka, Dist 21; Rep. McWilliams, Merr 27; Rep. Espitia, Hills 31; Rep. Fenton, Ches 8; and Rep. Wilhelm, Hills 42.

2 Legislation Enacted. The general court hereby enacts the following legislation:

PART I

Establishing a COVID-19 micro enterprise relief fund.

1 Findings.

I. On March 13, 2020, the governor signed the first declaration of a state of emergency due to COVID-19. As of January 1, 2021, this order has been extended 14 times.

II. Between March 26, 2020 and June 16, 2020, a "Stay at Home" order had been in-place under the authority of the governor as measure to prevent the spread of COVID-19. This order included the closing of schools, prohibited gatherings of 10 or more people, and limited business operations that were not considered essential.

III. Between March and August of 2020, 449 New Hampshire business closed temporarily or permanently, with 280 remaining closed.

IV. New Hampshire began "reopening" on May 11, 2020 with restrictions, some of which remain in place today and continue to impact the micro enterprise sector, those businesses with between 1 and 5 employees including the proprietor. According to the Small Business Administration, Office of Advocacy, there are 25,478 business with between 1-19 employees and 101,795 non-employer businesses.

V. It is incumbent upon the state government to take prompt, proactive, and continuing action to protect the economic health of New Hampshire communities through building out the infrastructure and sustainability of micro enterprises.

2 New Subdivision; COVID-19 Micro Enterprise Relief Fund. Amend RSA 12-O by inserting after section 52 the following new subdivision:

COVID-19 Micro Enterprise Relief Fund

12-O:53 COVID-19 Micro Enterprise Relief Fund.

I. There is established in the office of the state treasurer a fund to be known as the COVID- 19 micro enterprise relief fund. Notwithstanding RSA 4:45, RSA 4:47, RSA 21-P:43, or any other law to the contrary, to the extent permissible under federal law \$3,000,000 of any federal funds received by the state in response to the COVID-19 public health emergency shall be deposited into the fund, provided that at no time shall the balance of the fund exceed \$3,000,000 in any fiscal year.

II. Funds shall be disbursed at the discretion of the commissioner to the 10 New Hampshire regional economic development corporations to be awarded to local or regional micro enterprises. Each regional development corporation shall receive up to \$300,000. Each regional development economic council shall be authorized to assess an administrative fee up to 10 percent of the funds received through the state to manage this grant program. Any regional economic development corporation that does not award all of the funds received in grants to local micro enterprises shall return the funds to micro enterprise relief fund at the department of business and economic affairs for redistribution at the discretion of the commissioner.

III. With each award, an agreement for technical assistance shall be put in place between the regional development corporation, the New Hampshire small business development center, and the micro enterprise to support the implementation of the funds. 18 months after the implementation of the program, the regional economic development councils will prepare and submit reports to the commissioner, that include the number of grants and the amounts, and the use of each grant by the recipient. The commissioner shall compile these reports and submit a compiled report to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the state library, and the governor.

IV. Regional economic development corporations shall award one-time grants of up to \$25,000 to support one or more areas of need, including development of e-commerce capabilities, upgrading business practices, or maintaining storefront presence. The regional economic development corporations shall ensure micro enterprises awarded grants pursuant to this subdivision are provided such assistance as may be necessary to support implementation of any grants awarded.

V. For purposes of this subdivision, “micro enterprise” shall mean an entity with 10 or fewer employees, including any proprietor, that has been in business prior to March 13, 2020, when the governor signed the first declaration of a state of emergency due to COVID-19 and that has demonstrated a financial impact during the COVID-19 public health emergency, such as temporary closure, reduction in workforce, or loss of revenue of 50 percent or greater when compared to the same time period during the previous year. Financial statements demonstrating losses, closures, or reduction in workforce shall be supplied as part of the application process.

3 New Subparagraph; Application of Receipts; COVID-19 Micro Enterprise Relief Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (364) the following new subparagraph:

(365) Moneys deposited into the COVID-19 micro enterprise relief fund established in RSA 12-O:53.

4 Effective Date. Part I of this act shall take effect upon its passage.

PART II

Requiring a COVID-19 needs assessment of nursing homes and long-term care facilities and making an appropriation therefor.

