

April 21, 2022  
No. 17

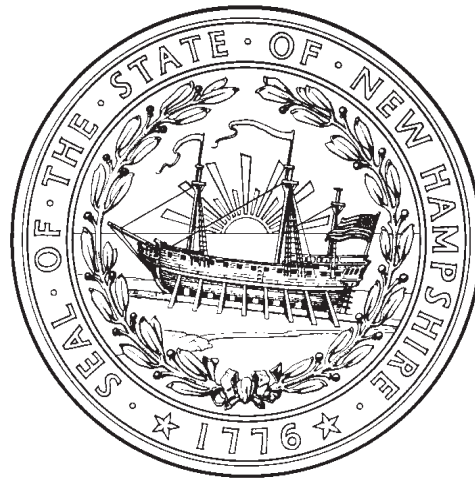
# STATE OF NEW HAMPSHIRE

Website Address: <http://gencourt.state.nh.us>

Senate Meeting Schedule Website Address:  
<http://gencourt.state.nh.us/senate/schedule/dailyschedule.aspx>

All Standing Committee hearings will be live streamed on the NH Senate's YouTube channel:  
<https://www.youtube.com/NewHampshireSenateLivestream>

Links are also available on the Senate Meeting Schedule.



**Second Year of the 167<sup>th</sup> Session of the  
New Hampshire General Court**

# SENATE CALENDAR

---

**THE SENATE WILL MEET IN SESSION ON THURSDAY,  
APRIL 28, 2022 AT 10:00 A.M. IN THE SENATE CHAMBER**

---

The Senate Session on Thursday, April 28, 2022, in the Senate Chamber  
will be live streamed at the following link:

<https://youtu.be/ZFt55u1ec8E>

Please note, this link will not be live until the Senate Session on  
Thursday, April 28, 2022 at 10:00 a.m.

## **LAI D ON THE TABLE**

**SB 70-FN**, relative to insurance coverage for emergency behavioral health services for children and young adults.**01/05/2022, Pending Motion Interim Study, Commerce, SJ 1**

**SB 253**, apportioning state senate districts.**02/16/2022, Pending Motion Interim Study, Election Law and Municipal Affairs, SJ 3**

**SB 280**, relative to meetings of the state health assessment and health improvement plan advisory council and the therapeutic cannabis medical oversight board.**02/03/2022, Pending Motion Interim Study, Health and Human Services, SJ 2**

**SB 315-LOCAL**, directing that a portion of revenue distributions from the meals and rooms municipal revenue fund be used by municipalities to reduce the local property tax rate.**02/03/2022, Pending Motion Inexpedient to Legislate, Ways and Means, SJ 2**

**SB 320**, relative to health care provider contract standards.**03/17/2022, Pending Motion Interim Study, Health and Human Services, SJ 5**

**SB 322**, relative to remote meetings under the right-to-know law.**02/24/2022, Pending Motion Interim Study, Judiciary, SJ 4**

**SB 341-LOCAL**, relative to treatment of PFAS contaminants in the drinking water of the Merrimack Village Water District.**03/24/2022, Pending Motion Interim Study, Energy and Natural Resources, SJ 6**

**SB 384-FN**, requiring notice of the hands-free law at the point of sale for cell phones.**02/16/2022, Pending Motion Interim Study, Commerce, SJ 3**

**SB 415-FN-A**, making an appropriation to the department of health and human services for the purpose of increasing rates paid to homeless shelters.**03/31/2022, Pending Motion Inexpedient to Legislate, Finance, SJ 7**

**SB 436-FN**, relative to access to abortion care.**02/03/2022, No Pending Motion, Judiciary, SJ 2**

**HB 91-FN**, relative to death benefits of first responders who die from suicide.**03/31/2022, Pending Motion Interim Study, Executive Departments and Administration, SJ 7**

**HB 412**, making an appropriation to the department of environmental services for the purpose of funding public water system projects.**03/24/2022, Pending Motion Inexpedient to Legislate, Finance, SJ 6**

**HB 1020**, relative to additional lights on emergency vehicles.**03/31/2022, Pending Motion Ought to Pass, Transportation, SJ 7**

**HB 1187**, relative to milk pasteurization.**04/21/2022, Pending Motion Ought to Pass, Energy and Natural Resources, SJ 9**

**HB 1319-FN**, relative to granting certain corrections personnel death benefits if killed in the line of duty.**03/31/2022, Pending Motion Interim Study, Executive Departments and Administration, SJ 7**

**CACR 36**, residency for the purpose of voting. Providing that only residents of the state may vote in elections.**03/17/2022, No Pending Motion, Election Law and Municipal Affairs, SJ 5**

# CONSENT CALENDAR REPORTS

## ELECTION LAW AND MUNICIPAL AFFAIRS

**HB 1021**, prohibiting regulation of religious land use based on the religious nature of the assembly or speech taking place on the land or in the structure.

Ought to Pass with Amendment, Vote 5-0.

Senator Perkins Kwoka for the committee.

This bill as amended will prohibit zoning regulations from applying to land or structures based on the religious nature of the assembly or speech taking place on the land or in the structure. Such land or structures may be subject to objective dimensional and other zoning regulations as long as the requirements are applicable regardless of the nature of the use of the property.

**HB 1070**, relative to the default budget in official ballot jurisdictions.

Inexpedient to Legislate, Vote 5-0.

Senator Ward for the committee.

This bill would have allowed the default budget in an official ballot town or district to be reduced by any reduction to an appropriation the governing body made in the proposed operating budget. In practice, this would make it very difficult for town officials to manage expenses, especially unforeseen costs. Considering that all budgets are reviewed and approved by the legislative body, the Committee determined that this bill is unnecessary at this time.

