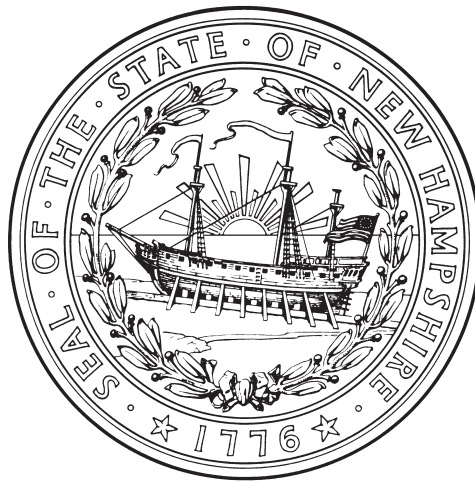


**March 23, 2023
Nos. 10-11**

STATE OF NEW HAMPSHIRE

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



**First Year of the 168th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MARCH 16, 2023 SESSION
COMMENCEMENT – MARCH 23, 2023 SESSION**

SENATE JOURNAL 10 *(continued)*

March 16, 2023

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 54-FN, relative to antique car inspections.

HB 71, repealing a department of education report on chartered public school funding.

HB 89, (New Title) relative to posthumous exonerations.

HB 119-FN, relative to homestead food operation licensure.

HB 137, relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees.

HB 170, requiring the teaching of cursive handwriting and multiplication tables.

HB 198-FN, modifying the new resident drivers' license transfer requirement.

HB 221, relative to the acquisition of agricultural land development rights.

HB 231-FN, prohibiting the removal of claws from cats.

HB 253, establishing a committee to study extended producer responsibility.

HB 258, (New Title) relative to animal chiropractors.

HB 284, (New Title) relative to financial information regarding requests for bids and proposals and to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding.

HB 286, relative to the removal of political advertising.

HB 296, relative to local authority for granting driveway permits.

HB 336, relative to the format of election ballots.

HB 358, relative to the filing and adoption of proposed administrative rules.

HB 360-FN, an act legalizing cannabis for persons 21 years of age or older.

HB 377-FN, (New Title) relative to screening and intervention in public schools and public charter schools for dyslexia and related disorders, and establishing an addition to adequate education grants for certain pupils screened for dyslexia and related disorders.

HB 421, (New Title) requiring menstrual hygiene products to be provided to prisoners who menstruate in state and county correctional facilities.

HB 497-FN, relative to the confidentiality of records within the division of children, youth, and families.

HB 517, relative to background checks for surrogate parents.

HB 536, relative to the chartered public school joint legislative oversight committee.

HB 594-FN, relative to the licensure of out-of-state applicants to boards or commissions organized under the office of professional licensure and certification.

HB 596-FN, prohibiting the use of racial profiling in law enforcement activities and in sentencing.

HB 655-FN, relative to the office of professional licensure and certification.

INTRODUCTION OF LEGISLATION

Senator Carson offered the following Resolution:

RESOLVED, That in accordance with the list in the possession of the Senate Clerk, the following legislation shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee. Adopted in recess.

First and Second Reading and Referral

HB 54-FN, relative to antique car inspections. (Transportation)

HB 71, repealing a department of education report on chartered public school funding. (Education)

HB 89, relative to posthumous exonerations. (Judiciary)

HB 119-FN, relative to homestead food operation licensure. (Energy and Natural Resources)

HB 137, relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees. (Transportation)

HB 170, requiring the teaching of cursive handwriting and multiplication tables. (Education)

HB 198-FN, modifying the new resident drivers' license transfer requirement. (Transportation)

