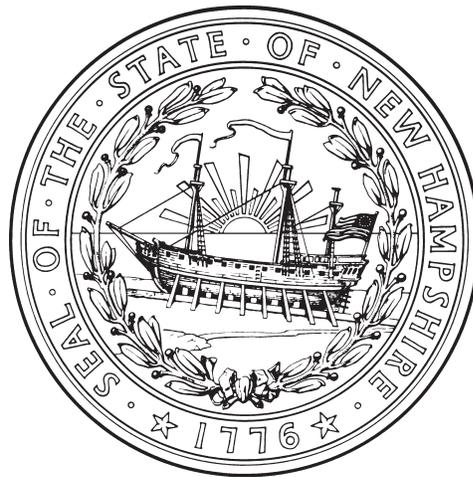


March 11, 2021
Nos. 6-7

STATE OF NEW HAMPSHIRE

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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MARCH 4, 2021 SESSION
COMMENCEMENT – MARCH 11, 2021 SESSION**

SENATE JOURNAL 6 *(continued)*

March 4, 2021

INTRODUCTION OF LEGISLATION

Senator Bradley offered the following Resolution:

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

First and Second Reading and Referral

HB 70, authorizing certification for the microblading of eyebrows. (Executive Departments and Administration)

HB 73, relative to public notice requirements for certain permits issued by the department of environmental services. (Energy and Natural Resources)

HB 75, renaming and adjusting the membership of the New Hampshire commission on deafness and hearing loss. (Health and Human Services)

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

HB 95-FN, relative to milk pasteurization. (Commerce)

HB 99, relative to seasonal platforms on public waters of the state. (Energy and Natural Resources)

HB 110, relative to the distribution of adequate education grants. (Education)

HB 115, relative to wake surfing. (Energy and Natural Resources)

HB 117, relative to the use of force at New Hampshire national guard facilities. (Executive Departments and Administration)

HB 134, repealing certain inactive dedicated funds. (Ways and Means)

HB 137, relative to the rulemaking authority of the department of information technology. (Executive Departments and Administration)

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

HB 173-FN, requiring the independent investment committee of the New Hampshire retirement system to report investment fees. (Executive Departments and Administration)

HB 192, relative to pistols permitted for the taking of deer. (Energy and Natural Resources)

HB 193, relative to penalties for improper timber harvesting. (Energy and Natural Resources)

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

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

HB 208, repealing RSA 323 regarding lightning rod dealers and salesmen. (Executive Departments and Administration)

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

HB 226, relative to the repeal of laws on produce safety. (Energy and Natural Resources)

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

HB 240, relative to identification of cannabis strain for therapeutic cannabis. (Health and Human Services)

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

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. (Energy and Natural Resources)

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

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. (Ways and Means)

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

HB 301, relative to the compensation appeals board. (Executive Departments and Administration)

HB 302, relative to the creation and use of electronic records by government agencies. (Executive Departments and Administration)

HB 303, relative to required pay. (Commerce)

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

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

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

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

HB 318, proclaiming the daring jumping spider to be the state spider of New Hampshire. (Executive Departments and Administration)

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

HB 324-FN, relative to the administration of certain state taxes by the department of revenue administration. (Ways and Means)

HB 330, relative to sports book locations. (Ways and Means)

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

HB 342, 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. (Energy and Natural Resources)

HB 344, relative to temporary docks. (Energy and Natural Resources)

HB 349, relative to certification requirements for school nurses. (Education)

HB 350, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. (Health and Human Services)

HB 354, relative to the local option for sports betting. (Ways and Means)

HB 356, relative to the city of Manchester employees' contributory retirement system. (Executive Departments and Administration)

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

HB 377, relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses. (Executive Departments and Administration)

HB 378, repealing the therapeutic use of cannabis advisory council. (Health and Human Services)

HB 380, relative to the election of Grafton county commissioners. (Election Law and Municipal Affairs)

HB 383, relative to the quarterly or semi-annual collection of taxes in certain municipalities. (Election Law and Municipal Affairs)

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

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

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

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

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

HB 479, relative to pharmacist provider status and nicotine cessation therapy. (Health and Human Services)

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

HB 529-FN, relative to cruelty to a wild animal, fish, or wild bird. (Energy and Natural Resources)

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

HB 609-FN-LOCAL, relative to innovation schools. (Education)

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

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

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

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

Senator 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.

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 7

March 11, 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 Thursday, March 4, 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:

Good morning.

Let us pray.

We pray for wisdom and justice. That authorities rightly administered, laws are enacted and judgement decreed. A fit of counsel and fortitude for all who are elected to serve the people of the state of New Hampshire. That the State Senate may be conducted in righteousness and be useful to the people over whom we preside. By encouraging due respect for virtue and religion, by a faithful execution of laws and justice and mercy, and by restraining vice and immortality. Let the light of wisdom direct the deliberations of this body and shine forth on all the proceedings and laws framed for our rule in government, so that they may tend to the preservation of peace, a promotion of happiness, the increase of industry, sobriety, and useful knowledge. And may maintain the blessings of equal liberty. We pray for the Governor of the state, for the members of the assembly, and for all judges and other officers who are appointed to guard our political welfare, that they may be enabled to discharge the duties of their respective stations with honesty and ability. Remember today with unbound mercy all our fellow citizens throughout the state of New Hampshire, that they may be blessed of the knowledge and sanctified in observance of the ruled law, that they may be preserved in union and in peace, so they may prosper in all their endeavors, that produce good for their families and fellow citizens. Amen.

Senator French led the Pledge of Allegiance.

FN REPORT FOR MARCH 11, 2021

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

CONSENT CALENDAR:

COMMERCE

SB 160-FN, relative to multiple employer welfare arrangements.

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:

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 142-FN, adopting omnibus legislation relative to certain study commissions.

HEALTH AND HUMAN SERVICES

SB 140-FN-A, adopting omnibus legislation making appropriations to the department of health and human services.

WAYS AND MEANS

SB 101-FN, increasing the minimum gross business income required for filing a business profits tax return.

REGULAR CALENDAR:

COMMERCE

SB 70-FN, relative to insurance coverage for emergency behavioral health services for children and young adults—if Re-refer to Committee recommendation is overturned.

ENERGY AND NATURAL RESOURCES

SB 114-FN, relative to the enjoyment of publicly-accessible and publicly-funded recreation areas.

HEALTH AND HUMAN SERVICES

SB 144-FN, relative to child care scholarships—if Re-refer to Committee recommendation is overturned.

SB 150-FN, establishing a dental benefit under the state Medicaid program.

WAYS AND MEANS

SB 13-FN, adopting omnibus legislation on state taxes and fees.

SB 99-FN-L, relative to the amount of meals and rooms tax revenue that is distributed to municipalities.

SB 128-FN-A-L, relative to a temporary change to operator compensation under the meals and rooms tax.

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 58, by Senator Cavanaugh

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 107, relative to financial assistance for businesses affected by the COVID-19 pandemic.

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

Businesses established after May 26, 2019 were ineligible to receive grants from the Main Street Relief Fund. As a result, many small businesses that did not have access to sufficient capital savings, which are crucial for their continued operation, were harmed. This bill would allow businesses, regardless of their establishment date, to be able to apply for future relief funds. In addition, the Governor's Office for Emergency Relief and Recovery (GOFERR) would still have discretion over rulemaking.