1 Short Title. This act shall be known as the Protect New Hampshire Veterans and Seniors Act of 2021.

2 New Subdivision; COVID-19 Nursing Home and Long-Term Care Audit. Amend RSA 151-E by inserting after section 21 the following new subdivision:

COVID-19 Nursing Home and Long-Term Care Audit

151-E:22 COVID-19 Nursing Home and Long-Term Care Audit. The commissioner of the department of health and human services shall issue a request for proposals for a qualified grantee, with the approval of governor and council, to undertake an independent audit of the COVID-19 situation in long-term care and nursing homes in New Hampshire and provide a needs assessment to provide recommendations for further COVID-19 related funding, safety, and public health upgrades, standards and rules for nursing homes, nursing facilities, residential care facilities, long term care facilities, and the New Hampshire veterans' home, and providing a preparedness plan for COVID-19 at such facilities, to be submitted to the governor, the chairpersons of the house and senate finance committees, the chairpersons of the senate health and human services committee and the house health, human services and elderly affairs committee, and the health and human services oversight committee established in RSA 126-A:13, no later than November 1, 2021. All information received or created by the department related to the inspection or survey results of licensed health care facilities may be shared with the grantee, except that protected health information or personally identifiable information shall not be shared with the grantee for any reason. All information which is received by the grantee for the purposes of this section, and which otherwise constitutes confidential information pursuant to state law, shall remain confidential, and shall receive the protections afforded to such confidential information under existing state law.

3 Appropriation. The sum of \$250,000 is hereby appropriated for the fiscal year ending June 30, 2022 to the commissioner of the department of health and human services from federal COVID-19 relief funds for the purpose of hiring a qualified grantee as required in RSA 151-E:22. If such federal funds are unavailable, the governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated for the purpose of section 2 of this act.

4 Effective Date. Part II of this act shall take effect upon its passage.

PART III

Relative to the support and promotion of New Hampshire's live performance industry by the council on the arts.

1 Title. This act shall be known and may be cited as the Save Our Granite Stages Act.

2 Purpose Statement. Independent live venues are important entertainment hubs and economic multipliers for New Hampshire's local economies. They serve as critical tax bases as employers and tourism destinations and as revenue generators for neighboring businesses such as restaurants, hotels, and retail. The cultural impact of New Hampshire's independent live venues is difficult to calculate and serves as an important draw for young people to the state. Unfortunately, these businesses were among the first to close as COVID-19 spread across the country, will likely be the last to reopen, and will take years to recover if they can stay in

business at all. Smaller venues with a capacity of 300 or less are being impacted the most by the COVID-19 economic and public health crisis. This act provides targeted assistance and long-term planning support and recognizes the importance of independent live venues to New Hampshire's economy.

3 Council on the Arts; Declaration of Policy. Amend RSA 19-A:1 to read as follows:

19-A:1 Declaration of Policy. It is hereby found that many of our citizens lack the opportunity to view, enjoy or participate in living theatrical performances, musical concerts, operas, dance and ballet recitals, art exhibits, examples of fine architecture, and the performing and fine arts generally. It is hereby further found that, with increasing leisure time, the practice and enjoyment of the arts are of increasing importance and that the general welfare of the people of the state will be promoted by giving further recognition to the arts as a vital aspect of our culture and heritage and as a valued means of expanding the scope of our educational programs. ***It is hereby further found that arts organizations and businesses are important entertainment hubs and economic multipliers for New Hampshire's local economies. They serve as critical tax bases as employers and tourism destinations and as revenue generators for neighboring businesses such as restaurants, hotels, and retail. The cultural impact of New Hampshire's creative sector is difficult to calculate and serves as an important draw for young people to the state.*** It is hereby declared to be the policy of the state to join with private patrons and with institutions and professional organizations concerned with the arts to insure that the role of the arts in the life of our communities will continue to grow and will play an ever more significant part in the welfare and educational experience of our citizens. It is further declared that all activities undertaken by the state in carrying out this policy shall be directed toward encouraging and assisting rather than in any ways limiting the freedom of artistic expression that is essential for the well-being of the arts.