HB 221, relative to the acquisition of agricultural land development rights. (Energy and Natural Resources)
 HB 231-FN, prohibiting the removal of claws from cats. (Energy and Natural Resources)
 HB 253, establishing a committee to study extended producer responsibility. (Energy and Natural Resources)
 HB 258, relative to animal chiropractors. (Executive Departments and Administration)
 HB 284, relative to financial information regarding requests for bids and proposals and to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding. (Election Law and Municipal Affairs)
 HB 286, relative to the removal of political advertising. (Election Law and Municipal Affairs)
 HB 296, relative to local authority for granting driveway permits. (Election Law and Municipal Affairs)
 HB 336, relative to the format of election ballots. (Election Law and Municipal Affairs)
 HB 358, relative to the filing and adoption of proposed administrative rules. (Executive Departments and Administration)
 HB 360-FN, an act legalizing cannabis for persons 21 years of age or older. (Judiciary)
 HB 377-FN, relative to screening and intervention in public schools and public charter schools for dyslexia and related disorders, and establishing an addition to adequate education grants for certain pupils screened for dyslexia and related disorders. (Education)
 HB 421, requiring menstrual hygiene products to be provided to prisoners who menstruate in state and county correctional facilities. (Executive Departments and Administration)
 HB 497-FN, relative to the confidentiality of records within the division of children, youth, and families. (Judiciary)
 HB 517, relative to background checks for surrogate parents. (Judiciary)
 HB 536, relative to the chartered public school joint legislative oversight committee. (Education)
 HB 594-FN, relative to the licensure of out-of-state applicants to boards or commissions organized under the office of professional licensure and certification. (Executive Departments and Administration)
 HB 596-FN, prohibiting the use of racial profiling in law enforcement activities and in sentencing. (Judiciary)
 HB 655-FN, relative to the office of professional licensure and certification. (Executive Departments and Administration)

Out of Recess. Call the Senate to Order.

ANNOUNCEMENTS

PRESIDENT BRADLEY: Before I recognize Senator Carson, I just want to give everybody an update on our friend, Senator Gannon. I spoke to his wife maybe half an hour ago. He's doing a little better. He's in the Elliott Hospital and getting great care. He expressed through Trish how grateful he is for all the phone calls and texts that he's getting. He's not really able to respond. He just wants everybody to know that he's having tests done. Hopefully, he gets positive results, but given that the way he is today, would not be able to take advantage of participating remotely. Which, remember, we do have a rule that allows remote participation for health reasons.

MOTION TO ADJOURN FROM LATE SESSION

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

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 11

March 23, 2023

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

The Reverend Father Francis McCarty, Chaplain to the Senate, offered the following prayer:

Let us pray.

Good and gracious God, giver of all that is good. We give you many thanks for the blessings that you have bestowed upon us. As we begin this new session we ask that you bless the deliberations here. We ask you bless the Senators, those who are sick, bless the staff of the New Hampshire General Court, and all those called to public service, that all that we do and all that we say may be directed toward the common good and for your greater glory. We ask all of this in your most holy name. Amen.

Senator Chandley led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

(The Chair recognized Senator Prentiss for an introduction.)

SENATOR PRENTISS: Thank you, Mister President and colleagues. I'd like to ask everybody to hold their applause because this is going to be two parts. One, I'm going to be making an introduction, and then I will be sharing a resolution that my colleague from District 15 and I have coauthored in honor of actually one of her constituents, but a longtime friend of mine, and I'm going to ask him and his family to stand.

William Wood, Anne-Marie Wood, Brittany Manley, and Brandon Wood, and Bob Wood. We've got the entire family here, so it's great. We've got Lloyd here as well. There's many members of the Wood family as well as state employees who have joined us today. We're just so honored to have you.

But it's my honor to introduce to you Bill Wood and his family. My friend Bill Wood from Bow, New Hampshire, has been a nationally registered emergency medical technician continuously for fifty years and has been recognized nationally for this. Bill has been a state employee for thirty-six years, going on thirty-seven. And Bill and I actually worked together for maybe eleven or twelve of those years at New Hampshire's Fire Academy. Bill is the longest serving commissioner on the state's 911 commission and was there at the inception of building our 911 program.