**HB 1082**, prohibiting certain state officers from forming political action committees.

Interim Study, Vote 5-0.

Senator Gray for the committee.

RSA 5:1 advises that the election of the Secretary of State or the State Treasurer are to be conducted without regard to party affiliation. In accordance with that this bill would prohibit certain state officers and candidates for office from forming political committees or political advocacy organizations. While the Committee found this legislation well intended, the solution proposed in this bill is flawed.

**HB 1153**, relative to absentee ballot requests.

Interim Study, Vote 5-0.

Senator Soucy for the committee.

This bill would clarify that absentee ballots may not be mailed to absentee voters before an absentee ballot application has been received and approved. Making changes to this procedure may require additional time and would risk voters being disenfranchised. While well intended to increase election integrity, this legislation needs further review to be effective.

**HB 1163**, relative to over voted ballots.

Ought to Pass, Vote 5-0.

Senator Birdsell for the committee.

This bill will require ballots which contain more than the allowable number of votes for an office on the ballot, be returned to the voter to be hand counted by election officials after the polls close. This will ensure that the voter is aware and that the vote will be counted correctly. Additionally, the number of over voted ballots, and the number of over votes and under votes will be included in the return for each election.

**HB 1272**, limiting the authority of town health officers.

Inexpedient to Legislate, Vote 5-0.

Senator Birdsell for the committee.

This bill would have limited the authority of local health officers in making bylaws or ordinances relating to public health matters. The unintended consequence of this legislation is that it would limit municipalities ability to protect local health and safety when unfamiliar circumstances arise. Additionally, all cities and towns in New Hampshire are not one size fits all, each have needs that are specific and the language in this bill disregards that.

**HB 1406**, authorizing municipalities to collect compost.

Inexpedient to Legislate, Vote 5-0.

Senator Ward for the committee.

This bill would have allowed municipalities to collect compost at transfer stations or have a contract with a solid waste disposal facility to collect compostable materials. Currently, there is nothing in state law that would restrict municipalities from engaging in collection of compost. Therefore, the Committee determined that this legislation would not provide any added benefit to the communities of New Hampshire.

**HB 1496-FN**, requiring political subdivisions to make voter checklists available in spreadsheet form to any resident.

Ought to Pass with Amendment, Vote 5-0.

Senator Soucy for the committee.

This bill as amended will allow either a physical copy or an electronic copy of the voter checklists to be provided by the city or town clerk to any person making such a request. Town officials shall notify the person requesting an electronic copy, the format options that are available to them.

**HB 1667**, relative to the standard and optional veterans' tax credits and the all veterans' tax credit.

Ought to Pass, Vote 5-0.

Senator Gray for the committee.

This bill clarifies that veterans of the United States armed forces who served in any active duty status and who continue to serve qualify for the veterans' property tax credits. Currently, the veterans' property tax credit excludes two categories of veterans who have actively served the state of New Hampshire. This legislation removes the requirement to serve under Title 10.

#### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 275**, relative to the declaration of a state of emergency.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

This bill modifies the powers the legislature grants to the Governor related to a state of emergency. This bill permits the Governor to declare a state of emergency for up to 21 days, that can be renewed up to three times for up to 21 days each, without involving the legislature. This permits the Governor to maintain emergency powers for up to 84 days. This bill also grants the legislature the power to meet and terminate individual emergency orders.

**HB 1171-FN**, exempting certain niche beauty services from licensure requirements.

Interim Study, Vote 5-0.

Senator Carson for the committee.

This bill was intended to exempt certain niche beauty services from licensure requirements by making it legal to offer blow-dry styling, eyelash extension application, makeup application, and eyebrow threading without having to have a New Hampshire cosmetology license. After hearing considerable testimony, the committee agreed that this bill needs further study.

**HB 1269**, relative to certain legislative study committees.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

As amended, this bill repeals certain inactive commissions and revises the membership and duties of other commissions. This bill requires certain commissions to be repealed automatically unless reauthorized no later than five years after they are created.

**HB 1330**, repealing the board of medical technicians in the office of professional licensure and certification.

Inexpedient to Legislate, Vote 5-0.

Senator Carson for the committee.

This bill is intended to repeal the necessity for medical technicians to register with the state. This Board was established in 2016 in response to the Hepatitis C outbreak at Exeter Hospital resulting from a technician who diverted injectable opioids for personal use, contaminating drug vials with hepatitis C. NH was the first state to require registration of such technicians, and there have been no similar outbreaks in the state subsequently. The Committee agreed that this board has worked well, and that the safety of NH patients is a priority that should not be compromised.

**HB 1552-FN**, establishing a board for the certification of assessors.  
Interim Study, Vote 5-0.  
Senator Carson for the committee.

This bill moves assessor certification and regulation from the Department of Revenue Administration (DRA) to its own board within the Office of Professional Licensure and Certification (OPLC). The Committee considered an amendment to this bill and determined that this bill and amendments should be reviewed in a future study committee that includes the OPLC.

**HB 1560**, relative to nonresident licensure by the board of barbering, cosmetology, and esthetics.  
Interim Study, Vote 5-0.  
Senator Carson for the committee.

This bill intended to modify the requirements for nonresident licensure by the board of barbering, cosmetology, and esthetics by recognizing professionals who are licensed in another state. Given the range of differing requirements from state to state, the committee determined this issue is best addressed in a future study committee.

**HB 1587-FN-A**, relative to determination of average final compensation under the retirement system and making an appropriation therefor.  
Ought to Pass, Vote 5-0.  
Senator Carson for the committee.