SB 160-FN, relative to multiple employer welfare arrangements.

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

In New Hampshire, several multiple-employer welfare arrangements (MEWAs) already exist. For example, the New Hampshire Motor Transport Association, the New Hampshire Bankers Association, and the New Hampshire Auto Dealers Association all participate in MEWAs. This bill would seek to strengthen MEWAs by allowing for a self-insured pilot program to occur. The Committee felt that additional time needed to be given to the stakeholders to ensure this bill didn't unintentionally undermine or change existing MEWAs.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 84, adopting omnibus legislation relative to the posting of notices on land and relative to public bodies. Ought to Pass with Amendment, Vote 5-0. Senator Birdsell for the committee.

This bill, as amended, will create a new section under RSA 52 that clarifies those Public Bodies that are subject to Right to Know laws. In particular, the current statute is not clear about Village Districts and their responsibilities under RSA 91-A. The language in this legislation adds Village Districts to the list of Public Bodies.

Election Law and Municipal Affairs

March 1, 2021

2021-0558s

11/10

Amendment to SB 84

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

AN ACT relative to village district public bodies.

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

1 New Section; Village Districts; Public Body. Amend RSA 52 by inserting after section 11-a the following new section:

52:11-b Public Body. Every legislative body, governing body, board, commission, or committee of any village district established under this chapter shall be deemed a "public body" under RSA 91-A and shall be subject to all applicable provisions of that chapter.

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

2021-0558s

AMENDED ANALYSIS

This bill provides that every legislative body, governing body, board, commission, or committee of any village district shall be deemed a “public body” under RSA 91-A and shall be subject to all applicable provisions of that chapter.

SB 87, adopting omnibus legislation relative to municipal finance.

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

This Omnibus bill as amended has three parts. The first part will allow funds collected from water wheeling charges to be used for the maintenance and upkeep of the water system. Additionally, with the legislative bodies approval, it will allow expenditure of those funds for the purposes specified in the language of the bill. The second part of this legislation will amend RSA 80:56, to permit municipalities to charge a fee for remittance by electronic means that is not collectable. In part III of the bill, multiple payments under a financing agreement may come from the municipalities Capital Reserve Fund.

Election Law and Municipal Affairs

March 2, 2021

2021-0584s

11/08

Amendment to SB 87

Amend the bill by replacing section 1 with the following:

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

Part I. LSR 21-0870, relative to the expenditure of water funds, sponsored by Sen. Birdsell, Prime/Dist. 19.

Part II. LSR 21-0958, relative to uncollectible financial remittances to municipalities, sponsored by Sen. Carson, Prime/Dist. 14.

Part III. LSR 21-0983, relative to the use of capital reserve funds, sponsored by Sen. Bradley, Prime/Dist. 3.

Amend the bill by deleting Part IV.

2021-0584s

AMENDED ANALYSIS

This bill adopts legislation relative to:

I. The expenditure of water funds.

II. Uncollectible financial remittances to municipalities.

III. The use of capital reserve funds.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 33, relative to Native American name restoration.

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

This bill authorizes cities and towns to name or rename locations or geographic features in the Abenaki language; requires the commission on Native American affairs to assist cities, towns, and the state when requested in determining historic or otherwise appropriate Abenaki language names for locations and geographic features; and requires that the commission on resources and development act as the state contact for the federal government for state naming issues. The Committee Amendment addresses concerns regarding the flow of communication between municipalities and the Commission, as well as ensures local support for any name change. This is an important step in recognizing the Native history of New Hampshire.

Senate Executive Departments and Administration

March 3, 2021

2021-0606s

04/05

Amendment to SB 33

Amend the bill by replacing sections 2-4 with the following:

2 New Subparagraph; Department of Natural and Cultural Resources; Commission on Native American Affairs. Amend RSA 12-A:14-a, VI by inserting after subparagraph (c) the following new subparagraph:

(d) Review recommendations from municipalities and the state concerning historic Abenaki language names, and may, when requested, assist municipalities in determining historic Abenaki names for locations and geographic features.

3 New Section; Powers and Duties of Towns; Native American Name Restoration. Amend RSA 31 by inserting after section 39-e the following new section:

31:39-f Native American Name Restoration. The governing body of a town, after consultation with the commission on Native American affairs established in RSA 12-A:14-a, or with notification to the commission, and with the involvement of tribal groups recommended by the department of natural and cultural resources to determine the historic Abenaki language name for a location or geographic feature situated in the town, may recommend the naming or renaming of such location or geographic feature in the Abenaki language, with approval by a vote of the legislative body. The town shall inform the commission on Native American affairs of its action. To have a name proposed for recognition by the United States Board on Geographic Names, United States Department of the Interior, the town shall submit the name to the New Hampshire geographic names authority.

4 New Paragraph; Powers of City Councils; Bylaws and Ordinances; Native American Name Restoration. Amend RSA 47:17 by inserting after paragraph XIX the following new paragraph:

XX. The governing body of a city, after consultation with the commission on Native American affairs established in RSA 12-A:14-a or, with notification to the commission, and with the involvement of tribal groups recommended by the department of natural and cultural and resources to determine the historic Abenaki language name for a location or geographic feature situated in the city, may recommend the naming or renaming of such location or geographic feature in the Abenaki language, with approval by a vote the legislative body. The city shall inform the commission on Native American affairs of its action. To have a name proposed for recognition by the United States Board on Geographic Names, United States Department of the Interior, the city shall submit the name to the New Hampshire geographic names authority.

SB 55, relative to project labor agreements in government contracts.
Inexpedient to Legislate, Vote 5-0. Senator Carson for the committee.

This bill provides that the government shall not require or prohibit participation in a project labor agreement as a condition of participating in a government construction project. This bill does not prevent a bidder, contractor, or subcontractor from working on government construction based on their labor affiliation or lack thereof. Although the Committee heard extensive testimony on both sides, the Committee was concerned over provisions in the bill forcing the State to regulate municipal and federal contracts. The Committee did not feel it was appropriate to force the provisions of SB 55 on those other political units, where the State may or may not have the authority to do so.

SB 57, relative to allowing pharmacy technicians and interns to remotely perform non-dispensing tasks.
Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

This bill allows pharmacy technicians and interns to remotely perform non-dispensing tasks. This is a practice that was adopted during the COVID-19 State of Emergency and has been shown to increase employment opportunities, by enabling remote work, while maintaining the high standards needed for pharmacy work. SB 57 gives the Board of Pharmacy the time and tools needed to make rules to ensure that remote work is done safely and professionally. The Committee Amendment makes some changes to the initial definitions in the bill in order to better achieve its goals.

Senate Executive Departments and Administration
March 3, 2021
2021-0610s
08/06

Amendment to SB 57

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

1 New Paragraphs; Definitions. Amend RSA 318:1 by inserting after paragraph XXXIII the following new paragraphs:

XXXIV. "Remote processing" means accessing the pharmacy database to perform non-dispensing activities other than at a licensed pharmacy. The pharmacy shall establish controls to protect the confidentiality and integrity of patient information, as required by HIPAA, and prevent any patient information from being downloaded, duplicated, or removed from the electronic database.