4 Council on the Arts; Report. Amend RSA 19-A:7 to read as follows:

19-A:7 Reports. The council shall make biennial reports to the governor and council. ***The council's strategic plan and biennial report under this section shall address the activities related to the Save Our Granite Stages Fund created under RSA 19-A:15.***

5 New Subdivision; Council on the Arts; Save Our Granite Stages Fund. Amend RSA 19-A by inserting after section 14 the following new subdivision:

Save Our Granite Stages Fund

19-A:15 Save Our Granite Stages Fund. There is hereby established the save our granite stages fund, which shall be appropriated for fiscal year 2022 to the New Hampshire state council on the arts for the purpose of providing grants to both non-profit and for-profit live venues that did not receive a grant from the federal Shuttered Venue Operators (SVO) program, which was established by Economic Aid to Hard-Hit Small Businesses, Nonprofits and Venues Act (P.L. 116-260). The fund shall be nonlapsing and kept separate and distinct from all other funds. Notwithstanding any other provision of law, \$1,000,000 of any discretionary federal funds received by the state in response to the COVID-19 public health emergency shall be deposited into the fund. In addition to state appropriations, the council may accept grants, gifts, and donations for deposit in the fund.

6 New Subparagraph; Dedicated Funds; Save our Granite Stages Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (364) the following new subparagraph:

(365) Moneys deposited in the save our granite stages fund under RSA 19-A:16.

7 Repeal. RSA 19-A:15 and RSA 6:12, I(b)(365), as inserted by sections 5 and 6 of Part III of this act, respectively, are repealed.

8 Effective Date.

I. Section 7 of Part III of this act shall take effect June 30, 2023.

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

2021-0452s

AMENDED ANALYSIS

This bill adopts legislation relative to:

I. Establishing a COVID-19 micro enterprise relief fund.

III. Requiring a COVID-19 needs assessment of nursing homes and long-term care facilities and making an appropriation therefor.

III. The support and promotion of New Hampshire's live performance industry by the council on the arts.

The question is on the adoption of the Committee Amendment.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

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

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

SB 152-FN-A, relative to affordable housing program funding.

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

Health and Human Services

February 18, 2021

2021-0450s

06/08

Amendment to SB 152-FN-A

Amend the bill by deleting section 2 and renumbering the original sections 3 and 4 to read as 2 and 3, respectively.

2021-0450s

AMENDED ANALYSIS

This bill:

I. Requires the department of health and human services to submit a State Plan Amendment to the Centers of Medicare and Medicaid Services.

II. Permits an extension of the timeline for repayments to the homeless housing and access revolving loan fund for emergency circumstances.

The question is on the adoption of the Committee Amendment.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

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

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

SB 157-FN-A, relative to funding of children's mental health services and making an appropriation to fund positions in the department of health and human services contracts and procurement unit.

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

Health and Human Services

February 18, 2021

2021-0451s

05/04

Amendment to SB 157-FN-A

Amend RSA 126-A:5, XXXIII(a) as inserted by section 2 of the bill by replacing it with the following:

XXXIII.(a) On or before September 1, 2019, the commissioner shall submit a report on the New Hampshire 10-year mental health plan of 2018 containing the priorities for implementation of the plan to the oversight committee on health and human services, established under RSA 126-A:13, the chairpersons of the house and senate policy committees with jurisdiction over health and human services matters, the president of the senate, the speaker of the house of representatives, [and] the governor, **and the office of the child advocate established in RSA 21-V**. The commissioner shall submit a report on or before September 1, 2020 and annually thereafter on the status of the implementation of the 10-year mental health plan including, but not limited to, unmet benchmarks and recommendations for any necessary barrier resolution or necessary adjustments or modifications to the plan to better serve New Hampshire citizens, to the oversight committee on health and human services and the chairpersons of the house and senate policy committees with jurisdiction over health and human services matters. The annual report shall include any recommendations by the commissioner for legislation as needed or appropriate in achieving important benchmarks in fully implementing the 10-year mental health plan.

