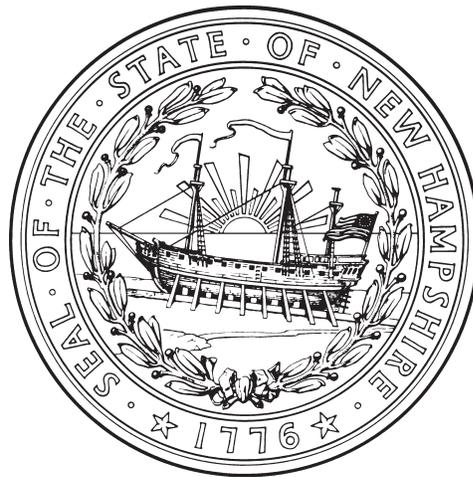


May 20, 2021
Nos. 15-16

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MAY 13, 2021 SESSION
COMMENCEMENT – MAY 20, 2021 SESSION**

SENATE JOURNAL 15 *(continued)*

May 13, 2021

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 89-FN, adding qualifying medical conditions to the therapeutic use of cannabis law.

HB 163-FN, relative to cannabis use during pregnancy.

HB 178-FN, relative to the parole of prisoners and the procedures of the adult parole board.

HB 184, relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.

HB 270-FN, relative to post-conviction DNA testing.

HB 299, relative to responsibilities of the insurance department.

HB 312, relative to deadlines in consumer credit applications, licensing requirements for mortgage loan originators, examinations of family trust companies, delegation by credit union boards to committees, qualifications of the banking commissioner, and authorizing depository banks to elect benefit corporation status.

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

HB 421, relative to organ donation on a driver's license.

HB 451-FN, relative to organizations authorized to issue decals for multi-use decal number plates and relative to gold star family decals for motor vehicles.

HB 456, relative to the disclosure of information from vital records.

HB 496-FN, relative to license plate covers.

HB 519, relative to technical changes in the laws administered by the insurance department.

HB 520, relative to e-delivery of insurance documents and commercial lines renewal notices.

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

HB 582, relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

HB 630, authorizing certain procedures for rulemaking.

Senator Avard moved adoption of the Report of Committee on Enrolled Bills. Adopted in recess.

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.

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 16

May 20, 2021

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

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

Let us Pray.

And I have to say, my prayer this morning is based upon a prayer written by George Washington.

Dear God. We make our honest prayer that the United States and the state of New Hampshire will prosper under the leadership of the New Hampshire State Senate. Incline the hearts of citizens to cultivate a spirit of superb nation, and obedience to government. Help all of us to want to serve one another, to create a state and world that is filled with justice and liberty for all. Help them to entertain a sibling affection and love for one another and for their fellow citizens of this state and the United States at large. We especially pray today

for our colleague and friend, Lou D'Allesandro. May your healing touch be with him so that he can return to continue to serve the people of New Hampshire. Dispose us all to do justice, to love mercy, and to demean ourselves with charity and humility. Give the New Hampshire State Senate a pacific temper of mind which help them to pass laws that help all citizens of this state and create a culture of hard work. Without a humble heart, we can never hope to be a happy nation. In our humility, give us the grace this day to be bold enough to listen to each other, to compromise and to persuade through sound argument and gentle words. Amen.

Senator Reagan led the Pledge of Allegiance.

Senators D'Allesandro and Gannon are excused for the day.

FN REPORT FOR MAY 20, 2021

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

CONSENT CALENDAR:

EDUCATION

HB 321, requiring school districts to submit an annual report concerning gifted and talented students.

HEALTH AND HUMAN SERVICES

HB 381-FN, relative to laboratory testing.

REGULAR CALENDAR:

COMMERCE

HB 610-FN, requiring certain licensing and reporting functions be conducted through the Nationwide Multistate Licensing System and Registry, and relative to background investigations of trust officers, to certain filing fees, assessments, and interest rates, and to the transmission of consumer complaints by the banking department.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 523-FN, requiring a person who registers to vote without any identification to have his or her photo taken before his or her registration to vote is complete.

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

REGULAR CALENDAR:

WAYS AND MEANS

HB 15-FN, relative to including under the meals and rooms tax facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS REMOVED

HEALTH AND HUMAN SERVICES

HB 479, by Senator Soucy

SPECIAL ORDER

Without objection, the following Bills are special ordered to the next session. Adopted.

COMMERCE

HB 610-FN, requiring certain licensing and reporting functions be conducted through the Nationwide Multistate Licensing System and Registry, and relative to background investigations of trust officers, to certain filing fees, assessments, and interest rates, and to the transmission of consumer complaints by the banking department.

ENERGY AND NATURAL RESOURCES

HB 271, relative to standards for per and polyfluoroalkyl substances (PFAS) in drinking water and ambient groundwater.

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 to Third Reading.

COMMERCE

HB 518, relative to rebates under the law governing unfair insurance practices.
Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Some insurance agents give a portion or all of a commission back to an employee as a benefit if the employee has purchased their personal home or auto coverage through them. Currently, only licensed insurance agents can receive a commission as an employee benefit. This bill would allow non-licensed employees to receive commissions as well. As amended, RSA 417:4, IX(b)(16) would remove any reference to rebating. This language represents an agreement among the various parties interested in this bill.

Commerce
May 11, 2021
2021-1411s
08/10

Amendment to HB 518

Amend RSA RSA 417:4, IX(b)(16) as inserted by section 1 of the bill by replacing it with the following:

(16) The payment or assignment of all or part of a producer's commission on the sale of insurance to an employee of the producer.

2021-1411s

AMENDED ANALYSIS

This bill excludes from unfair insurance practices the payment or assignment of all or a portion of the producer's commission to an employee of the producer.

EDUCATION

HB 140, relative to private rights of action regarding pupil safety.
Ought to Pass with Amendment, Vote 5-0. Senator Kahn for the committee.

This bill creates a private right of action for bullying and cyberbullying of NH students. This bill works to ensure accountability and create a legal remedy for parents whose children have been aggrieved as a result of a school district's gross negligence or willful misconduct in cases of bullying. The committee amendment defines gross negligence as deliberate indifference.

Senate Education
May 12, 2021
2021-1425s
06/04

Amendment to HB 140

Amend the bill by replacing section 1 with the following:

1 Safety and Violence Prevention; Pupil Safety Private Right of Action. RSA 193-F:9 is repealed and reenacted to read as follows:

193-F:9 Private Right of Action Permitted. Any person aggrieved as a result of gross negligence or willful misconduct in violation of any provision of RSA 193-F:4 may initiate an action against a school district or chartered public school and may recover court costs and reasonable attorney's fees as the prevailing party. For the purposes of this chapter, "gross negligence" means deliberate indifference. Nothing in this section shall supercede or replace existing rights or remedies under any other law.

HB 321, requiring school districts to submit an annual report concerning gifted and talented students.
Ought to Pass with Amendment, Vote 5-0. Senator Prentiss for the committee.

This bill requires all public schools to submit annual reports to the department of education detailing the policies, programs, and procedures that are in place to identify and accommodate the needs of gifted and talented students. This bill would create a folder, virtual or otherwise, for school districts to access and share their efforts and best practices in supporting gifted and talented students. The committee amendment sought to define gifted and talented students, require the department of education to develop a standardized report submission format and make reports available online.

Senate Education
 May 11, 2021
 2021-1396s
 06/04

Amendment to HB 321

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

1 New Section; Instruction of Pupils; Gifted and Talented Students; Report. Amend RSA 189 by inserting after section 29-a the following new section:

189:29-b Identification and Accommodation of Gifted and Talented Students.

I. In this section, "gifted and talented student" means a student identified as having unique academic, artistic, or athletic potential according to assessments selected and administered locally.

II. Beginning in the 2022-2023 school year, every New Hampshire public school shall submit to the department of education, no later than August 1, an annual narrative report detailing the policies, programs, and procedures that are in place to identify and accommodate the unique needs of gifted and talented students. If no such policies, programs, or procedures exist, the report shall so state.

III. The department shall develop a standardized format for the submission of such information and shall reassess the format each year to ensure the required information is useful. The department shall make the reports available on its public Internet website.

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

2021-1396s

AMENDED ANALYSIS

This bill requires all public schools to submit annual reports to the department of education detailing the policies, programs, and procedures that are in place to identify and accommodate the needs of gifted and talented students.

This bill also requires the department of education to develop a standardized format for reporting such information and to conduct an annual reassessment of such format to ensure that the information reported is useful.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 223, relative to political party access to a list of absentee ballot requests.
 Ought to Pass with Amendment, Vote 5-0. Senator Soucy for the committee.

This bill as amended authorizes political parties to request and subscribe to the absentee ballot request list from the secretary of state. Information on the statewide absentee voter list shall be limited to voter name, voter ID number, the date the absentee ballot was requested and the date that the ballot was returned. The secretary of state shall provide the list requested at least once per week and at least twice per week for the four weeks prior to the election.