XXXV. "Non-dispensing activities" are activities permitted under that individual's scope of practice that do not require the physical possession of prescription drugs. Non-dispensing activities include, but are not limited to, prescription transfers, drug utilization reviews, product verification tasks, claims adjudications, refill authorizations, entering patient and prescription information into a pharmacy's electronic database, any other task permitted under that individual's scope of practice that does not require the physical possession of prescription drugs, or other activities established by rules of the board adopted pursuant to RSA 541-A.

2 New Section; Licensed Pharmacists, Certified New Hampshire Pharmacy Technicians, Registered New Hampshire Pharmacy Interns; Remote Processing. Amend RSA 318 by inserting after section 15-c the following new section:

318:15-d Remote Processing.

I. New Hampshire licensed pharmacists, certified New Hampshire pharmacy technicians, or registered New Hampshire pharmacy interns may engage in remote processing, provided that all work requiring pharmacist supervision is supervised by a licensed pharmacist through electronic or other remote means.

II. Notwithstanding the above, the board may allow registered technicians to perform remote processing activities after completion of a board-approved training program on remote processing.

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

SB 142-FN, adopting omnibus legislation relative to certain study commissions. Ought to Pass with Amendment, Vote 5-0. Senator Ricciardi for the committee.

This bill adopts legislation, in Part I, reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders and requires first responders to have mental health training focusing on post-traumatic stress disorder, in Part II, relative to the commission to study barriers to increased land development in New Hampshire, and, in Part III, reestablishing the commission to study grandfamilies in New Hampshire. The Committee Amendment adds the Commissioner of the Department of Corrections or their designee to the post-traumatic stress disorder in first responders commission. All three of these commissions serve, or have served, important roles in understanding complex issues and deserve to be continued, or reestablished.

Senate Executive Departments and Administration

March 3, 2021

2021-0603s

11/08

Amendment to SB 142-FN

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

1 New Section; Commission to Study the Incidence of Post-Traumatic Stress Disorder in First Responders Reestablished. Amend RSA 281-A by inserting after section 17-c the following new section:

281-A:17-d Commission to Study the Incidence of Post-traumatic Stress Disorder in First Responders Reestablished.

I.(a) There is reestablished the commission to study the incidence of post-traumatic stress disorder in first responders and whether such disorder should be covered under workers' compensation. The members of the commission shall be as follows:

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

(2) Three members of the house of representatives, one of whom shall be from the labor, industrial and rehabilitative services committee, one of whom shall be from the executive departments and administration committee, and one of whom shall be from the state-federal relations and veterans affairs committee, appointed by the speaker of the house of representatives.

(3) The labor commissioner, or designee.

- (4) The commissioner of safety, or designee.
- (5) The insurance commissioner, or designee.
- (6) The commissioner of the department of corrections, or designee.
- (7) A representative of the New Hampshire Municipal Association, appointed by the association.
- (8) A representative of the New Hampshire Association of Counties, appointed by the association.
- (9) A representative of the National Alliance on Mental Illness New Hampshire, appointed by the alliance.
- (10) A fire chief, appointed by the New Hampshire Association of Fire Chiefs.
- (11) One member appointed by the New Hampshire Association of Chiefs of Police.
- (12) One member appointed by the New Hampshire Police Association.
- (13) A representative of the Professional Firefighters of New Hampshire, appointed by that organization.
- (14) A representative of the New Hampshire Association of Emergency Medical Technicians, appointed by the association.
- (15) A representative of the New Hampshire Public Risk Management Exchange, appointed by that organization.
- (16) An attorney, appointed by the New Hampshire Association for Justice.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

II.(a) The commission shall study:

- (1) Costs associated with training and resources, application of training, and operation of the presumption that post-traumatic stress disorder in first responders is occupationally caused.
- (2) Whether a first responder's death from suicide is a line of duty death.
- (3) Life insurance payouts for first responders who die of suicide.
- (4) Life insurance payouts for retired first responders who die of suicide.
- (5) Federal line of duty deaths by suicide.
- (6) Cost and administration of resiliency training.
- (7) The need for culture change to enable first responders to openly address PTSD issues without impacting their careers.
- (8) Discuss the intersection of benefits provided by Workers' Compensation and the New Hampshire Retirement System when a first responder retires because of PTSD and whether additional benefits are warranted, including a retirement insurance subsidy.

(b) The commission may solicit input from any person or entity the commission deems relevant to its study.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Nine members of the commission shall constitute a quorum.

IV. On or before November 1, 2021, the commission shall submit an interim report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library and shall submit a final report on or before November 1, 2022.

HEALTH AND HUMAN SERVICES

SB 75, relative to school district information on the COVID-19 dashboard maintained by the department of health and human services.

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

This bill requires the department of health and human services to update the COVID-19 dashboard daily as it pertains to school districts and education. Senator Prentiss, the prime sponsor of this bill was able to resolve the issue through a non-legislative solution. The committee motioned for a re-referral on this bill as a precaution if the matter does not become fully resolved by a non-legislative resolution.

SB 123, relative to copayments for COVID-19 testing.

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

This bill, as amended, establishes that it is unlawful for any employer, as defined in RSA 275:4, to require any employee or applicant for employment to pay the cost of a COVID-19 test as a condition of employment. This bill protects employees and applicants by ensuring that they will not have to pay for a COVID-19 testing required by their employer.

Health and Human Services

March 3, 2021

2021-0621s

05/10

Amendment to SB 123

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

AN ACT relative to employer payment of required COVID-19 testing.

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

1 New Subdivision; COVID-19 Testing. Amend RSA 275 by inserting after section 77 the following new subdivision:

COVID-19 Testing

275:78 COVID-19 Testing. It shall be unlawful for any employer, as defined in RSA 275:4, to require any employee or applicant for employment to pay the cost of a COVID-19 test as a condition of employment.

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

2021-0621s

AMENDED ANALYSIS

This bill prohibits an employer from requiring that an employee or applicant for employment pay the cost of a COVID-19 test as a condition of employment.

SB 140-FN-A, adopting omnibus legislation making appropriations to the department of health and human services.

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

Part I of this bill makes an appropriation to the department of health and human services to increase homeless shelter case management services. Homeless shelter case management services include housing navigation, medical and behavioral health access, mainstream benefit application, employment support services, and any additional case management services required to move residents into permanent housing and decrease the homeless population. Part I of this bill, as amended, requires the \$18 million appropriation limited only to federal funds. Part II of this bill makes an appropriation to the department of health and human services for primary prevention services for families. Primary prevention services for families have been shown to be successful in reducing child maltreatment, improving the health of mothers and children, improving child development and school readiness, and increasing family economic self-sufficiency. The need for such services has been exacerbated during the pandemic.

Health and Human Services

March 4, 2021

2021-0622s

05/08

Amendment to SB 140-FN-A

Amend the bill by replacing PART I with the following:

PART I

Making an appropriation to the department of health and human services to increase homeless shelter case management services.