Another fun fact, well, this is a fun fact about Bill, is that his grandmother was the first female State Senator from Claremont, Marion Phillips, Senator Phillips. She was also President Pro Tem. So, this was when Bill, he once shared with me, and I think this is when he got his bug for public service is that when he was a young man, he was in his youth, he would spend his summer with his grandmother in Claremont. And when she would come into the state house, he would come here with her and spend time with her here. So I think this is where he got his bug for public service. As you can see, the Wood family is full of public servants. So on behalf of the New Hampshire Senate, and again, I'm reading this on behalf of Senator Whitley, your State Senator, and myself, this is a Senate Resolution:

Be it known that the New Hampshire Senate extends its congratulations to William H. Wood III in recognition of his 50 years of continuous certification as a nationally registered emergency medical technician, including obtaining, being one of the first to obtain an advanced level of certification. His service to the public as both a firefighter and an EMT his 36 plus years as a state employee, serving his peers as well as leading in the development of New Hampshire's EMS Trauma and 911 system. Be it further known that the New Hampshire Senate extends its best wishes for your continued success. On behalf of myself up north from District 5 and Senator Whitley.

Congratulations, Bill. Thank you. Thank you, Mister President.

ANNOUNCEMENTS

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you, Mister President. And I would ask the body's indulgence. I don't have a guest. But I wanted to take the time before we started today to notify all of you. You now have a little cheat sheet on your desk that will tell you what district each Senator belongs to. So that way, when we have our debates, we're not sitting here counting seats. We know exactly. And we have the numbers here in front of us. So thank you, Mister President, for your indulgence for this and thank our staff for putting that out for us. Thank you.

Senator Gannon is excused.

SPECIAL ORDER

Without objection, the following bill is Special Ordered to Thursday, March 30, 2023. Adopted.

FINANCE

SB 120-FN, relative to charitable gaming license applications, wages, stakes, and bonds.

REGULAR CALENDAR

FINANCE

SB 74-FN, relative to the department of administrative services.

Ought to Pass, Vote 7-0. Senator Gray for the committee.

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

SB 105-FN, relative to information collected by the division of vital records administration as part of the live birth worksheet.

Ought to Pass with Amendment, Vote 6-1. Senator Birdsell for the committee.

Senate Finance

March 16, 2023

2023-1037s

05/08

Amendment to SB 105-FN

Amend the bill by replacing sections 1-3 with the following:

1 New Paragraph; Vital Records Administration; Penalties; Live Birth; Mother's Worksheet. Amend RSA 5-C:14 by inserting after paragraph IV the following new paragraph:

V. When a live birth is reported to the division of vital records, subparagraph II(a) and paragraph IV shall apply only to the information on the mother's worksheet that is required for the birth certificate.

2 Completion of Birth Worksheet for Hospital or Institutional Births. Amend RSA 5-C:19, II(a) to read as follows:

(a) The hospital or institution birth registrar or designee shall provide, ***with all personally identifiable information regarding the mother, father, and infant removed prior to submission:***

(1) Information regarding the child, including ~~[name,]~~ date and time of birth, and sex.

(2) Information regarding the facility, including name, street address, city or town, and county.

(3) Information regarding the mother including:

(A) ~~[Current name and maiden name:~~

~~(B) Date of birth and birthplace.~~

~~(C) City or town, county, and state of residence.~~

~~(D) Residential address and complete mailing address if different from the residential address, or, if the same as the residential address, her zip code only.~~

~~(E) Social security number.~~

~~(F)] Usual occupation and the business or industry in which employed.~~

~~[(G)] (B) Race.~~

~~[(H)] (C) Level of education.~~

~~[(H)] (D) Whether she was married at the time of the birth of child, or conception of child, or any time between.~~

(4) Information regarding the father including:

(A) ~~[Name:~~

~~(B) Date of birth and birthplace.~~

~~(C) City or town, county, and state of residence.~~

~~(D) Residential address and complete mailing address if different from the residential address, or, if the same as the residential address, his zip code only.~~

~~(E) Social security number.~~

~~(F)] Usual occupation and the business or industry in which employed.~~

~~[(G)] (B) Race.~~

~~[(H)] (C) Level of education.~~

(5) The method of payment for prenatal care and for delivery.