This bill modifies final compensation for Group II retirees of the New Hampshire Retirement System (NHRS) by including their highest 5 years in the calculation. Additionally, this bill provides all Group II members who were employed on or after July 1, 2011 and not vested prior to January 1, 2012 the same retirement calculation and inclusion of overtime for retirement calculations as employees who were vested by January 1, 2012.

## **HEALTH AND HUMAN SERVICES**

**HB 1345**, relative to the release of a teenager's medical records to a parent or guardian.  
Interim Study, Vote 5-0.  
Senator Bradley for the committee.

HB 1345 provides for the release of a minor's medical records to the parent or guardian unless the parent or guardian's consent is not required for the medical treatment or the health care provider reasonably believes that there is possibility of abuse and release of the record may endanger the minor. The Committee was unsure if HB 1345 would completely comply with federal regulations. The Committee was also unsure if the bill contained adequate protections for children in abusive or otherwise not supportive home environments. For these reasons, a motion of Interim Study is warranted.

**HB 1466**, relative to the off-label use of prescription drugs and relative to pharmacy prescriptions.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Gray for the committee.

HB 1466 clarifies circumstances under which a physician, physician assistant, and advanced practice registered nurse may prescribe a drug for an off-label indication allowing patients access to certain medical treatments with the approval of a medical provider. The bill also prohibits disciplinary action against a pharmacist for filling a valid prescription for off-label use. The Committee Amendment both ensures that nothing in this bill shall be construed to authorize euthanasia or assisted suicide and ensures that the standardized form for informed consent will be approved by the appropriate medical boards.

## **JUDICIARY**

**HB 1388-FN**, relative to the unsolicited disclosure of an intimate image.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Carson for the committee.

This bill establishes a criminal penalty for the unsolicited disclosure of an intimate image. As technology has advanced the issue of these unsolicited images has become more prevalent in our world, and this bill will recognize that under the law, just as if this were to occur in person, the unsolicited disclosure of these images will be a crime. The Committee amended the bill to clarify the language, making the terminology used more in line with established law.

**HB 1493**, relative to the drug forfeiture fund.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

This bill will require that the Attorney General include the drug forfeiture fund in an annual report. Transparency is essential to trust in government and law enforcement, and to the civil functioning of our society. Enacting this clarification to the statute will require the Department of Justice to publicly disclose data regarding forfeitures, while protecting sensitive information within that data that would endanger informants or investigations.

**HB 1540-FN**, relative to recording custodial interrogations.

Interim Study, Vote 5-0.

Senator Carson for the committee.

This bill would require the recording of custodial interrogations and specify exceptions in certain circumstances. The Committee heard testimony that this is already among the best practices for law enforcement across the State. However, in recognizing the merit this concept has for our citizens, our law enforcement community, and for our judicial process, the Committee encourages the continued effort to refine this language.

### **WAYS AND MEANS**

**HB 527**, relative to the charitable gift annuities exemption.

Inexpedient to Legislate, Vote 5-0.

Senator Hennessey for the committee.

This bill sought to allow smaller charities, with assets of \$25,000, to offer charitable gift annuities as a fundraising mechanism. Under current law, only charities with \$300,000 in assets can offer such annuities. Under this bill, a charity would sell the annuity to a commercial insurer who would make the annuity payments. The committee did not hear from any charities requesting the ability to offer these annuities and felt there were too many unanswered questions with regard to the oversight and regulation of such annuities.

**HB 1097**, relative to taxation of income of New Hampshire residents when working remotely for an out of state employer.

Ought to Pass with Amendment, Vote 5-0.

Senator Giuda for the committee.

This bill as amended by the Ways and Means Committee makes clear that income from employer-employee relationships such as wage income, salary income, or other employee compensation earned or received by residents of New Hampshire for services performed entirely within New Hampshire shall not be subject to personal income tax in any other state. The need for this legislation arose during the pandemic when another state assessed personal income tax on employee wages earned while working remotely from home in New Hampshire. With the increasing work-from-home trend, this legislation is critical to protect the wages of New Hampshire citizens earned entirely within this state from out-of-state taxation.

**HB 1598-FN**, legalizing the possession and use of cannabis.

Inexpedient to Legislate, Vote 5-0.

Senator Giuda for the committee.

This bill sought to legalize the possession and use of cannabis for persons 21 years of age and older. It would have created a state-run model with the Liquor Commission responsible for regulating and administering the cultivation, manufacture, testing and retail sale of cannabis. The committee heard overwhelming testimony in opposition to the bill for various reasons including, but not limited to, the negative impact on the therapeutic cannabis program and alternative treatment centers, the message it would send to youth that cannabis is safe despite data showing the impacts on brain development and mental health including depression, anxiety and schizophrenia, the lack of potency limitations, increased use among adolescents, increased cannabis-related motor vehicle accidents, increased cannabis-related emergency room visits and hospitalizations, and an increase in autism linked to prenatal cannabis use. Several high school students testified to the pressure and ridicule they already face on a daily basis due to prevalence and availability of cannabis and that passage of this bill would only worsen that and send a terrible message. The state-run model outlined in this legislation is flawed, unworkable, and runs afoul of federal law. It could put state employees at risk of federal, criminal prosecution.

# REGULAR CALENDAR REPORTS

## CAPITAL BUDGET

**HB 1661-FN-L**, relative to regional career technical education agreements and relative to an appropriation for constructing a legislative parking garage.

Ought to Pass with Amendment, Vote 5-0.

Senator Watters for the committee.

## COMMERCE

**HB 1106**, establishing a commission to study recruiting members of the armed forces.

Ought to Pass with Amendment, Vote 4-0.