1 Appropriation; Department of Health and Human Services; Homeless Services.

I. The sum of \$18,000,000 for the biennium ending June 30, 2023, is hereby appropriated to the department of health and human services for the purpose of homeless shelter case management services in the state. Homeless shelter case management services shall include housing navigation, medical and behavioral health access, mainstream benefit application, employment support services, and any additional case management services required to move residents into permanent housing and decrease the homeless population.

II. The appropriation in this section shall be made from federal funds received by the state of New Hampshire and shall be in addition to any other funds appropriated to the department of health and human services.

2 Effective Date. Part I of this act shall take effect July 1, 2021.

WAYS AND MEANS

SB 101-FN, increasing the minimum gross business income required for filing a business profits tax return. Ought to Pass, Vote 5-0. Senator Rosenwald for the committee.

This bill increases the threshold for filing a business profits tax return. The current threshold is gross business income in excess of \$50,000. This bill raises that threshold to gross business income in excess of \$75,000. It applies to taxable periods beginning after December 31, 2021 and would take effect July 1, 2021. This will eliminate an administrative burden for hundreds of small businesses, the majority of which have no business profits tax liability.

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, Avard, 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

COMMERCE

SB 70-FN, relative to insurance coverage for emergency behavioral health services for children and young adults. 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: 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.

ENERGY AND NATURAL RESOURCES

SB 71, establishing a commission to develop science-based emissions reduction goals for the state of New Hampshire.

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

Energy and Natural Resources

March 3, 2021

2021-0605s

08/05

Amendment to SB 71

Amend RSA 125-C:22 as inserted by section 2 of the bill by replacing it with the following:

125-C:22 Commission Established.

I. There is established a commission to develop science-based emissions reduction goals for the state of New Hampshire.

II. The members of the commission shall be as follows:

(a) Two members of the senate, one from the majority appointed by the senate president and one from the minority nominated by the senate minority leader and appointed by the senate president. One member shall be from the energy and natural resources committee, and one shall be from the health and human services committee.

(b) Two members of the house of representatives, one from the majority appointed by the speaker of the house of representatives and one from the minority nominated by the minority leader of the house of representatives and appointed by the speaker of the house of representatives. Of the 2, one member shall be from the science, technology and energy committee, and one shall be from the health and human services committee.

(c) The commissioner of the department of environmental services, or designee.

(d) The director of the office of strategic initiatives, or designee.

(e) The director of the division of public health services, department of health and human services, or designee.

(f) The commissioner of the department of transportation, or designee.

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

(h) The chair of the public utilities commission, or designee.

(i) One member representing the New Hampshire Medical Society, appointed by that society.

(j) One member representing the New Hampshire Public Health Association, appointed by that association.

(k) One member representing the state's regulated utilities, appointed by the president of the senate.

(l) One member representing from the New Hampshire environmental community, appointed by the president of the senate.

(m) One member representing Clean Energy NH, appointed by that organization.

(n) One member representing the New Hampshire Municipal Association, appointed by that association.

(o) One member representing the New Hampshire Hospital Association, appointed by that association.

(p) One member representing the NAACP in New Hampshire, appointed by that organization.

(q) One member representing the New Hampshire Auto Dealers, appointed by that organization.

(r) One member representing a local chamber of commerce, appointed by the governor.

(s) One member representing Stay Work Play New Hampshire, appointed by that organization.

(t) One member representing the university of New Hampshire, appointed by the university President.

(u) One member representing the New Hampshire Motor Transport Association, appointed by that organization.

(v) One member representing the New Hampshire Business and Industry Association, appointed by that organization.

(w) One member representing the Energy Marketers Association of New Hampshire, appointed by that association.

(x) One member of the New Hampshire Timberland Owners Association, appointed by the association.

(y) One member of the New Hampshire Farm Bureau, appointed by the bureau.

(z) One member from the New Hampshire Home Heating Association, appointed by the association.

(aa) One member from the Consumer Energy Alliance, appointed by the executive director of the alliance.

(bb) One member from the business aviation industry, appointed by the governor.

(cc) One member from the New Hampshire Snowmobile Association, appointed by the association.

(dd) One member from the New Hampshire Off-Highway Vehicle Association, appointed by the association.

(ee) One member of the New Hampshire Marine Trades Association, appointed by the association.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission may solicit input and receive public testimony from any person or entity the commission deems relevant to its study.

V. The commission shall consider and make specific recommendations on the following items:

(a) A science-based emissions reduction goal for the state to achieve by 2050.

(b) Interim goals for emission reductions in 2030 and 2040, necessary to meet the 2050 goal.

(c) The processes and timelines for developing implementation plans to achieve the science-based emissions reduction levels.

(d) Identify the state agencies responsible, including a lead agency, for transitioning New Hampshire towards the emissions reductions goals recommended by the commission, including developing, implementing and reporting on the emission reduction levels identified, as well as public health outcomes.

VI. For purposes of this study commission:

(a) "Public health" means the health and well-being of people and their communities to be achieved by preventing disease and injury and improving quality of life. Public health includes the protection of people and communities from diseases or injury caused directly or indirectly by air pollution from emissions including, but not limited to, extreme weather related illness such as dehydration, heat stroke, and from increases in diseases of the heart and lung, allergy-related illness, cases of vector-borne disease such as Lyme disease, Eastern Equine Encephalitis, and West Nile virus, and water borne illness.

(b) "Emissions" means any chemical or physical substance that is emitted into the air and that may reasonably be anticipated to cause or contribute to climate change, including its associated public health impacts. This includes, but is not limited to, carbon dioxide, mercury, methane, nitrous oxide, hydrofluorocarbons, hydrocarbons, perfluorocarbons, sulfur hexafluoride and particulates.

VII. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Twelve members of the commission shall constitute a quorum.

VIII. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2021. The report shall describe the activities and findings of the commission and recommendations for proposed legislation and rulemaking by relevant agencies.

IX. All recommendations for changes to emissions standards shall include a comprehensive economic analysis of their impact on affected business sectors of the New Hampshire economy, and an estimate of the cost and benefit of such proposed changes to the average New Hampshire household.

X. The study shall provide data:

(a) Quantifying separately the emissions generated from sources outside the state and the emissions generated within the state; and

(b) Measuring the relative impact of any new New Hampshire standards and/or goals on the combined total of New Hampshire emissions generated within and outside the state.

Senator Avard 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.

SB 114-FN, relative to the enjoyment of publicly-accessible and publicly-funded recreation areas. Ought to Pass with Amendment, Vote 3-2. Senator Watters for the committee.

Energy and Natural Resources

March 2, 2021

2021-0567s

04/05

Amendment to SB 114-FN

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

AN ACT relative to protecting the safe use and enjoyment of publicly-accessible recreation areas.

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

1 Short Title. This act shall be known as "The Inclusive Outdoors Act."

2 New Subparagraph; Powers and Duties of the Department of Natural and Cultural Resources. Amend RSA 12-A:1-c, I by inserting after subparagraph (f) the following new subparagraph:

(g) Protecting the safe use and enjoyment of New Hampshire's cultural and natural resources on all publicly-accessible areas within the department's jurisdiction by people without fear or threat of verbal or physical violence based on color, race, age, ability, gender identity, national origin, ethnicity, religion, creed, sexual orientation, sex, or any other individual characteristic protected under RSA 354-B. The department shall review its operations, establish a protocol to address the duty specified in this subparagraph, and maintain a publicly-accessible database documenting violations of this subparagraph, or RSA 354-B that are based on the circumstances described in this subparagraph, charged by the department or the attorney general, including the final disposition of such cases. The database shall not contain any personally identifiable information.