(6) Statistical information from the mother, medical reports, and her physician regarding the mother and child including:

(A) Number of live births, not including this child, now living and now dead.

(B) Date of the last live birth.

(C) Other terminations of pregnancy, any time after conception.

(D) Date of the last other termination of pregnancy.

(E) Date last normal menses began.

(F) Month that prenatal care began.

(G) Total number of prenatal visits.

(H) Birth weight of the child.

(I) Clinical estimation of gestation in weeks.

(J) Plurality of the child, including but not limited to single, twin, or triplet.

(K) Birth order of the child.

(L) The Apgar score, which is an evaluation of a newborn infant's physical status, at one minute and at 5 minutes.

(7) If the mother is transferred to another facility before or after giving birth, transfer information for the mother and child including:

(A) Whether the mother was transferred prior to delivery or after delivery.

(B) Whether the infant was transferred after delivery.

(C) Whether the child was living or dead at the time of the report.

(8) Information regarding the medical aspects of the pregnancy including:

(A) Any medical risk factors for the pregnancy.

(B) Any other risk factors for the pregnancy.

(C) Any obstetric procedures performed during the course of the pregnancy.

(D) Any complications of labor and delivery.

(E) The method of delivery.

(F) Any abnormal conditions of the newborn.

(G) Any congenital anomalies of the child.

(9) Indication from one parent whether the division shall be authorized to provide the Social Security Administration with data from the birth record in order for the Social Security Administration to issue a social security number.

(10) Indication from one parent whether the division shall be authorized to release birth record information to the New Hampshire immunization registry.

(11) Signature of the individual who interviewed the parent or other informant certifying that the information has been recorded exactly as given by the parent or other informant or has been taken from medical records.

(12) The hospital, birthing center, or institution shall not disclose on the facility worksheet the mother's medical record number or the infant's medical record number.

3 Revision of Worksheet Forms.

I. No later than January 1, 2024, the division of vital records, in consultation with the division of public health services, hospitals, and freestanding birth centers, shall present revised mother and facility worksheet forms to the oversight committee on health and human services for approval.

II. No later than 12 months after receiving that approval, revised paper and electronic forms shall be in use.

2023-1037s

AMENDED ANALYSIS

This bill removes the criminal penalty for information requested on the mother's birth worksheet that is not required for the birth certificate; provides that only de-identified information shall be submitted on the facility worksheet for a live birth; and repeals the requirement that the birth worksheet be retained permanently.

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

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

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

The following Senators voted Yes: Gendreau, Lang, Gray, Innis, Ward, Ricciardi, Fenton, Chandley, Avar, Rosenwald, Carson, Murphy, Pearl, Soucy, Birdsell, Abbas, Altschiller, Bradley.

The following Senators voted No: Watters, Prentiss, Whitley, D'Allesandro, Perkins Kwoka.

The following Senators were excused: Gannon.

Roll Call, Yeas: 18 - Nays: 5. Adopted, bill ordered to Third Reading.

SB 115-FN-A, relative to making an appropriation to the department of health and human services for the purpose of funding vaccine administration through public health departments.

Ought to Pass with Amendment, Vote 7-0. Senator Rosenwald for the committee.

Senate Finance

March 15, 2023

2023-1027s

05/07

Amendment to SB 115-FN-A

Amend the bill by replacing section 1 with the following:

1 Appropriation; Vaccine Administration. The sum of \$20,000 for the biennium ending June 30, 2025 is appropriated to the department of health and human services for the purpose of providing funding to public health departments to administer vaccinations to persons when such vaccinations are ineligible for funding under the federal Section 317 Immunization Program. The governor is authorized to draw a warrant out of funds not otherwise appropriated.