Senator French for the committee.

**HB 1237-FN**, relative to the definition of cigar bar.

Inexpedient to Legislate, Vote 4-0.

Senator French for the committee.

**HB 1249**, relative to weights and measures.

Ought to Pass, Vote 4-0.

Senator French for the committee.

**HB 1469-FN**, relative to prohibited acts for banks, credit unions, and businesses.

Ought to Pass with Amendment, Vote 4-0.

Senator Gannon for the committee.

**HB 1503-FN**, exempting the developer, seller, or facilitator of the exchange of an open blockchain token from certain securities laws and adopting the Uniform Commercial Code relative to controllable electronic records.

Ought to Pass with Amendment, Vote 4-0.

Senator Bradley for the committee.

## EDUCATION

**HB 1193**, relative to chartered public school fees and enrollment policies.

Inexpedient to Legislate, Vote 4-0.

Senator Kahn for the committee.

## ELECTION LAW AND MUNICIPAL AFFAIRS

**HB 1170**, limiting the authority of New Hampshire delegates to policymaking conventions.

Inexpedient to Legislate, Vote 3-2.

Senator Soucy for the committee.

**HB 1203-FN**, relative to domicile residency, voter registration, and investigation of voter verification letters.

Ought to Pass with Amendment, Vote 3-2.

Senator Gray for the committee.

**HB 1268**, limiting the authority for city council bylaws and ordinances.

Interim Study, Vote 4-1.

Senator Gray for the committee.

**HB 1393**, relative to the adoption of school district budget caps.

Inexpedient to Legislate, Vote 4-1.

Senator Ward for the committee.

**HB 1467-FN**, requiring partial audits of additional offices on ballots involved in recounts.

Ought to Pass with Amendment, Vote 3-2.

Senator Gray for the committee.

**HB 1567-FN**, relative to consequences resulting from election official misconduct.

Ought to Pass, Vote 3-2.

Senator Birdsell for the committee.

## ENERGY AND NATURAL RESOURCES

**HB 614-FN**, exempting the state and political subdivisions from payment of the costs of compliance with the renewable portfolio standard.

Interim Study, Vote 4-0.

Senator Gray for the committee.

**HB 1168**, establishes a committee to study the New Hampshire law relative to soil conditioners.  
Ought to Pass with Amendment, Vote 3-0.

Senator Watters for the committee.

**HB 1220**, prohibiting the docking of houseboats on Perkins Pond in Sunapee.  
Ought to Pass, Vote 3-0.

Senator Gray for the committee.

**HB 1297**, relative to taking lobster while engaged in recreational scuba diving.  
No Recommendation, Vote 2-2.

Senator Avard for the committee.

**HB 1328-FN**, authorizing a utility to petition to be relieved of their carrier of last resort obligations.  
Interim Study, Vote 3-1.

Senator Watters for the committee.

**HB 1547-FN**, setting maximum contaminant levels for perfluorochemicals in the soil.  
Ought to Pass, Vote 4-0.

Senator Giuda for the committee.

**HB 1599-FN**, relative to customer generators who sell renewable energy certificates.  
Inexpedient to Legislate, Vote 4-0.

Senator Avard for the committee.

**HB 1629-FN**, relative to default service for net metering.  
Inexpedient to Legislate, Vote 4-0.

Senator Watters for the committee.

#### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 1375**, relative to the definition of veteran.

Ought to Pass with Amendment, Vote 3-2.

Senator Prentiss for the committee.

**HB 1417-FN-L**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.

Ought to Pass, Vote 4-1.

Senator Prentiss for the committee.

**HB 1535-FN**, relative to a one-time allowance for certain state retirees.

Ought to Pass with Amendment, Vote 4-1.

Senator Ricciardi for the committee.

**HB 1548-L**, relating to the sale of the Lakes Region Facility.

Ought to Pass, Vote 3-2.

Senator Reagan for the committee.

#### **FINANCE**

**HB 214**, relative to a public school facility condition assessment and school building aid grants.

Interim Study, Vote 4-3.

Senator Daniels for the committee.

**HB 536-FN**, relative to death benefits for public works employees killed in the line of duty, and relative to workers' compensation offsets for certain retirement system benefits.

Interim Study, Vote 6-1.

Senator Daniels for the committee.

**HB 1256-FN**, relative to positions within the department of military affairs and veterans services.

Ought to Pass with Amendment, Vote 7-0.

Senator Giuda for the committee.

**HB 1421-FN**, relative to lead in school drinking water.

Ought to Pass with Amendment, Vote 7-0.

Senator D'Allesandro for the committee.

**HB 1475-FN**, relative to the enforcement authority of liquor enforcement officers.

Ought to Pass, Vote 6-1.

Senator D'Allesandro for the committee.

**HB 1614-FN**, requiring the recording and storing of digital video in all state-funded juvenile detention facilities.

Ought to Pass, Vote 7-0.

Senator Hennessey for the committee.



**HEALTH AND HUMAN SERVICES**

**HB 1099**, prohibiting the department of health and human services from requiring vaccine passports for services.  
Ought to Pass, Vote 3-2.

Senator Avard for the committee.

**HB 1131**, relative to facial covering policies for schools.

Ought to Pass with Amendment, Vote 3-2.

Senator Gray for the committee.

**HB 1606**, making the state vaccine registry an opt-in program.

Ought to Pass with Amendment, Vote 4-1.

Senator Avard for the committee.

**JUDICIARY**

**HB 629-FN**, relative to the home cultivation of cannabis plants and the possession of certain cannabis-infused products.

Ought to Pass, Vote 3-2.