The question is on the adoption of the Committee Amendment.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

PRESIDENT MORSE: It's unusual for a Senate President not to step down and speak on a bill but I'm not sure that Senator Carson can stand up here right now but I want to thank all the Senators. This isn't driven by party. When I received the call from the Governor that when we got to zero, thank me for our efforts I never thought it would get to where we are today. I certainly believe this is one of the top issues in the Senate's budget and I hope we treat it that way when we get to deal with the budget. So, thank you all.

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 Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

CONSENT CALENDAR REPORTS REMOVED

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

COMMERCE

SB 63, relative to business liability protection for exposure to coronavirus and COVID-19.

Re-refer to Committee, Vote 5-0. Senator Bradley for the committee.

The question is on the adoption of the motion of Re-refer to Committee.

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

The following Senators voted Yes: Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman.

The following Senators voted No: Hennessey, Giuda, Morse.

Roll Call, Yeas: 21 - Nays: 3. Adopted.

EDUCATION

SB 108, relative to school resource officers.

Re-refer to Committee, Vote 5-0. Senator Hennessey for the committee.

The question is on the adoption of the motion of Re-refer to Committee.

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

The following Senators voted Yes: Giuda, Watters, Prentiss, Kahn, Rosenwald, Whitley, Cavanaugh, Reagan, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators voted No: Hennessey, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Birdsell, Gannon, Morse.

Roll Call, Yeas: 12 - Nays: 12. Failed.

MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 108, relative to school resource officers. : The motion of Re-refer to Committee.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

The question is on the adoption of the motion of Re-refer to Committee.

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

The following Senators voted Yes: Watters, Prentiss, Kahn, Rosenwald, Whitley, Cavanaugh, Reagan, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators voted No: Hennessey, Giuda, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Birdsell, Gannon, Morse.

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

Senator Bradley moved Inexpedient to Legislate.

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

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Cavanaugh, Birdsell, Gannon, Morse.

The following Senators voted No: Watters, Prentiss, Kahn, Rosenwald, Whitley, Reagan, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

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

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 86-FN, adopting omnibus legislation relative to planning and zoning.

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

Election Law and Municipal Affairs

February 17, 2021

2021-0420s

11/05

Amendment to SB 86-FN

Amend RSA 4-C:43, III(f) as inserted by section 1 of part II of the bill by inserting after subparagraph (12) the following new subparagraph:

(13) New Hampshire Association of Realtors.

The question is on the adoption of the Committee Amendment.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

Senator Bradley moved to divide the question on the motion of Ought to Pass with Amendment on SB 86-FN: The first vote on Part II; and then the second vote on Parts I and III.

The Chair ruled the question divisible.

The question is on the adoption of Ought to Pass with Amendment; Part II.

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

The following Senators voted Yes: Hennessey, Bradley, Watters, Prentiss, Ward, Kahn, Rosenwald, Whitley, Cavanaugh, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators voted No: Giuda, Gray, French, Ricciardi, Daniels, Avard, Carson, Reagan, Gannon, Morse.

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

The question is on the adoption of Ought to Pass with Amendment; Parts I and III.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: Reagan.

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

MOTION TO ADJOURN FROM EARLY SESSION

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

The question is on the adoption of the motion to adjourn from the Early Session.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro,

Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted. Adjournment from the Early Session.

LATE SESSION
LIST OF RULE 6-25'S FOR THE DAY

Senator Daniels: SB 124-FN

ANNOUNCEMENTS

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Unanimous consent. I want to talk about two individuals. The first is a former colleague of ours who recently passed away, Senator Fred King. Fred King was Senator from District 1, he also served in the House of Representatives. I served in the House with Senator King and I served in the Senate with Senator King. He was a distinguished public servant and had a long and very, very good life. Lived up in Colebrook, passed away up in Colebrook. His son as we know is head of the probate court system in the state of New Hampshire. But Fred King was a good public servant and a good colleague both in the House and in the Senate. So, I hope that we will remember him in our thoughts and in our prayers.