3 New Paragraph; Department of Cultural and Natural Resources; Police Powers. Amend RSA 12-A:1-d by inserting after paragraph II the following new paragraph:

III. The commissioner, division directors, and designees shall undergo training required of police officers as provided in RSA 106-L:8-a.

4 New Paragraph; Fish and Game; Authority and Duties of Executive Director and Conservation Officers. Amend RSA 206:26-b by inserting after paragraph V the following new paragraph:

VI.(a) The department shall review its operations and establish a protocol to address the ability for people to safely use and enjoy New Hampshire's cultural and natural resources on all publicly-accessible areas within the department's jurisdiction without fear or threat of verbal or physical violence based on color, race, age, ability, gender identity, national origin, ethnicity, religion, creed, sexual orientation, sex, or any other individual characteristic protected under RSA 354-B.

(b) The executive director, or designee, shall undergo the training required of police officers as provided in RSA 106-L:8-a.

5 New Section; Police Standards and Training Council; Additional Training Required. Amend RSA 106-L by inserting after section 8 the following new section:

106-L:8-a Additional Training Required. The director of the police standards and training council shall provide education and training to law enforcement officers on de-escalation, ethics, implicit bias, and cultural diversity. Every law enforcement agency shall develop a department policy to provide operational direction for their officers regarding de-escalation, ethics, implicit bias, cultural diversity, and how to handle incidents that may violate RSA 354-B.

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

2021-0567s

AMENDED ANALYSIS

This bill requires the departments of natural and cultural resources and fish and game to develop protocols to address the enjoyment and safe use of publicly-accessible recreation areas for people without fear of violence resulting from discrimination, and requires authorized personnel from both departments to undergo ethics and diversity training. The bill also requires the police standards and training council to provide additional training to law enforcement officers.

Senator Avard moved to divide the question on the Committee Amendment: Sections 1-4 and 6, and then, Sections 5 and 6.

The Chair ruled the question divisible.

The question is on the adoption of the Committee Amendment: Sections 1-4 and 6.

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

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

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

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

The question is on the adoption of the Committee Amendment: Sections 5 and 6.

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: Sections 5 and 6.

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 115, establishing greenhouse gas emission reduction goals for the state and establishing a climate action plan. Inexpedient to Legislate, Vote 3-2. Senator Gray for the committee.

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, 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.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 26, relative to roads within the Woodsville Fire District.

Re-refer to Committee, Vote 3-2. Senator Prentiss 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: Prentiss, Whitley, Cavanaugh, Reagan, Soucy, Perkins Kwoka.

The following Senators voted No: Giuda, Bradley, Watters, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Birdsell, D'Allesandro, Gannon, Sherman, Morse.

The following Senators filed a Declaration of Intent: Hennessey.

Roll Call, Yeas: 6 - Nays: 17. Failed.

Senator Carson moved Ought to Pass.

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2

Sen. Carson, Dist 14

Sen. D'Allesandro, Dist 20

March 10, 2021

2021-0765s

06/10

Floor Amendment to SB 26

Amend the bill by replacing section 1 with the following:

1 Town of Haverhill; Woodsville Fire District. Amend 1887, 204:3, as amended by 1899, 196:2; 1990, 37:1; and 2009, 147:1 to read as follows:

SECT. 3. Said district at each annual meeting shall elect by ballot a moderator, a clerk, one auditor, a treasurer, and three commissioners. All of said officers shall be elected by a majority vote of all the voters present and voting at the annual meeting. Said officers shall exercise in relation to district meetings the like powers to those of moderator, clerk, and selectmen of towns. The commissioners shall have within the district all the powers of the mayor and aldermen of any city respecting highways, sidewalks, and sewers. They shall control and direct the expenditure of all moneys raised under authority of the district and by the town of Haverhill for expenditure in the district. They shall have sole authority to appoint a highway surveyor in said district, and in default of such appointment shall themselves perform the duties of that office. The surveyor or commissioners performing the duties of highway surveyor in the district shall give bond to the town to account for all money coming into their hands, and for the proper care and custody of the property of the town or district which may come into their custody or control, and shall be deemed officers of the town. Nothing in this act shall be construed to impose any distinct or special liability upon the district respecting highways within its limits. ***Nothing in this section shall preclude the Woodsville fire district from maintaining the roads within the precinct at its own expense.*** Vacancies that may occur in the office of commissioner in the district shall be filled by appointment of the remaining commissioners or commissioner, but any commissioner appointed to fill a vacancy shall hold office only until the next annual district meeting. Commissioners shall be residents of the district. ~~[The money appropriated for the distribution of highway funds in the district which is attributable to the town of Haverhill shall be determined by a fraction, the numerator of which shall be the assessed valuation of the properties in the district, and the denominator of which shall be the assessed valuation of the properties in the entire town of Haverhill as determined annually from the town MS-1 form. The town of Haverhill shall appropriate the percentage represented by such fraction for distribution to the highway fund in care of the Woodsville fire district commissioners.]~~ ***Highway block grant funds shall be distributed in accordance with the department of transportation formula. Any appropriations to the Woodsville fire district shall be as directed by warrant articles duly voted by the voters present and voting at each annual Haverhill town meeting.***

2021-0765s

AMENDED ANALYSIS

This bill modifies the law on the operation and funding of the Woodsville fire district and directs that appropriations to the Woodsville fire district shall be as directed by warrant articles duly voted at each annual Haverhill town meeting.

The question is on the adoption of the Floor Amendment.

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

The following Senators voted Yes: 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)

The following Senators filed a Declaration of Intent: Hennessey.

Roll Call, Yeas: 23 - 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: Giuda, Bradley, Watters, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Reagan, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: Prentiss, Cavanaugh, Soucy.

The following Senators filed a Declaration of Intent: Hennessey.

Roll Call, Yeas: 20 - Nays: 3. Adopted, bill ordered to Third Reading.

SB 56, relative to reports by trustees of charitable trusts.

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

Senator Carson 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, 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.

FINANCE

SB 44, establishing the New Hampshire workforce pathway program and commission.
Ought to Pass, Vote 4-3. Senator D'Allesandro for the committee.

Senator Giuda offered a Floor Amendment.

Sen. Giuda, Dist 2

March 10, 2021

2021-0783s

04/06

Floor Amendment to SB 44

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

AN ACT establishing the New Hampshire workforce pathway program.

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

1 New Subdivision; Workforce Pathway Program. Amend RSA 188-F by inserting after section 69 the following new subdivision:

Workforce Pathway Program

188-F:70 Definitions. In this subdivision:

I. "High demand workforce credential" means a credential that is:

(a) Necessary for performing functions of an occupation based on standards developed or endorsed by employers and/or the office of professional licensure and certification.

(b) Portable and recognized by multiple employers, educational institutions, and across geographic areas where appropriate.

(c) Competency-based.