Senator Whitley for the committee.

**HB 1296-FN**, relative to the forfeiture of items used in connection with a drug offense.

Ought to Pass with Amendment, Vote 4-1.

Senator French for the committee.

**HB 1431-FN-L**, establishing the parental bill of rights.

Ought to Pass with Amendment, Vote 3-2.

Senator French for the committee.

**HB 1476-FN**, relative to persons arrested while out on bail.

Ought to Pass with Amendment, Vote 3-2.

Senator Carson for the committee.

**HB 1677-FN**, relative to the administration and settlement of claims of abuse at the youth development center and making an appropriation therefor.

Ought to Pass, Vote 5-0.

Senator Whitley for the committee.

**TRANSPORTATION**

**HB 1000**, prohibiting motorcycle profiling.

Ought to Pass, Vote 4-0.

Senator Birdsell for the committee.

**HB 1188**, establishing a commission to study OHRV use in the state.

Ought to Pass with Amendment, Vote 4-0.

Senator Ward for the committee.

**HB 1636**, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile.

Ought to Pass, Vote 4-0.

Senator Ricciardi for the committee.

**AMENDMENTS**

Election Law and Municipal Affairs

April 19, 2022

2022-1653s

08/10

Amendment to HB 1021

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

AN ACT prohibiting certain zoning regulation of land or structures used primarily for religious purposes.

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

1 New Subdivision; Religious Use of Land and Structures. Amend RSA 674 by inserting after section 74 the following new subdivision:

Religious Use of Land and Structures

674:75 Religious Use of Land and Structures. No zoning ordinance or site plan review regulation shall prohibit, regulate, or restrict the use of land or structures primarily used for religious purposes; provided,

however, that such land or structures may be subject to objective and definite regulations concerning the height of structures, yard sizes, lot area, setbacks, open space, and building coverage requirements as long as said requirements are applicable regardless of the religious or non-religious nature of the use of the property and do not substantially burden religious exercise.

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

2022-1653s

#### AMENDED ANALYSIS

This bill prohibits certain zoning ordinance or site plan review regulation of land or structures primarily used for religious purposes.

Senate Ways and Means

April 20, 2022

2022-1689s

10/04

#### Amendment to HB 1097

Amend the bill by replacing section 1 with the following:

1 New Chapter; Position on Out-of-state Taxation of Remote Worker Income. Amend RSA by inserting after chapter 78-E the following new chapter:

#### CHAPTER 78-F

#### POSITION ON OUT-OF-STATE TAXATION OF REMOTE WORKER INCOME

78-F:1 Purpose; Declaration. In order to promote the health of its economy and the welfare of its citizens, by preserving an environment in which labor is not unduly penalized, it is declared to be the sovereign interest of the state of New Hampshire that the income from employer-employee relationship such as wage income, salary income, or other employee compensation earned or received by residents of the state of New Hampshire for services entirely performed within the state of New Hampshire shall not be subject to personal income taxation in any other state.

Commerce

April 19, 2022

2022-1652s

07/10

#### Amendment to HB 1106

Amend RSA 110-B:73-e, II as inserted by section 1 of the bill by replacing it with the following:

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

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

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

(c) The chairperson of the state veterans' advisory committee established in RSA 115-A, or designee.

(d) One person representing the department of military affairs and veterans services, appointed by the commissioner.

Health and Human Services

April 20, 2022

2022-1688s

10/05

#### Amendment to HB 1131

Amend the bill by replacing section 1 with the following:

1 New Section; Schools; Instruction of Pupils; Facial Coverings Policy. Amend RSA 189 by inserting after section 10 the following new section:

189:10-a Facial Covering Policy for Schools. The school board of a school district or the chief executive officer of a chartered public school or public academy shall not adopt, enforce, or implement a policy that requires students or members of the public to wear a facial covering for any purpose while on the school's property unless the facial covering is necessary for a specific extracurricular or instructional purpose, or is required by some other section of the law. In this section, "facial covering" means any item worn on the face which covers a student's mouth, nose, or both. This provision shall not prohibit any public school board or governing person or body of a school from requiring participating students to wear athletic gear intended to protect against concussive or similar sports-related physical damage, or to wear protective equipment while handling chemicals, fire, or other similar hazardous elements for scientific or similar educational purposes.

Energy and Natural Resources  
 April 19, 2022  
 2022-1662s  
 08/05

#### Amendment to HB 1168

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

AN ACT establishes a committee to study the New Hampshire law relative to soil conditioners and relative to costs eligible for reimbursement from the oil discharge and disposal cleanup fund.

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

6 Oil Discharge and Disposal Cleanup Fund; Eligible Expenses and Availability of Funds. Amend RSA 146-D:6, III to read as follows:

III. Owners of on-premises-use facilities who have demonstrated financial need may apply for reimbursement of costs to meet local and department operating standards in amounts not to exceed a total of [~~\$2,250~~] **\$3,300**, and may apply for reimbursement of underground storage tank abandonment or removal costs in amounts not to exceed a total of \$2,500.

7 Effective Date.

I. Section 6 of this act shall take effect January 1, 2023.

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

2022-1662s

#### AMENDED ANALYSIS

This bill establishes a committee to study the New Hampshire law relative to soil conditioners.

The bill also increases costs eligible for reimbursement from the oil discharge and disposal cleanup fund for certain owners of on-premises-use facilities.

Senate Transportation  
 April 20, 2022  
 2022-1691s  
 12/05

#### Amendment to HB 1188

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

AN ACT establishing a commission to study OHRV use in the state and clarifying certain towing statutes.