2023-1027s

AMENDED ANALYSIS

This bill makes an appropriation to the department of health and human services to provide funding to public health departments to administer vaccinations ineligible for funding under the federal Section 317 Immunization Program.

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

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

Senator Gray moved to Lay on the Table. Adopted.

SB 122-FN-A, relative to construction of a public pier on Hampton Beach and making an appropriation therefor.

Ought to Pass with Amendment, Vote 4-3. Senator Pearl for the committee.

Senate Finance

March 15, 2023

2023-1034s

10/08

Amendment to SB 122-FN-A

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

1 Department of Natural and Cultural Resources; Hampton Beach State Park Pier; Appropriation. The sum of \$2,000,000 for the biennium ending June 30, 2024 is hereby appropriated to the department of natural and cultural resources for the purposes of the engineering services, siting, permitting, and final design for

a proposed pier at Hampton Beach state park in accordance with the Pier Feasibility Study as submitted to the Hampton Beach area commission under RSA216-J. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Effective Date. This act shall take effect July 1, 2023.

2023-1034s

AMENDED ANALYSIS

This bill appropriates \$2,000,000 to the department of natural and cultural resources for engineering services, siting, permitting, and final design for a proposed pier at Hampton Beach state park.

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

INTRODUCTION OF GUESTS

Senator Chandley introduced students from Heron Pond School in Milford visiting in the gallery.

Recess. Out of recess.

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

Senator Gray moved to Lay on the Table. Adopted.

SB 130-FN, relative to a court security officer training program.

Ought to Pass, Vote 7-0. Senator Gray for the committee.

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

SB 151-FN, relative to mental health education.

Ought to Pass, Vote 7-0. Senator Birdsell for the committee.

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

SB 169-FN-A, making an appropriation to the department of environmental services to fund a water main interconnection project between Nashua and Litchfield.

Ought to Pass with Amendment, Vote 7-0. Senator Rosenwald for the committee.

Senate Finance

March 15, 2023

2023-1029s

02/10

Amendment to SB 169-FN-A

Amend the bill by replacing section 1 with the following:

1 Department of Environmental Services; Appropriation. The sum of \$9,700,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of environmental services for the purpose of funding a new drinking water transmission main between the existing Nashua Core water distribution system and the existing Litchfield water distribution system, including all ancillary projects needed, including but not limited to booster pumping stations, directional drilling under the Merrimack River, and all associated design and construction permits. This sum shall be nonlapsing. No public utility ratepayer shall be adversely affected by any direct or indirect costs to bring drinking water to any community through any project funded by this appropriation. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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.

Senator Gray moved to Lay on the Table. Adopted.

SB 175-FN, relative to Medicaid coverage for mothers.

Ought to Pass with Amendment, Vote 7-0. Senator Birdsell for the committee.

Senate Finance

March 15, 2023

2023-1030s

07/05

Amendment to SB 175-FN

Amend RSA 126-A:99, IV as inserted by section 5 of the bill by replacing it with the following:

IV. Not later than January 31, 2025, the commissioner shall report to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor, a set of metrics determined by the department of health and human services.

Amend RSA 310-A:222, I as inserted by section 13 of the bill by replacing it with the following:

I. For the purposes of Medicaid billing pursuant to RSA 126-A:99, the office of professional licensure and certification shall establish a voluntary doula certification process and establish a lactation service certification process to certify lactation service providers that are credentialed by the International Board of Lactation Examiners.

Amend the bill by replacing section 16 with the following:

16 Effective Date.

I. Sections 2, 3, 4, 11, and 15 shall take effect July 1, 2023.

II. Section 10 of this act, except for RSA 275:82, shall take effect July 1, 2025.

III. RSA 275:82, as inserted by section 10 of this act shall take effect July 1, 2026.

IV. The remainder of this act shall take effect July 1, 2024.

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.

Senator Gray moved to Lay on the Table. Adopted.

SB 205-FN, relative to a cost of living adjustment in the state retirement system.