(d) Convertible, valid, and relevant in the workplace, and able to be continuously updated to workplace needs.

(e) Reviewed for articulated credit into postsecondary degree programs.

(f) Part of a career pathways framework and lead to an industry-recognized credential or a post-secondary degree.

II. "Workforce training certificate provider" means the community college system of New Hampshire, career and technical education centers, and apprenticeship programs including those recognized by the United States Department of Labor.

III. "Workforce training program" means programs that are credit, noncredit, or convertible into credit through competency-based equivalency, which lead to certificate completion in not more than 6 months.

IV. "Job-entry position" means a position requiring a high school graduation and/or a certificate of completion of post-high school education.

V. "Job-ready credential" means a credential that, through education, provides a basis for future experience and education necessary for attaining higher skills, higher salaries, and increased mobility.

188-F:71 Workforce Pathway Program Established.

I. There is hereby established the workforce pathway program which shall be administered by the community college system of New Hampshire. The purpose of the workforce pathway program is to advance the skills and placement of unemployed and underemployed New Hampshire adults into high demand, job-entry positions by providing job-ready credentials through a certificate program, offered by a workforce training certificate provider, lasting no more than 6 months and at no cost to participants. The workforce pathway program shall use existing mechanisms to fill jobs in designated workforce sector priority areas, and use resources from federal Workforce Opportunity Investment Act allocated to the state, employment security job training funds under RSA 282-A:182, and community college system of New Hampshire's financial aid programs, that include qualifying students for federal Pell Awards.

II.(a) The workforce pathway program shall provide training to furloughed, laid off, dislocated, underemployed, or other populations affected by COVID-19 to fill employment gaps in the state and develop short-term pre-employment training and short-term early employment training for student and workforce participants that meet the needs of businesses creating jobs and economic growth in the state.

(b) The community college system of New Hampshire, in partnership with the department of employment security, shall identify students who qualify under this subdivision.

III. The workforce pathway program shall:

(a) Partner with the department of employment security, department of economic affairs' director of workforce development, and career and technical education centers.

(b) Partner with businesses that have significant hiring demands for job-entry occupations in the state.

(c) Coordinate with the department of employment security, education agencies and providers, and employers to create effective recruitment initiatives to attract student and workforce participants and business participants to the program.

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

2021-0783s

AMENDED ANALYSIS

This bill establishes a workforce pathway program in the community college system of New Hampshire. The question is on the adoption of the Floor 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, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman.

The following Senators voted No: Daniels, Morse.

Roll Call, Yeas: 22 - Nays: 2. Adopted, bill ordered to Third Reading.

SB 73-FN-A, establishing a green building standards initiative as part of the low or moderate income housing loan program and making an appropriation therefor; and establishing a commission to study green housing and utility source options.

Inexpedient to Legislate, Vote 5-2. Senator Daniels for the committee.

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, 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.

SB 104-FN-A, adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

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

Senate Finance

March 3, 2021

2021-0597s

05/10

Amendment to SB 104-FN-A

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

AN ACT adopting omnibus legislation relative to the classification of state employee positions and reverse auctions.

Amend section 1 of the bill by deleting Part III.

Amend section 2 of the bill by deleting Part III.

2021-0597s

AMENDED ANALYSIS

This bill adopts legislation relative to:

I. The classification of certain state employee positions, as requested by the joint committee on employee classification, established in RSA 14:14-c.

II. Reverse auctions, as requested by the department of administrative services.

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, Watters, Prentiss, Gray, French, Ward, Ricciardi, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: Kahn.

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

MOTION OF RECONSIDERATION

Senator Soucy, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 104-FN-A, adopting omnibus legislation relative to the classification of state employee positions and reverse auctions. 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.

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.

HEALTH AND HUMAN SERVICES

SB 144-FN, relative to child care scholarships.

Re-refer to Committee, Vote 3-2. Senator Gray 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: 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.

SB 150-FN, establishing a dental benefit under the state Medicaid program.

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

Health and Human Services

March 3, 2021

2021-0612s

11/05

Amendment to SB 150-FN

Amend RSA 126-A:5, XIX-a(a)(3) as inserted by section 2 of the bill by replacing it with the following:

(3) If the model administered by a dental managed care organization is selected, the commissioner shall issue a 2-year request for proposals, with 2 optional one-year extensions, to enter into contracts with the vendor that demonstrates the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings. The state plan amendment shall be submitted to the Centers for Medicare and Medicaid Services (CMS) within the quarter of the program effective date. Implementation of a procured contract shall begin January 1, 2023 for the adult benefit. The department, in consultation with oral health stakeholders, will determine the value of implementation of the pediatric dental benefit in a value-based benefit plan. Implementation of the pediatric benefit will occur on a date that follows the successful implementation of the adult dental benefit. The commissioner shall establish a capitated rate for the appropriate model for the contract that is full risk to the vendor. In contracting for a dental managed care model and the various rate cells, the department shall ensure no reduction in the quality of care of services provided to enrollees in the managed care model and shall exercise all due diligence to maintain or increase the quality of care provided. The department shall seek, with the review of the fiscal committee of the general court, all necessary and appropriate state plan amendments and waivers to implement the provisions of this paragraph. The program shall not commence operation until such state plan amendments or waivers have been approved by CMS. All necessary state plan amendments and waivers shall be submitted within the quarter of the program effective date.

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.

Recess. Out of recess.

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).

WAYS AND MEANS

SB 13-FN, adopting omnibus legislation on state taxes and fees.

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

Senate Ways and Means

March 1, 2021

2021-0552s

10/11

Amendment to SB 13-FN

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

1 Property Taxes; Real Estate and Personal Property Tax Exemption; Statements of Financial Condition. Amend RSA 72:23, VI to read as follows:

VI. Every charitable organization, **educational organization**, or society, except those religious [~~and educational~~] organizations [~~and societies~~] whose real estate is exempt under the provisions of paragraphs III [~~and IV~~], shall annually before June 1 file with the municipality in which the property is located upon a form prescribed and provided by the board of tax and land appeals a statement of its financial condition for the preceding fiscal year and such other information as may be necessary to establish its status and eligibility for tax exemption. ***The requirements of this paragraph shall not apply to real estate owned by the university system of New Hampshire, the community college system of New Hampshire, or their component institutions. The university system and community college system shall provide, on request of any municipality within which it has real estate holdings, the property value of those holdings.***

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 Rosenwald moved to divide the question on the motion of Ought to Pass with Amendment: Part I, and then, Parts II-IV.

The Chair ruled the question divisible.

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

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: Parts II-IV.

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 Giuda moved to Lay on the Table.

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

A roll call was requested by Senator 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.

SB 99-FN-L, relative to the amount of meals and rooms tax revenue that is distributed to municipalities. Ought to Pass, Vote 5-0. 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.

Senator Giuda moved to Lay on the Table.

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

A roll call was requested by Senator 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.

SB 128-FN-A-L, relative to a temporary change to operator compensation under the meals and rooms tax. Ought to Pass with Amendment, Vote 5-0. Senator Rosenwald for the committee.