Amend RSA 215-A:44-a, II(14) as inserted by section 1 of the bill by replacing it with the following:

(14) Two members of the public; one of whom shall be appointed by the New Hampshire Association of Conservation Commissions; and one of whom shall be appointed by the North Country Council who shall be an abutter.

Amend RSA 215-A:44-a, III(f)-(g) as inserted by section 1 of the bill by replacing it with the following:

(f) Positive and adverse effects of OHRV activity upon the state and local economies.

(g) The impacts of requiring all rental agents to install speed regulating governors on any OHRV provided to members of the general public for temporary use and the impacts of requiring charging infrastructure near trail heads.

Amend the bill by replacing all after section 2 with the following:

3 Removal of Abandoned Vehicles by State Police; Requirements for Placement on the Tow List. Amend RSA 106-B:30, IV to read as follows:

IV. Any ~~criminal~~ history of **criminal** convictions involving (i) a felony against persons or property involving fraudulent activity, aggravated assaults, **or** sex offenses[;]; (ii) burglary, or thefts resulting in a felony conviction within the last 3 years[;]; or (iii) a serious or repetitive motor vehicle violation history [of any] **involving** such individual **or business**, shall be grounds for refusing to place on or removing the **individual or** business from the rotation list.

4 Removal of Abandoned Vehicles by State Police; Liens. Amend RSA 106-B:30, XIII to read as follows:

XIII. The tow business shall provide reasonable accommodations for after-hours release of personal property in stored vehicles or other related storage once the state police releases any hold on personal or other property not affixed to the towed vehicle, and upon payment in full or mutual agreement for payment of all towing and storage fees. The towing of a vehicle at the request of law enforcement shall ~~grant~~ **create** a lien to the tow business, equal to the cost of ~~recovery and storage~~ **impoundment, recovery, transport, and storage**.

5 Removal of Abandoned Vehicles by State Police; Requirements to Remain on the Tow List. Amend RSA 106-B:31, IX to read as follows:

IX. Tow companies on the tow list shall not permit any person to drive a wrecker if said person has been convicted for any felony against persons or property involving fraudulent activity, sex offenses, aggravated assaults, burglary, **or** theft resulting in a felony conviction within the last 3 years. No tow company shall permit any person to drive a wrecker if the person is currently subject to probation, parole restrictions, or **a** court order restricting the area the person may or may not be present in at any time.

6 Removal of Abandoned Vehicles by State Police; Confiscated Vehicles; Impoundment. Amend RSA 106-B:33, II to read as follows:

II. ~~[The towing and storage of the vehicle shall be at the expense of the state police.]~~ The wrecker business shall not release the vehicle to anyone unless and until authorized to do so by the trooper who arranged for the hold or a state police officer superior in rank to that trooper, or on an order by the court.

7 Removal of Abandoned Vehicles by State Police; Procedure for Removal and Impoundment. Amend RSA 262:33, II to read as follows:

II. Whenever a vehicle is towed pursuant to **RSA 262:31-a or** RSA 262:32 the owner or other person lawfully entitled to the possession of the vehicle shall be entitled to recover said vehicle and release of the above lien by payment of all reasonable towing and storage charges. If the owner or other person lawfully entitled to possession of the vehicle wishes to challenge whether there was sufficient grounds for towing and impoundment, he or she may pay over to the custodian of the vehicle an amount equal to the towing and storage charges to secure the release of such vehicle, and, within 15 days of the towing and impoundment, request in writing a hearing.

8 Effective Date.

I. Section 2 of this act shall take effect November 1, 2026.

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

2022-1691s

#### AMENDED ANALYSIS

This bill establishes a commission to study OHRV use in the state and requires the commission to submit annual reports and proposed legislation. This bill also makes changes to certain statutes related to the removal of abandoned vehicles by the state police.

Election Law and Municipal Affairs  
 April 19, 2022  
 2022-1660s  
 10/04

Amendment to HB 1203-FN

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

AN ACT relative to voter registration and verification of voter identity.

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

1 Voters; Temporary Absence. RSA 654:2 is repealed and reenacted to read as follows:

654:2 Temporary Absence.

I. A domicile for voting purposes acquired by any person in any town shall not be interrupted or lost by a temporary absence therefrom with the intention of returning thereto as his or her domicile. Domicile for the purpose of voting as defined in RSA 654:1, once existing, continues to exist until another such domicile is gained. Domicile for purposes of voting is a question of fact and intention. A voter can have only one domicile for these purposes. No person shall be deemed to have lost a domicile by reason of his or her presence or absence while the voter or his or her spouse is employed in the service of the United States; nor while engaged in the navigation of the waters of the United States or of the high seas; nor while a teacher in or student of any seminary of learning; nor while confined in any public prison or other penal institution; nor while a patient or confined for any reason in any nursing, convalescent home or hospital, old folks or old age home, or like institution or private facility.

II.(a) A person present in New Hampshire for temporary purposes shall not gain a domicile for voting purposes. A person who maintains a voting domicile where he or she came from, to which he or she intends to return to as his or her voting domicile after a temporary presence in New Hampshire, does not gain a domicile in New Hampshire regardless of the duration of his or her presence in New Hampshire.

(b) A person who has been present and residing in one town or ward in New Hampshire for 30 or fewer days is presumed to be present for temporary purposes unless that person has the intention of making the place in which the person resides his or her one place, more than any other, from which he or she engages in the domestic, social, and civil activities of participating in democratic self-government including voting, and has acted to carry out that intent.

(c) For the purposes of this chapter, temporary purposes shall include, but are not limited to, being present in New Hampshire for 30 or fewer days for the purposes of tourism, visiting family or friends, performing short-term work, or volunteering or working to influence voters in an upcoming election.