Election Law and Municipal Affairs
 May 10, 2021
 2021-1380s
 05/10

Amendment to HB 223

Amend the bill by replacing section 1 with the following:

1 Absentee Ballots; Political Parties. Amend RSA 657:15, III and IV to read as follows:

III. Candidates whose names appear on the ballot for statewide office and persons bearing a notarized request from candidates whose names appear on the ballot for statewide office may obtain a statewide list of absentee voter applicants, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B from the secretary of state. Information on the statewide absentee voter list shall be limited to voter name, voter ID number, ~~and~~ the date the absentee ballot was requested, **and the date that the ballot was returned.**

III-a. Political parties and persons bearing notarized requests from political parties may obtain a statewide list of absentee voter applicants, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B from the secretary of state. Information on the statewide absentee voter list shall be limited to voter name, voter ID number, the date the absentee ballot was requested, and the date that the ballot was returned.

IV. The subscription fee for providing a statewide list of absentee voters by the secretary of state under this section shall be \$2,000 per election, all of which shall be deposited in the election fund under RSA 5:6-d. The secretary of state shall update the original list of absentee voters on a regular basis. **The secretary of state shall provide the list requested pursuant to paragraphs III and III-a at least once per week and at least twice per week for the 4 weeks prior to the election.**

2021-1380s

AMENDED ANALYSIS

This bill authorizes political parties to request and subscribe to the absentee ballot request list from the secretary of state, and adds the date the absentee ballot was returned to the information provided.

HB 243, relative to the form of municipal budgets, relative to municipal estimates of expenditures and revenues, and relative to the requirement that certain governing bodies submit recommendations to the budget committee.

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

This bill as amended will require municipal, district, and administrative units to make available to the voters the same level of data that they use to develop their budget. In addition to the Uniform Chart of Accounts developed by DRA this bill defines the term sub-accounts. Sub-accounts allow the tracking of different activities (income and expense categories) which are funded by the same account. The bill also requires these details be available for public inspection at the public hearing and town and district meetings. Additionally, this legislation requires that information provided to the Budget Committee should be in a format that is acceptable to Budget Committee or provide a staff person at the committee meeting who can provide the required information.

Election Law and Municipal Affairs

May 10, 2021

2021-1371s

12/04

Amendment to HB 243

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

1 Definitions; Budget. Amend RSA 32:3, III to read as follows:

III. "Budget" means a statement of recommended appropriations and anticipated revenues, **prepared according to rules adopted by the commissioner of revenue administration under RSA 541-A**, submitted to the legislative body by the budget committee, or the governing body if there is no budget committee, as an attachment to, and as part of the warrant for, an annual or special meeting.

2 Definitions; Sub-Account and Uniform Chart of Accounts. Amend RSA 32:3 by inserting after paragraph VI the following new paragraphs:

VII. "Sub-account" means an optional level of accounting, one or more levels below the account level. Sub-accounts may be used to budget and track expenses when several different activities are funded by the same account. Sub-accounts may be created by the town or district under the authority of the budget committee, or the governing body if there is no budget committee, but must support the numbering classification system established in the uniform chart of accounts as established by the department of revenue administration in accordance with RSA 21-J:13, IV. Nothing in this chapter shall require the disclosure of any information or data restricted from disclosure by any other statute.

VIII. "Uniform chart of accounts" means a consistent system of accounts used to categorize revenues, expenditures, assets, liabilities, and equity. It identifies the account titles, descriptions, and numbering classification system established by the department of revenue pursuant to RSA 21- J:13, IV. It provides the framework to budget, record, and report financial data logically and provide a robust basis for reporting on the results.

3 Budget Preparation; Public Hearing. Amend RSA 32:5, I to read as follows:

I. The governing body, or the budget committee if there is one, shall hold at least one public hearing on each budget, not later than 25 days before each annual or special meeting, public notice of which shall be given at least 7 days in advance, and after the conclusion of public testimony shall finalize the budget to be submitted to the legislative body. ***If a town or district uses sub-accounts to budget or track financial data it shall make that data available for public inspection at the public hearing.*** One or more supplemental public hearings may be held at any time before the annual or special meeting, subject to the 7-day notice requirement. If the first hearing or any supplemental hearing is recessed to a later date or time, additional notice shall not be required for a supplemental session if the date, time, and place of the supplemental session are made known at the original hearing. Public hearings on bonds and notes in excess of \$100,000 shall be held in accordance with RSA 33:8-a, I. Days shall be counted in accordance with RSA 21:35.

4 Budget Preparation; Sub-Accounts. Amend RSA 32:5 by inserting after paragraph IX the following new paragraph:

X. If a town or district uses sub-accounts to budget or track financial data, it shall ensure the budget data at the account and sub-account levels is available for public inspection prior to and at the annual or special meeting, at which the budget or any appropriation is to be considered.

5 Duties of Governing Body and Other Officials. Amend RSA 32:17 to read as follows:

32:17 Duties of Governing Body and Other Officials.

I. The governing bodies of municipalities adopting this subdivision, or of districts which are wholly within towns adopting this subdivision, shall review the statements submitted to them under RSA 32:4 and shall submit their own recommendations to the budget committee, together with all information necessary for the preparation of the annual budget, including each purpose for which an appropriation is sought and each item of anticipated revenue, ***including all sub-accounts used by the governing body***, at such time as the budget committee shall fix. In the case of a special meeting calling for the appropriation of money, the governing body shall submit such information not later than 5 days prior to the required public hearing. Department heads and other officers shall submit their departmental statements of estimated expenditures and receipts to the budget committee, if requested.

II. The information provided to the budget committee as required by this chapter shall be in a format acceptable to the budget committee. This requirement may be satisfied by the municipality by providing the assistance of a knowledgeable staff person who will attend the budget committee meetings with access to and the ability to provide the required information.

III. The governing body shall incorporate any sub-accounts created by the budget committee into the software used to budget or track financial data.

6 Budget Committee; Review of Expenditures. Amend RSA 32:22 to read as follows:

32:22 Review of Expenditures. Upon request by the budget committee, the governing body of the town or district, or the town manager or other administrative official, shall forthwith submit to the budget committee a comparative statement of all appropriations and all expenditures, ***including all sub-accounts used by the governing body***, by them made in such ***additional*** detail as the budget committee may require. The budget committee shall meet periodically to review such statements. The provisions of this section shall not be construed to mean that the budget committee, or any member of the committee, shall have any authority to dispute or challenge the discretion of other officials over current town or district expenditures, except as provided in RSA 32:23.

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

2021-1371s

AMENDED ANALYSIS

This bill requires:

I. Governing bodies to publish statements of estimated expenditures and revenues for the next fiscal year in sub-account detail.

II. Governing bodies to submit to the budget committee information necessary for the preparation of the annual budget in whatever detail the budget committee requires.

HB 292, relative to the absentee ballot application process.

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

This bill would establish procedures for the verification of certain mail-in absentee voter applications. Currently, there are other bills still in process that address the same area of concern. The Committee determined that this legislation would require more examination to avoid duplication in statute.

HB 326, requiring town and city clerks to make electronic lists of persons who have requested, been mailed, or returned absentee ballots available to candidates upon request.

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

This bill will amend RSA 657:15 to require that town clerks supply, if requested, an electronic copy of the list of absentee voter applicants. Information provided on the list will be what is already available to Candidates in the Statewide Centralized Voter Registration Data Base.

Election Law and Municipal Affairs

May 17, 2021

2021-1525s

11/08

Amendment to HB 326

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

AN ACT requiring town and city clerks to make electronic lists of persons who have applied for absentee ballots available to candidates upon request.

Amend the bill by replacing section 1 with the following:

1 Absentee Ballot Lists; Electronic Copies. Amend RSA 657:15, II to read as follows:

II. Candidates whose names appear on the ballot and persons bearing notarized requests or copies of notarized requests from candidates whose names appear on the ballot may obtain a list of absentee voter applicants from the clerk, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B. ***If requested this list may be supplied electronically from the information in the statewide centralized voter registration database.***

2021-1525s

AMENDED ANALYSIS

This bill requires that town and city clerks make electronic lists of absentee voter applicants available to candidates who request them.

HB 484, relative to budget committee recommendations on warrant articles.

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

This bill would have specified in statute that Budget Committees are prohibited from providing written recommendations on warrant articles unless the warrant article includes an appropriation or expenditure.

The Committee found that this prohibition is already in statute and respected by most municipalities across the state. Additionally, a violation can be addressed at the local level rather than at the state level.

HB 555, relative to prisoners' voting rights.

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

This bill would amend the absentee voter application form and absentee voting affidavits to make clear that certain persons confined to penal institutions may vote by absentee ballot. Voters that find themselves incarcerated awaiting trial or serving a misdemeanor conviction are often disenfranchised because they do not have a clear legal option to apply for an absentee ballot. This legislation clarifies what is currently allowed and does not expand voting rights.