Senate Ways and Means

March 1, 2021

2021-0550s

10/11

Amendment to SB 128-FN-A-LOCAL

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

1 Meals and Rooms Tax; Temporary Adjustment of Operator Retained Percentage; Taxable Meals; Room Rentals. For the fiscal year ending June 30, 2022, to compensate an operator licensed under RSA 78-A:4 who sells taxable meals or who rents rooms, for keeping the prescribed records and the proper account and remitting of taxes by them, operators selling a taxable meal or charging rent for an occupancy, who collect taxes under RSA 78-A:6, I or II, shall be allowed to retain 5 percent of the taxes due and to be remitted, instead of 3 percent, if the return and payment are timely received by the department of revenue administration, as provided in RSA 78-A:8, III.

2 Effective Date. This act shall take effect July 1, 2021.

2021-0550s

AMENDED ANALYSIS

This bill temporarily adjusts for the fiscal year ending June 30, 2022 the amount of meals and rooms tax revenue on taxable meals and on room rentals that an operator is allowed to retain as compensation for collecting the tax.

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, 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: Giuda, Morse.

Roll Call, Yeas: 22 - Nays: 2. Adopted.

Senator Giuda moved to Lay on the Table.

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

A roll call was requested by Senator 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

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

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 58, relative to the administration of occupational regulation by the office of professional licensure and certification.

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

Senate Executive Departments and Administration

March 3, 2021

2021-0617s

10/04

Amendment to SB 58

Amend RSA 310-A:1-d, II(h)(2) as inserted by section 1 of the bill by replacing it with the following:

(2) Such organizational and procedural rules necessary to administer the boards, commissions, ~~and~~ councils, **and programs** in the office of professional licensure and certification, including rules governing the administration of complaints and investigations, payment processing procedures, and application procedures. ***The boards shall retain the authority to determine the criteria necessary for licensing applications;***

Amend RSA 319-C:6 as inserted by section 164 of the bill by replacing it with the following:

319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year, and special meetings may be held at such times as the business of the board may require. Notice of all meetings shall be given in such manner as the rules of the board may provide. The board shall annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed members. A quorum of the board shall consist of ~~[not less than 3 members, not including the ex officio member, and at least]~~ ***a majority of the members of the board appointed by the governor and council***, one of whom shall be a public member.

Amend the bill by inserting after section 165 the following and renumbering the original sections 166-177 to read as 167-178, respectively:

166 Electricians; Criminal History Record Checks. Amend RSA 319-C by inserting after section 6-c the following new section:

319-C:6-d Criminal History Record Checks.

I. Every applicant for an initial master electrician license, journeyman license, or apprentice identification card, and for reinstatement of the license or apprentice identification card, shall be required to submit:

(a) An original criminal offender record report issued by the state of New Hampshire and each state where the applicant has resided within the past 6 years; or

(b) A criminal history record release form, as provided by the New Hampshire division of state police which authorizes the release of his or her criminal history record, if any, to the electrician's board:

(1) Every applicant shall submit with a release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history record check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the board may, in lieu of the criminal history record check, accept police clearances from every city, town, or county where the person has lived during the past 6 years; and

(2) The division of state police shall conduct the release a criminal history conviction only record through its records and through the Federal Bureau of Investigation upon receipt of a criminal history record release form to the board;

(3) The board shall review the criminal record information of convictions only prior to making a decision and shall maintain the confidentiality of all criminal history records received pursuant to this section; and

(c) The applicant shall bear the cost of all criminal history record checks.

II. The board shall consider military security clearance for an individual actively serving in any component of the Department of Defense in lieu of criminal background checks.

III. Those individuals who are under 18 years of age or enrolled in a high school program receiving an apprentice identification card from the board shall be exempt from the requirement to obtain a criminal offender record report. Upon the individual's graduation from high school or turning 18 years of age, whichever comes later, the individual shall be required to submit a criminal offender record report as described in paragraph I.

IV. All individuals holding a master electrician license, journeyman license, or apprentice identification card, on the effective date this section, shall, at the time of their next renewal, submit a criminal offender record report as described in paragraph I.

Amend the bill by replacing section 178 with the following:

178 Effective Date.

I. Section 166 of this act shall take effect January 1, 2022.

II. The remainder of this act shall take effect July 1, 2021.

Senator Cavanaugh moved to divide the question on the Committee Amendment: Section 1, RSA 310-A:1-d, II(h)(2), Section 164, RSA 319-C:6, and Section 178, and then, Sections 166 and 178.

The Chair ruled the question divisible.

The question is on the adoption of the Committee Amendment: Section 1, RSA 310-A:1-d, II(h)(2), Section 164, RSA 319-C:6, and Section 178.

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

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

The following Senators voted No: Giuda, Prentiss, Rosenwald, Cavanaugh, Perkins Kwoka.

Roll Call, Yeas: 19 - Nays: 5. Adopted.

The question is on the adoption of the Committee Amendment: Sections 166 and 178.

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

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

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

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

MOTION OF RECONSIDERATION

Senator Soucy, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 58, relative to the administration of occupational regulation by the office of professional licensure and certification. The Committee Amendment: Sections 166 and 178.

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 Committee Amendment: Sections 166 and 178.

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

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

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

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

The question is on the adoption of the motion of Ought to Pass with Amendment Section 1, RSA 310-A:1-d, II(h)(2), Section 164, RSA 319-C:6, and Section 178.

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.

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.

Adopted. Adjournment from the Early Session.

LATE SESSION

LIST OF RULE 6-25'S FOR THE DAY

Senator Bradley: SB 13-FN

Senator D'Allesandro: SB 13-FN

Senator Daniels: SB 144-FN

Senator Hennessey: SB 26

Senator Kahn: SB 13-FN

Senator Rosenwald: SB 13-FN

Senator Watters: SB 13-FN

ANNOUNCEMENTS

(The Chair recognized Senator Kahn.)

SENATOR KAHN: Thank you, Mister President. I rise for unanimous consent on a statement. First, I'll link these two thoughts, but this past week in the month of Women's History Month we honored National Women's Day. It's because of that, that I raise the matter of 17,000 people having loss the workforce. It is women who bear the burden of meeting the balance of domestic life, professional lives, work lives and it's quite the burden. We see it in this kind of economic period and I think of my mom who rented out rooms in her house and worked part time every years that I can remember so that we were able to leave the city of Chicago and move when I was ten years old.

We happened to move to a place where the backyard neighbor was Merrick Garland. Merrick is a newly appointed U.S. Attorney General. And I want to commend to my colleagues that given the challenges to our democracy, there's never been a better person to lead, nor a better fit for the time. Merrick led the U.S. Government's cases against the Unabomber and the Oklahoma City bombers in the 1990s. He rose to a judgeship in the Federal Appeals Court and Chief Justice in Washington, D.C. all from a place where case adjudication takes place prior to the Supreme Court.

When my family moved outside of Chicago, our backyard neighbor was Merrick. Merrick and my younger brother, Gary, were very good friends. While I was two years ahead of them, I could see how Merrick was exceptional among exceptional people. His father operated an in-home printing business, working long hours to satisfy his customers. And his mom, she chaired the school board for many years and set extraordinarily high expectations. Fast forward it's through scholarship support a Harvard University education and law school, Merrick has always stood out.