2 Voter Registration; Voter Registration Form. Amend RSA 654:7 to read as follows:

654:7 Voter Registration; Voter Registration Form.

I. Any person registering to vote shall be:

- (a) At least 18 years of age on the day of the next election; and
- (b) A United States citizen; and

(c) Domiciled in the town or city in which the applicant is registering to vote and not otherwise disqualified to vote.

II. The applicant shall be required to produce appropriate proof of qualifications as provided in RSA 654:12 and fill out the form as prescribed in paragraph IV.

III. If an applicant is unable to provide the proof of qualifications as required in RSA 654:12, he or she may register by completing the necessary affidavits, pursuant to RSA 654:12, ~~and completing the form in subparagraph IV(b), unless the person is registering within 30 days before an election or at the polling place on election day. If an applicant is registering at the polling place on election day and is unable to provide the proof of qualifications as required in RSA 654:12, he or she may register by completing the form in subparagraph IV(c) under oath, which oath may be witnessed by an election official or any other person, working in conjunction with the supervisors of the checklist, who is authorized by law to administer oaths, including,~~

but not limited to, any justice of the peace or notary public; should the applicant not otherwise have proof of identity and therefore be relying upon the form for proof of identity, the act of swearing to the form shall constitute sufficient proof of identity for the purposes of any person administering the oath, notwithstanding any language to the contrary in any laws relating to the administering of oaths for other purposes].

IV.(a) Standard registration application forms shall be used throughout the state. The registration forms shall be no larger than 8 1/2 inches by 11 inches. **Amendments to the voter registration form may be additional pages attached to or printed on the back of the registration form.**

(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations, transfers, or updates [~~other than those used within 30 days of an election or at the polling place on election day,~~] which shall be in substantially the following form:

\_\_\_ NEW REGISTRATION I am not registered to vote in New Hampshire

\_\_\_ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

\_\_\_ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

Date \_\_\_\_\_

VOTER REGISTRATION FORM

(Please print or type)

1. Name

Last (suffix) First Full Middle Name

2. Domicile Address

Street Ward Number

Town or City Zip Code

3. Mailing Address if different than in 2

Street

Town or City Zip Code

4. Place and Date of Birth

Town or City State

Date \_\_\_\_\_

5. Are you a citizen of the United States? Yes \_\_\_\_ No \_\_\_\_

If a naturalized citizen, give name of court where and date when naturalized

6. Place last registered to vote

Street Ward Number

I am not currently registered to vote elsewhere (initial here \_\_\_\_\_), or **I am currently registered to vote elsewhere and** I request that my name be removed as a registered voter in \_\_\_\_\_ (fill in your address where previously registered, street, city/town, state, and zip code)

7. Name under which previously registered, if different from above

8. Party Affiliation (if any)

9. Driver's License Number \_\_\_\_\_ State

If you do not have a valid driver's license, provide the last four digits of your social security number \_\_\_\_\_

My name is \_\_\_\_\_. I am today registering to vote in the city/town of \_\_\_\_\_, New Hampshire. If a city, ward number \_\_\_\_\_.

I understand that to vote in this ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this ward/town.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date Signature of Applicant \_\_\_\_\_

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

~~(c) [The secretary of state shall prescribe the form of the voter registration form to be used only for voter registrations, transfers, or updates starting 30 days before each election and at the polling place on election day, which shall be in substantially the following form:~~

~~\_\_\_ NEW REGISTRATION I am not registered to vote in New Hampshire~~

~~\_\_\_ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire~~

~~\_\_\_ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address~~

~~Date registration form is submitted \_\_\_\_\_~~

~~Date applicant moved to the address listed below as the voter's domicile \_\_\_\_\_~~

~~VOTER REGISTRATION FORM~~

~~FOR USE STARTING 30 DAYS BEFORE AN ELECTION AND AT THE POLLING PLACE ON ELECTION DAY~~

~~(Please print or type)~~

~~1. Name~~

~~Last (suffix) First Full Middle Name~~

~~2. Domicile Address~~

~~Street Ward Number~~

~~Town or City Zip Code~~

~~3. Mailing Address if different than in 2~~

~~Street~~

~~Town or City Zip Code~~

~~4. Place and Date of Birth~~

~~Town or City State~~

~~Date \_\_\_\_\_~~

~~5. Are you a citizen of the United States? Yes \_\_\_\_\_ No \_\_\_\_\_~~

~~If a naturalized citizen, give name of court where and date when naturalized~~

## 6. Place last registered to vote

Street Ward Number

I am not currently registered to vote elsewhere (initial here \_\_\_\_\_), or I request that my name be removed as a registered voter in \_\_\_\_\_ (fill in your address where previously registered, street, city/town, state, and zip code)

## 7. Name under which previously registered, if different from above

## 8. Party Affiliation (if any)

## 9. Driver's License Number \_\_\_\_\_ State

If you do not have a valid driver's license, provide the last four digits of your social security number \_\_\_\_\_

My name is \_\_\_\_\_. I am today registering to vote in the city/town of \_\_\_\_\_, New Hampshire. If a city, ward number \_\_\_\_\_.

I understand that to vote in this ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this ward/town.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I understand that to make the address I have entered above my domicile for voting I must have an intent to make this the one place from which I participate in democratic self-government and must have acted to carry out that intent.