ENERGY AND NATURAL RESOURCES

HB 135, requiring parties responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution.

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

This bill would have required parties deemed responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution. While the bill is well intended, this bill does not adequately establish criteria on how the NH Department of Environmental Services would assign

financial responsibility to any given party for water pollution, detail any type of appeal process for that party, or how that financial responsibility would be shared if there were multiple parties found to be at fault. The Department indicated the bill in its current form may not address the appropriate section of statute. The committee feels this bill warrants additional review and study.

HB 249, relative to animal shelter facilities.

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

This bill makes several changes relating to animal shelter facilities. This bill amends the definition of an animal shelter facility to include leased facilities. It also requires dogs, cats, and ferrets transferred out of these facilities to have a form of positive identification and to be vaccinated against rabies. The bill also requires facilities to contact previous owners of abandoned or unclaimed animals within 72 hours. Finally, the bill prohibits a shelter from transferring a dog, cat, or ferret that is received from outside of the state without an official health certificate and until quarantine requirements have been met.

HB 373, relative to state participation in low carbon fuel standards programs.

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

This bill originally would have prohibited the NH Department of Environmental Services from participating in discussions of any state, regional, or national low carbon fuel standards program unless specifically directed by the governor. The committee felt the bill would have unduly restricted the Department from taking part in these program discussions, lessening the Department's ability to represent the state's interests. The committee replaced the entire bill with an amendment to RSA 21-O:23, I to require both legislative and executive council approval before NH joins, implements, or participates in any state, regional, or national low carbon fuel standards program.

Energy and Natural Resources

May 17, 2021

2021-1527s

06/10

Amendment to HB 373

Amend the bill by replacing section 1 with the following:

1 Low Carbon Fuel Standards Programs; State Participation. Amend RSA 21-O:23, I to read as follows:

I. The state of New Hampshire shall not join, implement, or participate in any state, regional, or national low carbon fuel standards program or any similar program that requires quotas, caps, or mandates on any fuels used for transportation, industrial purposes, or home heating without seeking and receiving prior legislative *and executive council* approval.

2021-1527s

AMENDED ANALYSIS

This bill prohibits the state from participating in any state, regional, or national low carbon fuel standards program without prior approval of the legislature and the executive council.

HEALTH AND HUMAN SERVICES

HB 131, relative to reporting of health care associated infections.

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

This bill clarifies the information that hospitals must report regarding infections. This bill brings reporting requirements up to date with modern practices, current definitions, and establishes more efficient reporting methods for hospitals.

HB 146, requiring health care providers to furnish upon request a list of ingredients contained in an injectable medication that is recommended or administered.

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

This bill requires health care providers to furnish upon request a list of ingredients contained in any injectable medication that is recommended or administered. The committee recommends the motion to re-refer because the acts required by this bill are already standard practice. The committee would like the opportunity to further review this bill to determine if there is a need for legislation.

HB 187, relative to the emergency powers of the commissioner of health and human services and relative to the membership of the oversight committee on health and human services.
Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

This bill makes various changes to the powers of the commissioner of the department of health and human services during a public health emergency; authorizes the joint legislative oversight committee on health and human services to review, and rescind by a 2/3 vote, emergency orders issued by the commissioner; gives a person subject to a treatment order for a communicable disease a right to a hearing on the order; and amends the membership and duties of the ethics oversight advisory committee. The bill also amends the house membership on the health and human services oversight committee. As amended, the health and human services oversight committee may not vote to sponsor a joint resolution to rescind the emergency order. It is essential for the department to be able to issue emergency orders to protect the public during public health emergencies. Additionally, the amendment restores the senate membership to three members on the health and human services oversight committee.

Health and Human Services
May 12, 2021
2021-1444s
04/06

Amendment to HB 187

Amend the bill by replacing section 1 with the following:

1 Department of Safety; Public Health Emergency Management Powers. Amend RSA 21-P:53 to read as follows:

21-P:53 Public Health Powers and Duties. During the existence of a state of emergency under this chapter, the commissioner of health and human services shall have the following powers and duties, subject to the direction and control of the governor, which are in addition to those set forth in RSA 141-C; provided that such powers and duties shall be limited to the specific nature of the emergency, its geographic limits, and the conditions that brought it about, as specified in the declaration of the state of emergency:

I. The commissioner shall have the responsibility and authority to carry out all public health activities within the state in cooperation and collaboration with the division of homeland security and emergency management.

II. The commissioner may, without the approval of the [governor's] *executive* council or the legislative fiscal committee, and notwithstanding the provisions of RSA 4:45, 9:13-d, and 9:19, [~~and any other law to the contrary,~~] purchase and distribute anti-toxins, serums, vaccines, immunizing agents, antibiotics, and other pharmaceutical agents that the commissioner deems to be in the interest of public health.

III. If there is a statewide or regional shortage or threatened shortage of any anti-toxins, serums, vaccines, immunizing agents, antibiotics, and other pharmaceutical agents, the commissioner may control, [~~restrict~~] *prioritize*, and ration the use, sale, dispensing, distribution, or transportation of such products as necessary to best protect the health, safety, and welfare of the people of this state. In making rationing or other supply and distribution decisions, the commissioner shall determine high risk or critical need groups that shall receive priority for such products.

III-a. The commissioner shall have no power to restrict the ability of a licensed practitioner to prescribe pursuant to RSA 329 and RSA 326-B.

III-b. If during a public health emergency, a treatment or vaccination becomes available which is anticipated to be in limited supply, the commissioner shall develop, in consultation with the ethics oversight advisory committee, established in RSA 141-C:27, a plan for its distribution.

IV. The commissioner may investigate any incident or imminent threat of any disease or health condition that may be caused by a natural disaster, radiation or chemical exposure, or the release of any microorganism, infectious substance, or naturally occurring or manufactured biological product, that poses a risk of a significant number of human fatalities or incidents of permanent or long-term disability. Such investigations may include requiring information from any health care provider or other person affected by, or having information related to, the incident or threat, inspections of buildings and conveyances and their contents, laboratory analysis of samples collected during the course of such inspections, and requiring a physical examination and the provision of specimens of body secretions, excretions, fluids, and discharges for laboratory examination of any person having a disease or health condition that necessitates an investigation under this paragraph.

V. The commissioner may order a person to undergo such medical care as may be necessary to treat or prevent an incident or threat of disease or other health condition prompting an investigation pursuant to paragraph IV. Such care may include immunization of individuals as necessary to prevent the spread of contagious disease, except that an individual may refuse treatment or immunization pursuant to the provisions of ~~[RSA 141-C:15, VI]~~ **RSA 141-C:16 and RSA 141-C:20-c.**

VI. Any order compelling an investigation, physical examination, the provision of specimens, medical treatment or care, or immunization, and any other order of the commissioner under this chapter, shall be subject to the due process requirements of RSA 141-C:14-a.

VII. The department of health and human services shall acquire and retain only the minimum amount of information, specimens, and samples relating to individuals necessary to carry out its obligations under this section. Any genetic testing of specimens and samples shall be limited to the viruses, bacteria, fungi, or other microorganisms therein. Personally identifiable information shall not be acquired or retained unless necessary for the department to carry out its responsibilities under this section, RSA 141-C, or any other provision of law. Such information shall not be retained beyond the duration of the state of emergency without the approval of the governor and executive council, which information shall be subject to the confidentiality provisions of RSA 141-C:10.

VIII. Except as provided in paragraph IX, an emergency order issued under this section shall be subject to review by the joint legislative oversight committee on health and human services, established in RSA 126-A:13. The commissioner shall notify the ethics oversight advisory committee established in RSA 141-C:27 of any emergency order issued under this section, and the joint legislative oversight committee shall consider the input of the ethics committee, if provided, in any decision. If the emergency precludes either committee from meeting in person, they shall be authorized, notwithstanding any other provision of law, to meet remotely for this purpose.

IX. An emergency order issued under paragraph V or VI shall be subject to legislative oversight by the ethics oversight advisory committee pursuant to RSA 141-C:27, II(b).

Amend RSA 126-A:13, I(a) as inserted by section 3 of the bill by replacing it with the following:

(a) ~~[Two]~~ **Three** members of the senate, at least one of whom shall be a member of the senate health and human services committee and one of whom shall be a member of the senate finance committee, appointed by the president of the senate~~[- and].~~

2021-1444s

AMENDED ANALYSIS

This bill makes various changes to the powers of the commissioner of the department of health and human services during a public health emergency; authorizes the joint legislative oversight committee on health and human services to review, and rescind by a 2/3 vote, emergency orders issued by the commissioner; gives a person subject to a treatment order for a communicable disease a right to a hearing on the order; and amends the membership and duties of the ethics oversight advisory committee. The bill also amends the membership on the health and human services oversight committee.

HB 381-FN, relative to laboratory testing.