His forty years of experience in the Justice Department and in federal courts are strong qualifications but for me, it's Merrick's integrity and intellect that assure me that he can provide leadership to restore independence and equal justice to the highest levels of our country's law enforcement branch. I'm honored to call him somebody that I know, a boy from the hood and he's going to do well on behalf of our country. Thank you, Mister President.

(The Chair recognized Senator Avard.)

SENATOR AVARD: Personal privilege, Mister President. I just want to congratulate my daughter, Ashley, and her husband Matt, for the six pound, seven ounce, nineteen inch little girl named Liliana Marie Brody last night. So, I just want to welcome her into the world and I'm just so proud of them. It's number seven. I'm getting old...

(The Chair recognized Senator Watters.)

SENATOR WATTERS: Thank you, Mister President. As my colleagues will recall it was almost a year ago to the day when we had our last session in the Senate Chamber. And that session was characterized by the Senate going through a lot of bills, doing its work, having its debates, taking its votes even while the Senate President and the House Speaker were running back and forth trying to figure out what rules could be adopted as we all faced the rising pandemic that was feared would soon stop our ability to do business as usual.

I know there will be many, many occasions for us to reflect upon the, as of yesterday the 77,463 New Hampshire citizens who have become ill with Covid, 1,187 deaths. And certainly in the family of the Senate, it was just a week or so later that we were stunned with the news of the affliction on Senator Fuller Clark and her husband, thankfully recovered, and there have been many others of the Senate family who have suffered from Covid, or have loved ones who have, and unfortunately some who have succumbed to it.

But what I wanted to mention today is what the Senate has done. Look back over this past year under extraordinary circumstances, incredible hard work and incredible bipartisanship working together. We have succeeded. We have succeeded in remaining a family with each other but more importantly we have succeeded in doing the business of the people. And so, I want to thank you, Mister President, I want to thank the previous President and all my colleagues for what this has meant for New Hampshire. Thank you.

(The Chair recognized Senator Bradley.)

SENATOR BRADLEY: Thank you very much, Mister President. Last weekend I registered for the Johnson & Johnson vaccine at the New Hampshire Motor Speedway, late...which I'm usually prone to do. And through the good efforts of Karen we got on to the waitlist and on Sunday night got an email from the Department of Health and Human Services that we were going to be able to get the J&J vaccine the next morning. And so, at 8:00 a.m. we drove over to the speedway. What I found was just incredible, and it sort of buttresses what Senator Watters just said about you know, the Senate operating. The entire speedway and the way it was put together through the efforts of Commissioner Quinn, Perry Plummer, Jen Harper, and quite frankly at the competent leadership of the Governor, was extraordinary. We were in and out in forty minutes, 12,000 people roughly got their vaccine that day. I think it's a tribute to all of the countless volunteers. There were several students from UNH at the table that we drove up to that were taking information, giving us our card. Just how well organized it was, how, you know all the volunteers were in an exceptional mood because they knew they were helping the people. And I think that you know as we look at many of the tragedies that have befallen our state and our nation, I think it's also important to remember the people that have just

worked throughout this crisis to try to protect their friends and neighbors and I had the opportunity to see it firsthand Monday morning and again, thanks to the Commissioner Quinn, Perry Plummer, Jen Harper, and the, I'm sure, hundreds of people that made that possible. The planning was exceptional, the organization and the delivery were exceptional and as I said to Karen while we were sitting in the car, I said man, this is slick as a whistle.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you very much, Mister President. First of all, I want to thank you and your staff. All the staff for the great work that they've done in putting this together. I know how difficult it is because of the problems I've had with my machine. So, kudos to you and to the staff. Just a quickie, we're going for our second shot tomorrow night at 6:30 p.m. in the Southern New Hampshire University parking lot. I must say this; the organization has been outstanding, and we sat in that lot for two and a half hours waiting. But it was orderly, everyone was patient, no horns blowing or anything of that nature. Kudos to everybody who's running that and to the volunteers. We talked about an issue today where we said civility, unity, compassion, caring for one another is so important. There's manifestation of it and I have nothing but kudos for those people involved. It's a great place to be, New Hampshire, and it's a great place to live and remember that the work that's done in here will continue to make it a great place to live, a great place to bring up your family and I hate to say it but probably a good place to be left for eternity. So, thank you very much, Mister President.

(The Chair recognized Senator Sherman.)

SENATOR SHERMAN: Thank you, Mister President. I'll be very brief. But I did want to point out that Wednesday night we had a tragic fire in my district, down in Seabrook and one life was lost. Two lives would have been lost except for the heroism of Officer Hersey from Seabrook who went in and rescued one of the two inhabitants. So, I just want to, usually it seems like Senator D'Allesandro has this kind of moment to recognize people and we don't have this kind of tragedy often in District 24, but when we do, recognizing our fire and police and the amazing heroism of the officer who went in and was able to save one of the two inhabitants. So, I just wanted to recognize him and all the people who work in that field. Thank you so much.

PRESIDENT MORSE: I'd just like to say a few words, not about Senate Bill 13 because I made the choice of standing up here today and not having someone here to stand in so I could debate it because it was my bill. But Section 1 in that bill, I think it's worth acknowledging, that was Representative Hinch's legislation that I offered to carry this year because he firmly believed that, we had a vote on this years ago, it needed to be restored to what we said we were going to do, and this is nothing new. It's something we voted on we said we were going to get to this point, and he thought we needed to restate that to the business community that we will get to where we were going to go to. Having said that, I want his family to know he's still in our hearts because he made a difference while he was here, so...

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, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 23 - Nays: 0. Adopted.

PRESIDENT MORSE: The session next week, I believe there's forty-six pieces of legislation. We'll certainly have to fit a lunch into that schedule, we'll probably take an hour break sometime in the middle. I do want to thank Senator Soucy, Senator Rosenwald, and Senator Bradley, this effort on trying to get this calendar done started on Monday to get to where we are. The only confusion we had was going into this morning on Senate Bill 58 and that showed up because when we get into the morning of, it's difficult to do virtual, and not knowing where speakers are, and how we're defining divisions and everything. The Clerk certainly gets here early on the day

of a session to re-review everything that we've reviewed the day before. So, forty-six pieces of legislation next week. It's a third of what we're dealing with this year. Many of them are 3-2 votes, it will take as strong an effort as we had today again on the eighteenth, but I believe it's going to be a long day so, pack a lunch so you can go in to the next room and eat it. Because I think we're going to be here for a little while.

LATE SESSION

Third Reading and Final Passage

SB 26, relative to roads within the Woodsville Fire District.

SB 33, relative to Native American name restoration.

SB 44, establishing the New Hampshire workforce pathway program.

SB 57, relative to allowing pharmacy technicians and interns to remotely perform non-dispensing tasks.

SB 58, relative to the administration of occupational regulation by the office of professional licensure and certification.

SB 84, relative to village district public bodies.

SB 87, adopting omnibus legislation relative to municipal finance.

SB 104-FN-A, adopting omnibus legislation relative to the classification of state employee positions and reverse auctions.

SB 107, relative to financial assistance for businesses affected by the COVID-19 pandemic.

SB 123, relative to employer payment of required COVID-19 testing.

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, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 23 - Nays: 0. Adopted.

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