And my second reason for speaking is to talk to you all about a guy who in the course of your life, if you ever meet a person who no one, nobody ever has a bad word for, you've reached the pinnacle of success. And Danny Parr was that guy. Danny was my classmate at the University of New Hampshire. He was a teacher and a coach for fifty-five years. Coached basketball in Hopkinton, at Portsmouth, and at Saint Thomas Aquinas. He's a legend because of his humor. You know, Danny was a guy who could make you laugh without a moment of pause. He was a great teacher, taught social studies at Portsmouth High School for a long period of time. Was one of the original inductees into the Coaches Hall of Fame, Basketball Coaches Hall of Fame. I think he holds the state record for the greatest number of wins. But most important, Danny Parr was a great, great human being. And as I said, I cannot think of anyone in our four years of college and the time of knowing him since that, who ever had a bad word to say about Danny Parr. And I talked with his wife, Sue after Danny passed, and we just had this great feeling of loss and that we were losing someone that everybody had affection for. Everybody had affection for. So, with the passing of Danny, a legend is gone. He was a great coach, great human being, but most of all a great friend. My classmate at the University, we would eat lunch together at the University in the old fraternity house. We did that for four years and just a great loss with the passing of Danny Parr. Danny will be remembered for his coaching but just the fact of the matter, Danny Parr was a good guy. Thank you, Mister President.

(The Chair recognized Senator Hennessey.)

SENATOR HENNESSEY: Thank you, Mister President. I'm using my personal privilege time to celebrate Valerie Ann Johnson, a young woman who has made her hometown of Thornton, and her state very proud. You may have seen her in the news because she has completed something no other Granite State girl has. Valerie just became New Hampshire's first female Eagle Scout. The highest rank one can achieve in scouting. Valerie as your Senator from District 1, I want to congratulate you on smashing that glass ceiling and blazing a path for other girls to follow. Being first isn't always easy but as our first female justice on New Hampshire's Supreme Court, Linda Dalianis once said, the best thing about first is that they give way to the familiar. The point in time when you know you are truly making progress. Valerie, the State Senate is so proud of you, of the time and hard work that you dedicated to becoming an Eagle Scout. We wish you the best in your future endeavors, which include plans to join the military after finishing college. With all of her determination something tells me that Valerie's going to continue to be a role model and will make a real difference in our society. Thank you, Mister President.

(The Chair recognized Senator French.)

SENATOR FRENCH: Thank you, Mister President. I'd like to take a moment to talk of a profound loss within my district yesterday. We celebrated my daughter Chloe's twenty-eighth birthday. However, the day before her cousin, Cyndel Sue Roberts Donoghue, twenty-six, of Webster, passed away. Cyndel was the daughter of Sue Roberts and people in my district know Sue from the greenhouse she runs. Her father Paul Donoghue passed away several years ago. He and I went to Hopkinton High School together. Her brother Russell works

in the logging industry in Webster and her stepdad, Emmett Bean is a town road agent. Now people in my district know that people in Webster are pretty tough individuals. And when Cyndel was driving home, she wasn't feeling well, and she pulled over to the side of the road and she made a call and she said she wasn't feeling well. Well immediately those who knew her sent out the fire, the police, the EMTs to assist her. Cyndel did not make it. Some people live a long life without making a true difference to those in their community. Others, like Cyndel made a lasting imprint from the very start. Cyndel was deputy fire warden, an EMT, a firefighter level 2, fire inspector, fire investigator, captain of the Webster Fire Department, and she worked with her mother at the greenhouse. So, I would like to ask this body to keep Cyndel and her family in your prayers for the coming days ahead. Thank you, Mister President.

(The Chair recognized Senator Prentiss.)

SENATOR PRENTISS: Thank you, President Morse. I'd like to share with my colleagues from the New Hampshire Senate the loss of a friend of mine and a former colleague, Cheryl Morrisette, a resident of Goffstown, when she lost her courageous battle with breast cancer on February 20, 2021. Cheryl was a wife, a mother, sister, daughter, a florist, and a dedicated paramedic in New Hampshire for over twenty years. Cheryl was known to be a highly skilled EMS provider while serving during her career in communities such as Manchester, Nashua, her hometown of Goffstown, and in the Lakes Region. Cheryl saved many lives in her years of service. She was well known for her kindness, true compassion, and her great sense of humor. Everyone Cheryl met, including myself, became a fast friend. She cooked for her coworkers on long holiday nights or even invited them into her home from the station so they could be part of her family during the holiday, when they couldn't be with their own. The loss of her presence is deeply felt by her husband Tom, her daughter Cassandra, her friends, and emergency medical services coworkers throughout the Granite State I'd like to thank you all for your time and ask you to keep her family in your prayers in the coming days. Thank you.