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

This bill authorizes laboratory testing without a licensed medical practitioner's order. The bill adds rule-making authority for the purposes of the bill. The committee recommends the motion of re-refer so that the committee members can continue working to ensure that this bill will provide increased accessibility to those who need it while also ensuring that there are no unintended consequences from this bill.

HB 503, codifying the council on housing stability.

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

This bill codifies the council on housing stability initially established by the governor in Executive Order 2020-22. The committee recommends a motion of re-refer to allow the Council to continue its work without delay. The committee members recognize the importance of a coordinated and collaborative effort to support individuals experiencing homelessness and to address the root causes. The committee members would like the ability to assess the success of the council on housing stability and use this bill make any necessary improvements.

HB 572, relative to pharmacist administration of vaccines and allowing a licensed advanced pharmacy technician to administer vaccines.

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

This bill allows licensed advanced pharmacy technicians to administer vaccines, combines the pharmacist administration of vaccines authority into one section, provides for recording vaccinations in the state vaccine registry with consent, and requires the report of any adverse reactions. This bill provides increased accuracy for patients' medical records. Currently primary care providers do not have a reliable way of knowing if patients have already received vaccines from pharmacies. This bill will decrease the risk that patients will receiving duplicate vaccinations. As amended, this bill addresses concerns for patients who are new residents of New Hampshire with no vaccine records in the state and patients who have opted out of the registry.

Health and Human Services

May 13, 2021

2021-1464s

10/08

Amendment to HB 572

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

1 Pharmacist Administration of Vaccines. RSA 318:16-b is repealed and reenacted to read as follows:

318:16-b Pharmacist Administration of Vaccines. A pharmacist, pharmacy intern, or licensed advanced pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer influenza and a COVID-19 vaccine, if available, to the general public. A pharmacist, pharmacy intern, or licensed advanced pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer haemophilus influenza, hepatitis A, hepatitis B, hepatitis A and B, human papillomavirus, meningococcal, pneumococcal, tetanus and diphtheria, varicella, zoster, MMR (measles, mumps, and rubella), and Tdap (tetanus, diphtheria and pertussis) vaccines, which have been approved by the Food and Drug Administration, to individuals 18 years of age or older as ordered by an immunizing pharmacist. The pharmacist, pharmacy intern, or licensed advanced pharmacy technician shall:

I. Hold a current license to practice as a pharmacist, be registered as a pharmacy intern under RSA 318:15-b in New Hampshire, or be licensed as a licensed advanced pharmacy technician under RSA 318:15-c.

II. Possess at least \$1,000,000 of professional liability insurance coverage.

III. In order to administer vaccines, have completed training specific to administration of the respective vaccines that includes programs approved by the Accreditation Council for Pharmacy Education (ACPE) or curriculum-based programs from an ACPE-accredited college of pharmacy or state or local health department programs or programs recognized by the board.

IV. Provide to the board evidence of compliance with paragraphs I-III.

V. Provide notice to the primary care provider, when designated by the patient, of the administration of any vaccine.

VI. Record the vaccination in the state vaccine registry in accordance with RSA 141-C:20-f and/or when required by state and federal law and maintain a record of the vaccination as required by state and federal law.

VII. Submit reports of any adverse reactions following vaccination to the Centers for Disease Control (CDC) Vaccine Adverse Event Reporting System (VAERS).

2 Repeal. RSA 318:16-d, relative to additional authority for pharmacist administration of vaccines, is repealed.

3 Effective Date. This act shall take effect 90 days upon passage.

2021-1464s

AMENDED ANALYSIS

This bill allows licensed advanced pharmacy technicians to administer vaccines, combines the pharmacist administration of vaccines authority into one section, provides for recording vaccinations in the state vaccine registry, and requires the report of any adverse reactions.

WAYS AND MEANS

HB 154-L, relative to community revitalization tax relief incentives.

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

This bill enables municipalities to offer community revitalization tax incentives for the construction of additional housing in designated areas called "housing opportunity zones." Municipalities who choose to do this will be able to offer tax incentives for construction outside of a downtown area. To be eligible for tax relief under this section, the qualifying structure and property shall be located within the housing opportunity zone established by the municipality. No less than one-third of the housing units constructed shall be designated for households with an income of 80 percent or less of the area median income as measured by the United States Department of Housing and Urban Development, or the housing units in a qualifying structure shall be designated for households with incomes as provided in RSA 204-C:57, IV. The tax relief offered under this provision can be for a period of up to ten years. The bill also revises the criteria for assistance from the affordable housing fund administered by the Housing Finance Authority. Since the fund was created in 1988, the income targeting associated with the statute does not fit the programs available now. This bill establishes new income targeting that comports with federal financing programs used by the Housing Finance Authority.

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

REGULAR CALENDAR

EDUCATION

HB 278, relative to the use of unused district facilities by chartered public schools.

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

Senate Education

May 11, 2021

2021-1397s

06/04

Amendment to HB 278

Amend RSA 194:61, I-II as inserted by section 1 of the bill by replacing them with the following:

I. In this subdivision, "unused facility" means a school building owned by a school district which is empty (completely empty or used exclusively for storage) and for which the school district has no school board-approved written plan for future use. In order to comply with this paragraph, such school board-approved plan shall include use by the school district within 2 years of the plan's approval.

II. On July 1, 2022, and on July 1 every year thereafter, the superintendent of each school district shall report to the department of education each unused facility owned by the school district. The department shall establish and maintain a list of unused facilities owned by each school district and make such list available on the department's website.

The question is on the adoption of the Committee Amendment.

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

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

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

The following Senators were excused: D'Allesandro, Gannon.

Roll Call, Yeas: 10 - Nays: 12. Failed.

Recess. Out of recess.

SPECIAL ORDER

Without objection, HB 278 is special ordered to the next session. Adopted.

HB 349, relative to certification requirements for school nurses.

Re-refer to Committee, Vote 4-1. Senator Prentiss for the committee.

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

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 263, relative to campaign finance reform.

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

Election Law and Municipal Affairs

May 17, 2021

2021-1523s

11/04

Amendment to HB 263

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

AN ACT relative to campaign finance reform and increasing the threshold for reporting by political committees.

Amend the bill by replacing sections 3-6 with the following:

3 Political Expenditures and Contributions; Prohibited Political Contributions. Amend RSA 664:4, V to read as follows:

V. By any person (1) if in excess of \$5,000 in value *to a candidate or a candidate committee*, except for contributions made by a candidate in behalf of his own candidacy, ~~or if in excess of \$1,000 in value by any person or by any political committee to a candidate or a political committee working on behalf of a candidate who does not voluntarily agree to limit his campaign expenditures and those expenditures made on his behalf as provided in RSA 664:5-a,]~~ *or in excess of \$10,000 in value to a political committee other than a political committee of a candidate*, (2) if made anonymously or under a name not that of the donor, (3) if made in the guise of a loan, (4) if any other manner concealed, (5) if made without the knowledge and written consent of the candidate or his fiscal agent, a political committee or its treasurer, or not to any one of the same.

4 Political Expenditures and Contributions; Reporting by Political Committee. Amend RSA 664:6, I to read as follows:

664:6 Reporting by Political Committee.

I. Any political committee whose receipts or expenditures exceed ~~[\$500]~~ **\$1,000** shall file with the secretary of state an itemized statement in the form prescribed by the secretary of state, signed by its chairman and treasurer showing each of its receipts exceeding \$25 with the full name and postal address of the contributor in alphabetical order and the amount of the contribution, the date it was received, and the aggregate total for each election for each contributor of over \$100. Statements shall be filed not later than the first Wednesday in June and December after the state general election and before the filing deadline established in RSA 655:14, after which statements shall be filed no later than the Wednesday 12 weeks immediately preceding a primary election, before 5 o'clock in the afternoon, and shall cover the period from the day of the committee registration up to and including the Monday before the statement is due. All receipts of \$25 or under shall appear on the statements as unitemized receipts. Any listing that exceeds an individual's aggregate total of \$100 for each election shall be accompanied by the contributor's occupation including official job title, the name of the contributor's employer, and the city or town of the contributor's principal place of business, if any. The statement shall also show each committee expenditure exceeding \$25 with the full name and postal address of the payee or promise of payment, the date paid or obligated, and the election for which the expenditure was made, with the specific nature and amount of each expenditure since the date of the registration.

5 Political Expenditures and Contributions; Reporting by Political Committee. Amend RSA 664:6, IV and IV-a to read as follows:

IV. Any political committee whose receipts or expenditures do not exceed ~~[\$500]~~ **\$1,000** for a reporting period need not file. However, when a committee's accumulated receipts or expenditures for an election exceed ~~[\$500]~~ **\$1,000** the committee shall file a statement at the next reporting deadline, and shall continue to file at each reporting deadline.