Ought to Pass, Vote 6-1. Senator D'Allesandro for the committee.

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

Senator Gray moved to Lay on the Table. Adopted.

SB 231-FN, establishing a historic housing tax credit and making appropriations for workforce housing and affordable housing.

Ought to Pass with Amendment, Vote 7-0. Senator Innis for the committee.

Senate Finance

March 15, 2023

2023-1031s

02/07

Amendment to SB 231-FN

Amend the bill by replacing section 3 with the following:

3 Housing Finance Authority; Affordable Housing Fund; Appropriation. The sum of \$25,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established in RSA 204-C:57 for the purpose of providing financing or state matching funds for affordable housing. This sum shall be in addition to any other funds appropriated to the housing finance authority. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Amend the bill by replacing section 4 with the following:

4 Department of Business and Economic Affairs; Division of Economic Development; Appropriation. The sum of \$30,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of business and economic affairs, division of economic development for the purpose of improving the ability to accelerate the approval of affordable workforce housing. This sum shall be in addition to any other funds appropriated to the department of business and economic affairs, division of economic development and shall be provided as grants or loans to developments in which at least 20 percent of the housing units to be developed will be affordable for a period of at least 10 years. Such units will be affordable to and intended for occupancy by households with incomes of up to 80 percent of the area median income, as established by the U.S. Department of Housing and Urban Development. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

5 New Paragraph; Business Profits Tax; Credits. Amend RSA 77-A:5 by inserting after paragraph XVI the following new paragraph:

XVII. The historic housing preservation tax credit as computed in RSA 204-C:94.

6 New Section; Business Enterprise Tax; Credits. Amend RSA 77-E by inserting after section 3-e the following new section:

77-E:3-f Historic Housing Preservation Tax Credit. The historic housing preservation tax credit as computed in RSA 204-C:94 shall be allowed against the tax due under this chapter.

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.

Senator Gray moved to Lay on the Table. Adopted.

SB 249-FN, relative to the release of a defendant pending trial.
Ought to Pass, Vote 5-2. Senator Innis for the committee.

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

Senator Chandley is in opposition to the motion of Ought to Pass.

SB 252-FN, relative to release of a defendant pending trial.
Ought to Pass, Vote 7-0. Senator Rosenwald for the committee.

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

SB 256-FN, establishing a safety program for off-highway recreational vehicles.
Ought to Pass with Amendment, Vote 7-0. Senator Pearl for the committee.

Senate Finance
March 15, 2023
2023-1025s
07/05

Amendment to SB 256-FN

Amend the bill by replacing section 1 with the following:

1 Off Highway Recreational Vehicles; OHRV Operation and License. Amend RSA 215-A:29, I and I-a to read as follows:

I. No person shall operate an OHRV on land not owned or leased by such person or such person's parent, grandparent, or guardian unless such person:

(a) If under 14 years of age, is accompanied at all times by a person at least 18 years of age who has met the conditions of subparagraph (b); and

(b) If 12 years of age or older, has ~~either~~:

~~(1) Successfully completed the snowmobile or OHRV training program, the recognition of which has not been suspended or otherwise disallowed by law; or~~

~~(2) Is licensed to drive a vehicle in accordance with RSA 263, or in accordance with the law of another state or a province of Canada, provided the person would be eligible for a driver's license in this state].~~

(c) This section shall not apply to the operators of all terrain vehicles, utility terrain vehicles, side-by-side, ROV, gator, buggy, OHVs or tractors while engaged in non-pleasure or non-recreational activities. The requirements of RSA 261:41-a shall apply to the operation of all terrain vehicles, utility terrain vehicles, side-by-side, ROV, gator, buggy, and OHVs engaged in farm, agriculture, farming, or non-pleasure or recreational activities.