(The Chair recognized Senator Watters.)

SENATOR WATTERS: Thank you, Mister President. I request unanimous consent. And I rise today because I want to commend the actions of the Barrington Police Department on Tuesday in what was a very difficult situation. Officers responded for a wellness check in a neighborhood in Barrington and the officer was fired upon. Apparently, a bullet struck the cruiser and then subsequently the individual at that home was found dead. I think that the fact that this tragedy was not further compounded really is a testimony to the leadership of Chief Joy and to all the officers who serve so well in Barrington. And you know, these kind of tragedies and situations happen every day and you know fortunately much of the time we don't hear too much about them and our police officers who confront these dangerous situations do handle them professionally and have such great training and yet here is a reminder of how dangerous that is and how close an officer may have come to being shot out trying to ensure the wellness of a citizen of Barrington so I just wanted to have this moment to commend the Barrington New Hampshire Police Department. Thank you, Mister President.

Senator Bradley moved that, all personal privileges and unanimous consent shall be entered into the permanent *Journal of the Senate*. (Rule 2-16 and Rule 2-17).

The question is on the adoption of the motion that all personal privileges and unanimous consent shall be entered into the permanent *Journal of the Senate*.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

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

PRESIDENT MORSE: There's a few things I want to go over. Next week we have twenty-seven bills coming to the floor of the Senate. The following week I think will be a little bit greater than that because the FNs will have to hit the floor. The challenges we face today, and I want you all to know that when we're scrambling up here, it's usually for a good reason. We had a 14-10 vote that we thought went 13-11 and I think some of you might have. So, we were checking that because we caught it and we want to make sure we announced it right. Along with that, there's been several challenges of seeing your hands whether you're asking questions, or you want to speak. I think we're going to have to get that one down pat because there was probably a couple of dozen times where people just wanted to ask questions and the way the Senate operates, questions

come first. So, we're going to have to get the hand signals down a little better, but you have to realize we've got twenty-four boxes in front of us that we're trying to catch and if I showed you the little board we have down here, that Jack just points to when he sees one of you, it doesn't tell me whether or not you're speaking or asking a question. So, those are some of the challenges.

And there are other challenges that are coming every day. We certainly had a challenge on a bill when we have omnibus bills coming to the Senate and we decide to divide some of these bills, one of the questions that we have to ask each other is if we defeat that section, can we amend it in the other parts of the bill. We've never had to deal with these challenges and the Clerk and I were discussing it. I can tell you, you were going home early if we got to that point because I believe we needed to caucus on both sides on this.

So, as we go forward here, amendments number one are something that we definitely are going to face challenges. We're going to have to take breaks if we have amendments, you know, if we don't know about them ahead of time in caucus. So, that's going to basically mean probably we take a lunch type break to do that so that the parties can caucus. But we're getting through this and you guys have been great. But I just wanted to give you some of the challenges of looking at a screen with twenty-four members on it and trying to make sure that we get you all into play.

And one other thing, because there were so many today. If you introduce a bill and you want to speak, and I believe it was Senator Gray earlier, please announce that because a lot of what Senator Gray had to say probably would have eliminated a couple of dozen questions ahead of time and we had four speakers ahead of Senator Gray that we already had registered. So, we went right with those speakers and then we tried to get back to Senator Gray and all the hands kept going up. So, it's a challenge I can tell you that. But, so far so good. And I appreciate the support.

LATE SESSION

Third Reading and Final Passage

SB 46, relative to the use of electronic poll books by cities and towns.

SB 54, relative to the absentee ballot application form.

SB 66-FN, allowing on-premises licensees to transport beverages and wines for delivery to consumers.

SB 86-FN, adopting omnibus legislation relative to planning and zoning.

SB 98-FN, relative to the SNAP incentive program.

SB 152-FN-A, relative to affordable housing program funding.

MOTION TO RECESS TO CALL OF THE CHAIR

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

The question is on the adoption of the motion to recess to the Call of the Chair.

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

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted. The Senate is in recess to the Call of the Chair.