IV-a. Any political committee whose independent expenditures, in aggregate, exceed ~~[\$500]~~ **\$1,000** shall file an itemized statement with the secretary of state which shall be received by the secretary of state not later than 48 hours after such expenditures are made, and thereafter each time a further ~~[\$500]~~ **\$1,000** is expended. Such itemized statements shall cover the period during which independent expenditures totaling ~~[\$500]~~ **\$1,000**

were made. Each statement shall include a certification by the chairman of the political committee that the independent expenditure meets the definition in RSA 664:2, XI. Each statement shall contain the date of each independent expenditure; the name and address of the person to whom the expenditure was made; the name of the candidate on whose behalf or against whom each independent expenditure was made; the amount of each expenditure; the purpose of each expenditure, and the aggregate amount of all previous independent expenditures. If the independent expenditure is made in support of or in opposition to more than one candidate, the statement made under this paragraph shall allocate the way in which the expenditure was made among the candidates on a reasonable basis. For the purposes of this paragraph, "reasonable basis" means a statement that reflects the benefit or the burden reasonably expected to be derived or suffered by each candidate. The filing requirements of this paragraph shall be in addition to all other filing requirements under this section, and shall not be limited to the filing periods during which expenditures must otherwise be reported.

6 Political Expenditures and Contributions; Reporting by Candidate Committee. Amend RSA 664:7 to read as follows:

664:7 Reporting by Candidates. Each candidate at the primary or general election for governor, councilor, state senator, representative to general court, or county officer, who has expenditures exceeding [~~\$500~~] **\$1,000**, shall file statements before and after an election in like manner and detail as prescribed in RSA 664:6, II, II-a, III, IV, and V, excepting, however, the expenditures of political committees of the party to which the candidate belongs in elections other than primaries.

Amend the bill by replacing all after section 9 with the following:

10 Reporting by Political Committee. Amend RSA 664:6, I to read as follows:

I. Any political committee whose receipts or expenditures exceed \$500 shall file with the secretary of state an itemized statement in the form prescribed by the secretary of state, signed by its chairman and treasurer showing each of its receipts exceeding [~~\$25~~] **\$50** with the full name and postal address of the contributor in alphabetical order and the amount of the contribution, the date it was received, and the aggregate total for each election for each contributor of over [~~\$100~~] **\$200**. Statements shall be filed not later than the first Wednesday in June and December after the state general election and before the filing deadline established in RSA 655:14, after which statements shall be filed no later than the Wednesday 12 weeks immediately preceding a primary election, before 5 o'clock in the afternoon, and shall cover the period from the day of the committee registration up to and including the Monday before the statement is due. All receipts of [~~\$25~~] **\$50** or under shall appear on the statements as unitemized receipts. Any listing that exceeds an individual's aggregate total of [~~\$100~~] **\$200** for each election shall be accompanied by the contributor's occupation including official job title, the name of the contributor's employer, and the city or town of the contributor's principal place of business, if any. The statement shall also show each committee expenditure exceeding [~~\$25~~] **\$50** with the full name and postal address of the payee or promise of payment, the date paid or obligated, and the election for which the expenditure was made, with the specific nature and amount of each expenditure since the date of the registration.

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

2021-1523s

AMENDED ANALYSIS

This bill repeals voluntary expenditure limits, increases the expenditure and contribution reporting threshold for all political entities, and modifies the maximum contribution amount a person may contribute to candidate committees and political committees. This bill also increases the dollar threshold for reporting by political committees.

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

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

HB 285, relative to verification of voter checklists.

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

SENATE CLERK'S NOTE

Please note that Committee Amendment #2021-1286s was adopted on Thursday, May 13, 2021 and the vote is documented in Senate Journal 15 of the 2021 Senate Session.

Senator Gray offered a Floor Amendment.

Sen. Gray, Dist 6
 Sen. Birdsell, Dist 19
 May 17, 2021
 2021-1526s
 11/06

Floor Amendment to HB 285

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

1 Vital Records Administration; Secretary of State; Duties. Amend RSA 5-C:4, IV to read as follows:

IV. The secretary of state shall compare information contained on each death record received by the division of vital records with information contained in the statewide centralized voter registration database and submit to the state registrar a list of every city or town that has a registered voter matching the decedent's information. ***Where there is not a full match of name, date of birth, and residence, the secretary of state shall provide information of partial matches for further review and confirmation by the town or city pursuant to paragraph V.***

2 Division of Motor Vehicles; Change of Address; Notification. Amend RSA 261:55, I to read as follows:

I. Whenever any person after making application for or obtaining the registration of a vehicle shall move from the address or change the postal address named in the application or shown on a registration certificate or certificate of title, such person shall within 30 days thereafter notify the division in writing of his or her old and new address. ***The division shall then inform both the supervisor of the checklist in the town or city in which the new address is located and the supervisor of the checklist in the town or city in which the previous address was located of the change to facilitate periodic maintenance and verification of checklists pursuant to RSA 654:36-b.***

3 Periodic Maintenance and Verification of Checklists; Reports of Death. Amend RSA 654:37 to read as follows:

654:37 Reports of Death. Whenever there is filed in the office of the clerk an official notice of the death of any person or persons of the age of 18 years or over or the clerk receives notice of a death record of such person or persons under RSA 5-C:4, V ***with a full match***, the town or city clerk shall notify the supervisors of the checklist of said deaths by submitting a notice of same to the supervisors at their next regular meeting. ***For reports under RSA 5-C:4, V with a possible match, the city or town clerk shall look for an official notice of death and if available shall proceed as described in this section. If there is no official verification, the city or town clerk shall follow the procedures in RSA 654:37-a.*** Upon receipt of such notice, the supervisors shall examine the checklist; and, if the name of said deceased person appears thereon, it shall be removed. The notice shall be retained in accordance with RSA 33-A:3-a. Any supervisor who shall neglect or refuse to erase the name of such deceased voter from the checklist after receiving such notice from the town or city clerk shall be guilty of a violation.

4 Centralized Voter Registration Database; Address Maintenance. Amend RSA 654:45, I to read as follows:

I.(a) The secretary of state is authorized to plan, develop, equip, establish, site, and maintain a statewide centralized voter registration database and communications system, hereinafter referred to as the voter database, connecting users throughout the state. The voter database shall include the current information on the voter registration forms, the accepted absentee ballot applications, the voter checklists, and voter actions as recorded on the marked checklist maintained by each city, ward, and town in the state. ***The database shall maintain addresses in accordance with United States Postal Service standardized addresses as described in the current USPS Publication 28.***

(b) ***The secretary of state shall provide for a verification process that voters sharing a place and date of birth, along with a substantially similar name to include nicknames or likely maiden/married name changes, are unique voters. Should any voter appear to be a duplicate, that information shall be forwarded to the supervisors of the checklist of the cities or towns involved for review and confirmation. The supervisor of the checklist shall notify the secretary of state of the result of such review, and should the records show that a single individual may have voted more than once in any election such information shall be forwarded to the attorney general for further investigation or prosecution.***

5 New Subparagraph; Centralized Voter Registration Database; Address Verification. Amend RSA 654:45, IV by inserting after subparagraph (c) the following new subparagraph:

(d) Beginning July 1, 2022, the secretary of state shall, no less than annually, cause voter records to be checked with the United States Postal Service for changes of address. All records identified as moving shall be provided to the city or town supervisors of the checklist for verification pursuant to RSA 654:39, III.

6 New Paragraph; Inventory of Property Transfers. Amend RSA 74:18 by inserting after paragraph V the following new paragraph:

VI. Municipalities receiving inventories pursuant to this section shall forward the buyer's and seller's names and post transaction addresses to the supervisor of the checklist in such municipalities to facilitate periodic maintenance of the voter checklist.

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

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

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

HB 523-FN, requiring a person who registers to vote without any identification to have his or her photo taken before his or her registration to vote is complete.

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

Election Law and Municipal Affairs

May 10, 2021

2021-1384s

05/10

Amendment to HB 523-FN

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

1 New Paragraph; Elections; Determining Qualifications of Applicant; Photograph Required. Amend RSA 654:12 by inserting after paragraph III the following new paragraph:

III-a. The supervisors of the checklist, town or city clerk, or election day official shall take a photograph of any person who registers using a qualified voter affidavit or sworn statement on the general election day registration form. Such photograph shall be retained in the same manner as qualified voter affidavits pursuant to RSA 33-A:3-a, CXLI(e). The photograph may be used for purposes of RSA 659:13, I(c).

2 Elections; Determining Qualifications of Applicant; Photograph Required. Amend RSA 659:13, I(c)(2) to read as follows:

(2) If the voter executes a challenged voter affidavit, the moderator or the moderator's designee shall take a photograph of the voter and immediately print and attach the photograph to, and thus make it a part of, the affidavit form. ***However, if a photograph was taken under RSA 654:12, then a notation shall be made on the challenged voter affidavit stating that the photograph is attached to the qualified voter affidavit or sworn statement on the general election day registration form.*** The photograph shall be 2 inches by 2 inches, or larger, and may be in color or in black and white. The moderator or his or her designee who took the photograph and the voter shall then sign the challenged voter affidavit. The moderator or designee shall delete the photograph from the camera in the presence of the voter. If the moderator or his or her designee is unable to take the voter's photograph due to equipment failure or other cause beyond the moderator's or his or her designee's reasonable control, the voter may execute a challenged voter affidavit without a photograph.