I-a. Notwithstanding provisions of this chapter to the contrary:

(a) Any person operating an OHRV along the traveled portion of a public highway, where permitted, shall be required to ~~[be licensed]~~ **have a valid license** to drive **a motor vehicle** ~~[as described in subparagraph I(b)(2)]~~; or

(b) Any person at least 12 years of age, who has successfully completed an approved snowmobile or OHRV training program, operating an OHRV along the traveled portion of a public highway, where permitted, who ~~[is not licensed to drive as described in subparagraph I(b)(2)]~~ **does not have a valid license to drive a motor vehicle** shall be accompanied at all times by a person who is licensed to drive ~~[as described in subparagraph I(b)(2)]~~, who is at least 25 years of age, and who shall be legally responsible and be liable according to the law for personal injury or property damage to others which may result from such operation by an unlicensed person. Operators of OHRVs pursuant to this subparagraph using such highway, or portion thereof, shall keep to the extreme right and shall yield to all conventional motor vehicle traffic.

(c) This paragraph shall not apply to road crossings or the use of class VI highways designated as trails pursuant to RSA 215-A:6.

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

Senator Pearl offered a Floor Amendment.

Sen. Pearl, Dist 17
March 17, 2023
2023-1071s
07/05

Floor Amendment to SB 256-FN

Amend RSA 215-A:29, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) This section shall not apply to the operators of all terrain vehicles, utility terrain vehicles, side-by-side, ROV, gator, buggy, OHVs or tractors while engaged in non-pleasure or non-recreational activities. The requirements of RSA 261:41-a shall apply to the operation of all terrain vehicles, utility terrain vehicles, side-by-side, ROV, gator, buggy, and OHVs engaged in farm, agriculture, farming, or non-pleasure or non-recreational activities.

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

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

INTRODUCTION OF GUESTS

Senator Chandley introduced students from Heron Pond School in Milford visiting in the gallery.

SB 260-FN, relative to deductions under the business profits tax for compensation of members and owners. Ought to Pass, Vote 5-2. Senator Innis for the committee.

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

President Pro Tempore Gray presiding.

SB 263-FN, extending the New Hampshire granite advantage health care program and reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program.

Ought to Pass, Vote 7-0. Senator Bradley for the committee.

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

President Bradley presiding.

SB 270-FN-A, relative to appropriations to the department of transportation.

Ought to Pass, Vote 7-0. Senator D'Allesandro for the committee.

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

Senator Gray moved to Lay on the Table. Adopted.

Recess. Out of recess.

JUDICIARY

SB 253, relative to parental access to a minor child's medical records.

Re-refer to Committee, Vote 3-2. Senator Carson for the committee.

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

Senator Abbas moved Ought to Pass.

Senator Abbas offered a Floor Amendment.

Sen. Abbas, Dist 22
Sen. Avar, Dist 12
Sen. Birdsell, Dist 19
Sen. Bradley, Dist 3
Sen. Carson, Dist 14
Sen. Gendreau, Dist 1
Sen. Gray, Dist 6
Sen. Lang, Dist 2
Sen. Murphy, Dist 16
Sen. Ricciardi, Dist 9
Sen. Ward, Dist 8
March 23, 2023
2023-1186s
06/05

Floor Amendment to SB 253

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

1 Statement of Purpose. The general court finds and recognizes that parents are responsible for providing and coordinating medical care for their minor children and are presumed to act in their child's best interest. In order to make informed decisions about a minor child's healthcare needs, parents must be granted access to their children's medical records.

2 New Paragraph; Medical Records; Parental Access. Amend RSA 332-I:1 by inserting after paragraph I the following new paragraph:

I-a. A parent or legal guardian of a minor child shall be entitled to have full access to the medical records of their minor child or ward, except:

(a) When the records are records of treatment that a minor may consent to pursuant to a specific statute under state or federal law without parental consent or the consent of a legal guardian;

(b) When the parent or legal guardian is the subject of a protective order involving the minor child or one of the minor child's siblings issued pursuant to RSA 173-B, RSA 461-A, or RSA 633:3-a, or when a court of competent jurisdiction has determined that the release of the records to a parent or legal guardian is not in the child's best interest; or

(c) When a health care provider has determined by clear and convincing evidence based upon articulable facts that disclosure of the records to a parent or legal guardian of a minor child is likely to result in abuse or neglect. A health care provider who makes this determination shall document in the medical record of the minor child all facts upon which he or she relied in making the determination.