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

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

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

ENERGY AND NATURAL RESOURCES

HB 177, prohibiting the siting of a landfill near a state park.

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

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

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

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Daniels, Avard, Rosenwald, Carson, Cavanaugh, Reagan, Soucy, Birdsell, Morse.

The following Senators voted No: Hennessey, Watters, Prentiss, Ricciardi, Kahn, Whitley, Perkins Kwoka, Sherman.

The following Senators were excused: D'Allesandro, Gannon.

Roll Call, Yeas: 14 - Nays: 8. Adopted.

HB 199, including soil health and soil conservation in the state soil conservation plan.
Ought to Pass, Vote 4-0. Senator Avard for the committee.

Senator Bradley offered a Floor Amendment.

Sen. Bradley, Dist 3
Sen. Avard, Dist 12
Sen. Giuda, Dist 2
May 19, 2021
2021-1581s
08/05

Floor Amendment to HB 199

Amend RSA 432:9 as inserted by section 3 of the bill by inserting after paragraph VI the following new paragraph:

VII. "Plant biostimulant" means a substance, microorganism, or mixtures thereof, that, when applied to seeds, plants, the rhizosphere, soil or other growth media, act to support a plant's natural nutrition processes independently of the plant biostimulant's nutrient content, improving nutrient availability, uptake or use efficiency, tolerance to abiotic stress, and consequent growth, development, quality or yield.

Amend RSA 432:16, VI as inserted by section 5 of the bill by replacing it with the following:

VI. To make available, on such terms as it shall prescribe, to land occupiers within the district, ***incentives, education, technical assistance***, agricultural and engineering machinery, equipment, fertilizer, ***plant biostimulant***, seeds, seedlings, and such other material or equipment as will assist such land occupiers to carry on operations upon their lands for the ***health***, conservation, and development of soil, water, and related natural resources, ***for the promotion of practices to foster drought resilience and adapt to a changing climate and environment***, for the drainage of land, for the prevention and control of soil erosion, and for the prevention of floodwater and sediment damages;

The question is on the adoption of the Floor Amendment.

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

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

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

The following Senators were excused: D'Allesandro, Gannon.

Roll Call, Yeas: 13 - Nays: 9. Adopted.

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

HB 289, relative to including electrical storage facilities in the definition of energy facility.
Ought to Pass, Vote 4-0. Senator Gray for the committee.

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

HB 309, relative to the computation of renewable energy credits.
Ought to Pass with Amendment, Vote 4-0. Senator Avard for the committee.

Energy and Natural Resources
May 18, 2021
2021-1548s
10/06

Amendment to HB 309

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

AN ACT relative to the computation of renewable energy credits and clarifying certain renewable energy classes.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Electric Renewable Portfolio Standards; Electric Renewable Energy Classes. Amend RSA 362-F:4, I (c) to read as follows:

(c) Hydrogen derived from biomass fuels, *water*, or methane gas.

2021-1548s

AMENDED ANALYSIS

This bill revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered. The bill also clarifies the renewable energy class for hydrogen derived from water.

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

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

FINANCE

HB 242, relative to the content of an adequate education.
Ought to Pass, Vote 5-2. Senator Hennessey for the committee.

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

A roll call was requested by Senator Kahn, seconded by Senator Rosenwald.

Recess. Out of recess.

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

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

The following Senators were excused: D'Allesandro, Gannon.

Roll Call, Yeas: 13 - Nays: 9. Adopted, bill ordered to Third Reading.

HB 298, adding a member to the aviation users advisory board.
Ought to Pass, Vote 7-0. Senator Giuda for the committee.

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

HB 385-FN, relative to workers' compensation for heart and lung disease in firefighters.
Ought to Pass, Vote 4-3. Senator Rosenwald for the committee.

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

HB 486-FN, relative to eligibility for the low and moderate income homeowners property tax relief.
Ought to Pass, Vote 7-0. Senator D'Allesandro for the committee.

A roll call was requested by Senator Avard.

Recess. Out of recess.

Senator Avard withdrew his request for a roll call.

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

HB 600-FN, relative to funding for newborn screening.

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

Senate Finance

May 18, 2021

2021-1539s

12/05

Amendment to HB 600-FN

Amend the bill by replacing section 1 with the following:

1 Newborn Health Screening; Funding. Amend RSA 132:10-a, II to read as follows:

II. Notwithstanding any provision of law to the contrary, the commissioner of the department of health and human services shall establish fees, pursuant to RSA 541-A, to be paid *directly* by hospitals *in their entirety, acknowledging that fees may be offset by reimbursement from commercial insurance, Medicaid, or other payors, paid to hospitals* for the tests required under paragraph I. *Nothing in this section is intended to prescribe the reimbursement method or the reimbursement level from a payor. The commissioner shall structure these fees to be reimbursable without out of pocket cost to the patient pursuant to 45 C.F.R. 147.130.* All such fees shall be paid into the newborn screening fund, hereby established in the state treasury. Moneys from the newborn screening fund established under this section shall be nonlapsing and shall be continually appropriated for use by the department to cover laboratory analysis and related newborn screening program costs.

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

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

WAYS AND MEANS

HB 15-FN, relative to including under the meals and rooms tax facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies.

Ought to Pass, Vote 4-1. Senator Rosenwald for the committee.

Senator Rosenwald offered a Floor Amendment.

Sen. Rosenwald, Dist 13

Sen. Giuda, Dist 2

May 14, 2021

2021-1488s

10/08

Floor Amendment to HB 15-FN

Amend the bill by replacing section 8 with the following:

8 Effective Date. This act shall take effect October 1, 2021.

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

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

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.

Recess. Out of recess.

HEALTH AND HUMAN SERVICES

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

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

Health and Human Services
May 12, 2021
2021-1446s
10/06

Amendment to HB 479

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Department of Health and Human Services; General Provisions; Pharmacists. Amend RSA 126-A:3 by inserting after paragraph III the following new paragraph:

III-a.(a) Pharmacists shall be considered providers under RSA 126-A:3, III for the purpose of billing for providing services performed within the scope of a person's license when said service would have been covered under this section if furnished by a physician or as an incident to a physician's service, or furnished by a physician assistant or an advanced registered nurse practitioner.

(b) The commissioner shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to implement this paragraph, if necessary.

Amend the bill by replacing section 4 with the following:

4 New Section; Pharmacists and Pharmacies; Nicotine Cessation Therapy. Amend RSA 318 by inserting after section 47-l the following new section:

318:47-m Nicotine Cessation Therapy.

I. In this section, "standing order" means a written and signed protocol authored by a physician licensed under RSA 329:12, a physician assistant licensed under RSA 328-D:2, or an advanced practice registered nurse licensed under RSA 326-B:18. The agreement shall specify a protocol allowing a licensed pharmacist to provide nicotine cessation therapy under the delegated prescriptive authority of the physician, physician assistant, or APRN, a mechanism to document screening performed and the prescription in the patient's medical record, and include a plan for evaluating and treating adverse events. The prescriptions shall be considered a legitimate medical purpose in the usual course of professional practice.

II. Licensed pharmacists following standing orders may provide nicotine cessation therapy to persons in this state without a prior prescription.

III. A pharmacist, pharmacy, physician, physician assistant, or APRN issuing or following standing orders shall be prohibited from seeking personal financial benefit by participating in any incentive-based program or accepting any inducement that influences or encourages therapeutic or product changes or the ordering of tests or services.

IV. Prior to providing nicotine cessation therapy under this section, a pharmacist shall complete an Accreditation Council for Pharmacy Education (ACPE) accredited educational training program related to nicotine cessation.

V. The pharmacist shall provide each recipient of nicotine cessation therapy with a standardized information sheet written in plain language, which shall include, but is not limited to, the indication for the use of the nicotine cessation therapy, the importance of follow-up care, and health care referral information.

VI. The board shall adopt rules, pursuant to RSA 541-A, relative to:

(a) Education and training required under paragraph IV.

(b) Content and format of the information sheet required under paragraph V, in consultation with the commissioner of the department of health and human services.

(c) A model statewide protocol, with the consent of the board of medicine, the board of nursing, and the department of health and human services to be used for the purposes of paragraph I.

(d) Communication to the patient's primary care provider with the consent of the patient.

VII. The board of medicine shall not deny, revoke, suspend, or otherwise take disciplinary action against a physician or physician assistant based on a pharmacist's failure to follow standing orders provided the provisions of this section and the rules adopted under this section are satisfied. The board of nursing shall not deny, revoke, suspend, or otherwise take disciplinary action against an APRN based on a pharmacist's

failure to follow standing orders provided the provisions of this section and the rules adopted under this section are satisfied. The board of pharmacy shall not deny, revoke, suspend, or otherwise take disciplinary action against a pharmacist who follows standing orders based on a defect in those standing orders provided the provisions of this section and the rules adopted under this section are satisfied.

2021-1446s

AMENDED ANALYSIS

This bill includes pharmacists as providers for certain covered services including Medicaid and authorizes pharmacists to provide nicotine cessation therapy pursuant to a standing order from a physician, physician assistant, or APRN and to be reimbursed under Medicaid.

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

Senator Hennessey offered a Floor Amendment.

Sen. Hennessey, Dist 1

Sen. Soucy, Dist 18

May 17, 2021

2021-1529s

10/08

Floor Amendment to HB 479

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

AN ACT relative to pharmacist provider status, nicotine cessation therapy, and pharmacy benefit manager requirements.

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

5 New Paragraph; Managed Care Law; Provider Contracts; Pharmacy Benefit Managers. Amend RSA 420-J:8 by inserting after paragraph XVI the following new paragraph:

XVII. A pharmacy benefit manager shall not require accreditation of providers other than accreditation requirements as adopted by the New Hampshire pharmacy board or by another state or federal entity.

6 Prospective Repeal. RSA 420-J:8, XVII, relative to prohibiting pharmacy benefit managers to require providers to obtain certain accreditation, is repealed.

7 Effective Date.

I. Section 6 of this act shall take effect January 1, 2025.

II. Sections 1-4 of this act shall take effect January 1, 2022.

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

2021-1529s

AMENDED ANALYSIS

This bill includes pharmacists as providers for certain covered services including Medicaid and authorizes pharmacists to provide nicotine cessation therapy pursuant to a standing order from a physician, physician assistant, or APRN and to be reimbursed under Medicaid. The bill also prohibits pharmacy benefit managers from requiring additional accreditation of health care providers.

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

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

MOTION TO REMOVE FROM THE TABLE

Senator Sherman moved to remove HB 605-FN from the Table. Adopted.

HEALTH AND HUMAN SERVICES

HB 605-FN, relative to the therapeutic cannabis program.

The pending motion is Ought to Pass.

Senator Sherman offered a Floor Amendment.

Sen. Gray, Dist 6
 Sen. Sherman, Dist 24
 May 20, 2021
 2021-1603s
 04/06

Floor Amendment to HB 605-FN

Amend the bill by replacing section 5 with the following:

5 Use of Cannabis for Therapeutic Purposes; Therapeutic Use of Cannabis Protections. Amend RSA 126-X:2, V to read as follows:

V. A valid registry identification card, or its equivalent, that is issued under the laws of another state, district, territory, commonwealth, or insular possession of the United States, **or under the laws of Canada** that allows, in the jurisdiction of issuance, a visiting qualifying patient to possess cannabis for therapeutic purposes, shall have the same force and effect **and be subject to the same restrictions** as a valid registry identification card issued by the department in this state, provided that:

(a) ~~[The visiting qualifying patient shall also produce a statement from his or her provider stating that the visiting qualifying patient has a qualifying medical condition as defined in RSA 126-X:1]~~ **A visiting qualifying patient shall not purchase cannabis at an alternative treatment center more than 3 times in a 12-month period, unless the visiting qualifying patient produces a statement from his or her health care provider stating that the visiting qualifying patient has a qualifying medical condition as defined in RSA 126-X:1;** and

(b) A visiting qualifying patient shall not cultivate ~~[or purchase]~~ cannabis in New Hampshire or obtain **or purchase** cannabis from ~~[alternative treatment centers or from]~~ a ~~[qualifying]~~ New Hampshire **qualifying patient or designated caregiver**.

Amend the bill by inserting after section 6 the following and renumbering the original section 7 to read as 9:

7 Use of Cannabis for Therapeutic Purposes; Protections. Amend RSA 126-X:2, IX(c) to read as follows:

(c) Deliver, transfer, supply, sell, or dispense cannabis and related supplies and educational materials to qualifying patients who have designated the alternative treatment center to provide for them, to designated caregivers on behalf of the qualifying patients who have designated the alternative treatment center, **to visiting qualifying patients**, or to other alternative treatment centers.

8 Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers. Amend RSA 126-X:8, XV(b) to read as follows:

(b) An alternative treatment center or alternative treatment center agent shall not dispense, deliver, or otherwise transfer cannabis to any person or entity other than:

- (1) A qualifying patient who has designated the relevant alternative treatment center; or
- (2) Such patient's designated caregiver; or
- (3) Another alternative treatment center; **or**
- (4) A visiting qualifying patient.**

2021-1603s

AMENDED ANALYSIS

This bill

I. Adds opioid use disorder as a qualifying medical condition for the purpose of the therapeutic use of cannabis.

II. Amends the definitions of "alternative treatment center" and "therapeutic use" and "visiting qualifying patient" in the therapeutic cannabis statute.

III. Permits out-of-state residents qualified in other jurisdictions to purchase therapeutic cannabis at New Hampshire therapeutic dispensaries.

IV. Requires the department of health and human services to adopt rules regarding an alternative treatment center's verification of a visiting qualifying patient's identification.

V. Permits an alternative treatment center to dispense therapeutic cannabis to a visiting qualifying patient and protects the alternative treatment center from prosecution for such distribution.

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

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

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.

Adopted. Adjournment from the Early Session.

LATE SESSION

LIST OF RULE 6-25'S FOR THE DAY

Senator Perkins Kwoka: HB 309

ANNOUNCEMENTS

(The Chair recognized Senator Ricciardi.)

SENATOR RICCIARDI: Thank you, Mister President. I come to you today with a very heavy heart. Our Town Assessor in Bedford, passed away this week at sixty-two. Bill Ingalls was not just our town assessor; he was a personal friend to myself and my family for over twenty years. He was a very brilliant man. He was a wealth of knowledge on so many issues and when my son was little and loved dinosaurs, he could tell him every single thing about a dinosaur. And at one point he had to do this speech in Italian, so he came over for dinner and my husband helped him write this speech. Bill was an amazing man, and he lived alone, and his companions were his cats. And the one thing that he always was in fear of was to just die alone, and that's exactly what happened. He didn't come to a meeting on Tuesday, and didn't respond to emails, and we went to check on him and he was dead in his driveway. And nobody should die alone.

Some of the things I'd like you to know about his career is that in February of 1999 he became Chief Assessor, in July of 2001, well he started in 1999 and then became Chief Assessor in 2001. In 1995 he became a New Hampshire Certified Assessor. 2005 and 2007, the New Hampshire Association of Assessing Officials President Choice Award. In 2007 he was awarded for a manuscript for an outstanding newsletter, New Hampshire Association of Assessing Officials. In 2008 the Lawton B. Chandler award winner for outstanding contribution and involvement on behalf of municipal officials. New Hampshire Association of Assessing Officials and in 2014 to 2015 he was the President for the Northeast Region Association of Assessing Officers. I ask you to remember Bill Ingalls in your prayers today and I thank you, Mister President.

(The Chair recognized Senator Whitley.)

SENATOR WHITLEY: Thank you, Mister President. I rise today to honor the end of Mental Health Awareness Month and to say to my fellow Granite Staters, "You are not alone." Each day millions of Americans face the reality of living with a mental illness, but during the month of May, we join to raise awareness about mental health, to fight stigma, to provide support and education, and to advocate for policies that support people with mental illness and their families. Mental illness knows no economic, racial, or gender barriers and many of our own families have been impacted by these struggles. The Covid-19 pandemic has had a profound impact on the mental health of so many Granite Staters; seniors unable to receive visits from family, parents trying to juggle work and caregiving responsibilities, and children isolated from their peers just trying to navigate being a child during the pandemic. Now more than ever, it is essential that we support our friends, family, and neighbors to reduce the stigma around mental health struggles. Because far too often, that stigma prevents people from seeking help. I encourage my colleagues, friends, family, and neighbors to focus on the healing value of connection, prioritizing mental health, and acknowledging that it's okay to not be okay. Together we can work towards a state where anyone affected by mental illness can get the appropriate support and quality of care to live healthy, fulfilling lives and where no one feels alone in their struggle. Thank you, Mister President.

(The Chair recognized Senator Prentiss.)