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

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AMENDED ANALYSIS

This bill provides parents of minor children full access to their minor children's medical record except under certain circumstances.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Avar, seconded by Senator Lang.

The following Senators voted Yes: Gendreau, Lang, Gray, Innis, Ward, Ricciardi, Avar, Carson, Murphy, Pearl, Birdsell, Abbas, Bradley.

The following Senators voted No: Watters, Prentiss, Fenton, Chandley, Rosenwald, Whitley, Soucy, D'Allesandro, Perkins Kwoka, Altschiller.

The following Senators were excused: Gannon.

Roll Call, Yeas: 13 - 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 Avard, seconded by Senator Lang.

The following Senators voted Yes: Gendreau, Lang, Gray, Innis, Ward, Ricciardi, Avard, Carson, Murphy, Pearl, Birdsell, Abbas, Bradley.

The following Senators voted No: Watters, Prentiss, Fenton, Chandley, Rosenwald, Whitley, Soucy, D'Allesandro, Perkins Kwoka, Altschiller.

The following Senators were excused: Gannon.

Roll Call, Yeas: 13 - Nays: 10. Adopted, bill ordered to Third Reading.

MOTION TO ADJOURN FROM EARLY SESSION

Senator Carson 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 Ricciardi.)

SENATOR RICCIARDI: Thank you, Mister President. I rise to recognize an important day in Greek history. March 25th is Greek Independence Day. A day that symbolizes the triumph of liberty over tyranny and the resilience of the human spirit. The very idea of democracy and self-governance was born in ancient Greece over 2,000 years ago. But for centuries later, Greece was ruled by foreign empires. However, on March 25, 1821, the Greek people declared their independence from the Ottoman Empire, fought for their freedom and reestablished a democracy in the very place it was born. March 25th reminds us that the fight for freedom is a never ending one and that the human spirit desires to be free, and that there are places all around the world that are fighting tyranny and oppression. To every Greek and Greek American in our state, Happy Greek Independence Day. Ζίτο i Elláda.

Recess. Out of recess.

PRESIDENT BRADLEY: Today is Morine's last day. I wanted to recognize her because she's going on to a great new career and we're going to miss you amazingly on the third floor but I think all of us in this building are going to miss you. She always brought a great smile and a ray of sunshine to all of us, and Godspeed and best wishes. Thank you very much. Do you want to say anything? Come on up and say something.

MORINE POWELL: Oh okay, what do I do? Okay, I was not ready for this; I'm not going to cry. Thank you all so very much. When I came here, honestly, I knew nothing about politics. I think everybody knows this, but I've met amazing people here. I mean everyone here has been amazing to me. I did not know what to expect. It's a great place to work. You guys do an amazing job, all of you, you know. And I wish you all the very best, too. I hope to catch all of you in the skies, you know, so I can smile and serve you extra drinks. Thank you so much. Thank you.

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

SB 74-FN, relative to the department of administrative services.

SB 105-FN, relative to information collected by the division of vital records administration as part of the live birth worksheet.

SB 130-FN, relative to a court security officer training program.

SB 151-FN, relative to mental health education.

SB 249-FN, relative to the release of a defendant pending trial.

SB 252-FN, relative to release of a defendant pending trial.

SB 253, relative to parental access to a minor child's medical records.

SB 256-FN, establishing a safety program for off-highway recreational vehicles.

SB 260-FN, relative to deductions under the business profits tax for compensation of members and owners.
SB 263-FN, extending the New Hampshire granite advantage health care program and reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program.

MOTION TO RECESS TO CALL OF THE CHAIR

Senator Carson 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.