SENATOR PRENTISS: Thank you, Senator Morse. I sit or rise on this afternoon under Unanimous Consent to ask you all to join me in a recognition of National EMS Week, which started on Sunday the 16th and runs through the 22nd. But I want to talk a little bit about this, and you know in my profession; emergency medical services, May is a month of recognition. We honor and celebrate this month throughout, not just New Hampshire but the state with National Trauma Awareness, National Trauma Survivor's Day. Yesterday was national Emergency Medical Services for Children's Day. And this year for National EMS Week, the theme and the focus has been on caring for our communities. And what we saw in this past year during the pandemic is that's exactly what EMS did, they not only did their day to day work but on top of that they were part of a nationwide response to Covid-19. Recognition, prevention, testing, and vaccinating from Portsmouth to Lebanon, Keene to Lancaster, Manchester, Nashua, the Lakes region. In every district EMS professionals tested countless individuals and when the vaccine became available, they pivoted and staffed local clinics, the supersite at the New Hampshire Motor Speedway, they teamed up with housing authorities and senior centers and senior housing complexes so they could bring vaccines to the most vulnerable, safely and at less risk within their own homes. So, I ask you to join me once again in honoring our emergency medical providers and services throughout the state, not only this week, but every day, and remember the work that they did this year in stepping up to join with health care and public health in fighting against, preventing and continuing to treat the patients of Covid-19. Thank you.

(The Chair recognized Senator Watters.)

SENATOR WATTERS: Mister President, I rise in celebration of the establishment in Somersworth on Saturday of North America's first Little Indonesia. It was a glorious event with the ribbon cutting of the new headquarters right at the entry to Somersworth downtown on High Street for Indonesian Community Connect. This great organization which has members here in New Hampshire and also Indonesia and is headed by Raude Raychel. And they have big plans for developing Little Indonesia in Somersworth. We were joined by Vice-Ambassador and charged affairs of the embassy in Washington, Ambassador Susanto and many members of the embassy staff and council staff in this moment of celebration.

The plans are for the entire downtown plaza that's under potentially for redevelopment in Somersworth will be the gateway for Little Indonesia and then businesses, cultural centers, museums, performance spaces, you name it, down the Main Street. It really is going to be a dynamic of economic development in Somersworth. And you know, Somersworth has always been a city that welcomed immigrants over the last two centuries and that's why the economic dynamic in Somersworth was what it was and what its future will be.

I want to celebrate in particular what a great thing that this says about New Hampshire. There are 2,000 Indonesians of the Somersworth population of 11,000 and about another 1,700 who live in the immediate area. And they came here initially as religious refugees and asylum seekers in the 1990s, fleeing persecution in their own land. And they came here, and they found a home. And over the last twenty years they have thrived, many of their children in fact are of the so-called dreamer generation who they were very young children when they came to America and now may have siblings who were born here so it's kind of blended families. And certainly there have been difficulties, they became a target of ICE over many years and Governor Sununu stood right up for this community and Senator Shaheen and others in the federal delegation to ensure that they had due process and understanding of the particular circumstances that brought them here. And you know New Hampshire, like the rest of America has had some troubled you know, feelings and thoughts about immigration and refugees over the last decade or so and across our country, but for New Hampshire we can really be proud of how person to person understanding and this community's outreach and also the kind of celebration and participation that New Hampshire people have had with this community says an awfully good thing about our state's traditions.

I think what's important also to note here is the success of this community, economically in establishing homes and as I said bringing vibrancy to Somersworth. And I encourage you all to come on over. You know they say the way to Americans' heart is through their stomach so there's a whole lot of good Indonesian restaurants now. But I also say the way to Americans' hearts are through faith and if you come to Rochester, Dover, Madbury, Portsmouth and see the thriving churches and the church communities there and they're very welcoming and I think also you know just so reaffirming of how America is a place of religious freedom.

Big plans ahead, and I think that New Hampshire is really in an interesting way put itself on the map of having the first Indonesia. We're beating out Los Angeles, folks, on this and there is a sense that there could be a sequence of Little Indonesia's and the possibilities of economic and business investment the communities from across the country will now want to make in New Hampshire it has the potential to be a real tourist destination for Indonesian Americans in diaspora and Indonesians traveling here.

I think also it is really important to think about the nature of our democracy and Indonesia is the world's third largest democracy. It's one of the very few countries that the United States has an official strategic partnership with and has had for decades. It's a real lynchpin of our commitment to democracy in Asia and Southeast Asia and Pacific areas as well. I think also we have something to learn about our own democracy from Indonesia. I mean, talk about diversity, 17,000 islands, right, hundreds of languages and faiths. And their democracy's been tested, they've had their civil war, they've had their struggles over diversity and have been lured to the stronger democracy and I think that that is a really good example of what the United States stands for as well. So, come on over to Somersworth and just wanted to have a few words to celebrate the success this extraordinary event that has occurred in our community. Thank you, Mister President.

(The Chair recognized Senator Giuda.)

SENATOR GIUDA: Thank you, Mister President. I rise to note the absence of our distinguished colleague, Senator D'Allesandro. Missing his lionlike voice, his equally compassionate point of view and I wish him all the success and a quick recovery. Thank you, Mister President.

PRESIDENT MORSE: Thank you, Senator Giuda. I think we're all waiting to hear from Pat.

(The Chair recognized Senator Birdsell.)

SENATOR BIRDSELL: Really quick. I just want to say, this past Saturday I had the honor of attending an event in Windham that was sponsored by Homes For Our Troops. And Homes For Our Troops is an organization out of Massachusetts that builds homes for our wounded warriors. And we had Sergeant Brandon Korona, is going to be one of the recipients. Homes For Our Troops have built almost over three-hundred homes for our wounded warriors in almost forty-two states. And probably Sergeant Brandon Korona and his family have decided to build in Derry. So, we are going to be, there's going to be a home built in Derry for Brandon, Chelsea, and their new son, and Ace, their little dog. So, we're proud to have Brandon and his family in Derry. Thank you, Mister President.

(The Chair recognized Senator Carson.)

SENATOR CARSON: Thank you. I'd like to thank the body for all the cards, the phone calls, and the condolences on the death of my father-in-law. My father-in-law was truly a very, very special human being to his family. He was well respected, and he was really a true public servant. In his youth he was in the Navy and he decided he didn't like being on the water that much and he then joined the Army. He retired from the Army. He was a two tour Vietnam vet and when he did retire, he went into public service working for the Federal Government. Even when he retired, he didn't stop. We always liked to tell the story how he decided he wanted to go back to Alaska and at the age of seventy-nine he rode his motorcycle up from Florida to our house in Londonderry and then he drove cross country to Alaska and back. He was an active member of the Patriot Guard, supporting veterans and veterans' causes. And our family feels very, very lucky that we had him for as long as we did. He would have been eighty-eight on Tuesday. And, I just wanted all of you to know that your concern and your care meant a lot to me during what was a very, very difficult time for our family. So, thank you all very much.

PRESIDENT MORSE: Well, I just want you to know that Susan and I lost a friend last night. To the Senate Democrats, you may know her from Salem. Her name's Robin Boyd. She's a Boston College graduate from back in the late 70s that always let you know she graduated from Boston College. And certainly, whenever our paths crossed, whether it was in the supermarket or anywhere else, she always let me know that I voted wrong, but she still voted for me anyways. She's going to be missed and I just want Michael, her husband, and her sons Michael and Nick, and her sister Linda to know that Susan and I are thinking of her.

Without objection, all personal privileges and unanimous consent shall be entered into the permanent *Journal of the Senate*. (Rule 2-16 and Rule 2-17). Adopted.

LATE SESSION

Third Reading and Final Passage

HB 131, relative to reporting of health care associated infections.

HB 140, relative to private rights of action regarding pupil safety.

HB 154-LOCAL, relative to community revitalization tax relief incentives.

HB 187, relative to the emergency powers of the commissioner of health and human services and relative to the membership of the oversight committee on health and human services.

HB 199, including soil health and soil conservation in the state soil conservation plan.

HB 223, relative to political party access to a list of absentee ballot requests.
HB 242, relative to the content of an adequate education.
HB 243, relative to the form of municipal budgets, relative to municipal estimates of expenditures and revenues, and relative to the requirement that certain governing bodies submit recommendations to the budget committee.
HB 249, relative to animal shelter facilities.
HB 263, relative to campaign finance reform and increasing the threshold for reporting by political committees.
HB 285, relative to verification of voter checklists.
HB 289, relative to including electrical storage facilities in the definition of energy facility.
HB 298, adding a member to the aviation users advisory board.
HB 309, relative to the computation of renewable energy credits and clarifying certain renewable energy classes.
HB 321, requiring school districts to submit an annual report concerning gifted and talented students.
HB 326, requiring town and city clerks to make electronic lists of persons who have applied for absentee ballots available to candidates upon request.
HB 373, relative to state participation in low carbon fuel standards programs.
HB 385-FN, relative to workers' compensation for heart and lung disease in firefighters.
HB 479, relative to pharmacist provider status, nicotine cessation therapy, and pharmacy benefit manager requirements.
HB 486-FN, relative to eligibility for the low and moderate income homeowners property tax relief.
HB 518, relative to rebates under the law governing unfair insurance practices.
HB 523-FN, requiring a person who registers to vote without any identification to have his or her photo taken before his or her registration to vote is complete.
HB 555, relative to prisoners' voting rights.
HB 572, relative to pharmacist administration of vaccines and allowing a licensed advanced pharmacy technician to administer vaccines.
HB 600-FN, relative to funding for newborn screening.

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.

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