I understand that if I have documentary evidence of my intent to be domiciled at this address when registering to vote, I must either present it at the time of registration or I must place my initials next to the following paragraph and mail a copy or present the document at the town or city clerk's office within 10 days following the election (30 days in towns where the clerk's office is open fewer than 20 hours weekly):

\_\_\_\_\_ By placing my initials next to this paragraph, I am acknowledging that I have not presented evidence of actions carrying out my intent to be domiciled at this address, that I understand that I must mail or personally present to the clerk's office evidence of actions carrying out my intent within 10 days following the election (or 30 days in towns where the clerk's office is open fewer than 20 hours weekly), and that I have received the document produced by the secretary of state that describes the items that may be used as evidence of a verifiable action that establishes domicile.

Failing to report and provide evidence of a verifiable action will prompt official mail to be sent to your domicile address by the secretary of state to verify the validity of your claim to a voting domicile at this address.

I understand that if I do not have any documentary evidence of my intent to be domiciled at this address, I must place my initials next to the following paragraph:

\_\_\_\_\_ By placing my initials next to this paragraph, I am acknowledging that I am aware of no documentary evidence of actions carrying out my intent to be domiciled at this address, that I will not be mailing or delivering evidence to the clerk's office, and that I understand that officials will be sending mail to the address on this form or taking other actions to verify my domicile at this address.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date Signature of Applicant

If this form is used in place of proof of identity, age, or citizenship, I hereby swear that such information is true and accurate to the best of my knowledge.



This form was executed for purposes of proving (applicant shall circle yes or no and initial each item):

Identity yes/no \_\_\_\_\_

(initials)

Citizenship yes/no \_\_\_\_\_

(initials)

Age yes/no \_\_\_\_\_

(initials)

~~Applicant Election Official~~

~~Notary Public/Justice of the Peace/Official Authorized by RSA 659:30~~

~~In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000. In accordance with RSA 659:34-a voting in more than one state in the same election is a class B felony with a maximum sentence of imprisonment not to exceed 7 years and a fine not to exceed \$4,000.~~

~~V. The secretary of state shall prepare and distribute an addendum to the voter registration form used under subparagraph IV(c) to be distributed to those registrants who register within 30 days before the election or on election day and who do not provide proof of domicile or a verifiable action to demonstrate domicile. The "verifiable action of domicile" document shall provide notice of the requirements that registrants must furnish documentary evidence of domicile and shall be in substantially the following form:~~

~~Verifiable Action of Domicile~~

~~As a newly registered voter, you have received this document because you did not provide proof of domicile when you registered to vote. RSA 654:2, IV requires you to provide evidence that you have taken a verifiable act to establish domicile.~~

~~The following checklist shall be used as a guide for what you may use as evidence and shall be submitted to the town or city clerk along with documentation that you are required to provide. Only one item on the list is required to demonstrate a verifiable act.~~

~~To establish that you have engaged in a verifiable act establishing domicile, provide evidence that you have done at least one of the following:~~

~~\_\_\_ established residency, as set forth in RSA 654:1, I-a, at an institution of learning at the address on the voter registration form~~

~~\_\_\_ rented or leased an abode, for a period of more than 30 days, to include time directly prior to an election day at the address listed on the voter registration form~~

~~\_\_\_ purchased an abode at the address listed on the voter registration form~~

~~\_\_\_ obtained a New Hampshire resident motor vehicle registration, driver's license, or identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b listing the address on the voter registration form~~

~~\_\_\_ enrolled a dependent minor child in a publicly funded elementary or secondary school which serves the town or ward of the address where the registrant resides, as listed on the voter registration form~~

~~Identified the address on the voter registration form as your physical residence address on:~~

~~\_\_\_ state or federal tax forms~~

~~\_\_\_ other government-issued forms or identification. Describe form of identification: \_\_\_\_\_~~

~~\_\_\_ provided the address on the voter registration form to the United States Post Office as your permanent address, provided it is not a postal service or commercial post office box, where mail is delivered to your home. This can be by listing the address on the voter registration form as your new address on a Postal Service permanent change of address form and providing a copy of the receipt, or an online emailed receipt~~

\_\_\_ obtained public utility services (electricity, cable, gas, water, etc.) for an indefinite period at the address on the voter registration form. List services obtained: \_\_\_\_\_

\_\_\_ arranged for a homeless shelter or similar service provider to receive United States mail on your behalf. Enter name of the shelter or provider: \_\_\_\_\_

\_\_\_ describe what other verifiable action or actions you have taken to make the address listed on your voter registration form your one voting domicile: \_\_\_\_\_

If you have no other proof of a verifiable act establishing domicile, and your domicile is at an abode rented, leased, or purchased by another and your name is not listed on the rental agreement, lease, or deed, you are required to provide a written statement, signed under penalty of voting fraud if false information is provided, from a person who is listed on such document, or other reasonable proof of ownership or control of the property, attesting that you reside at that address, signed by that person or his or her agent who manages the property.

This verifiable action of domicile form, along with your written statement or other documentation proving a verifiable act, shall be delivered to the town or city clerk, by mail or in person, with 10 days, or within 30 days if the clerk's office is open fewer than 20 hours weekly.

Name

Last (suffix) First Full Middle Name

Domicile Address

Street Ward Number

Town or City Zip Code

Date Signature of Applicant

This document was received by the clerk, who examined and returned it to the applicant after making a copy of the evidence of verifiable action, said copy to be attached to the verifiable action of domicile form.

Date Signature of Clerk

The clerk shall forward the completed form and attachment or attachments to the supervisors of the checklist as soon as possible, but not later than their next meeting. The supervisors of the checklist shall attach the form and attachments to the voter registration form.]

***The secretary of state shall prescribe an amendment to the voter registration based on the following:***

***(1) The secretary state may collect additional voluntary information to assist in the location of the voter after the election, if necessary. Such additional information may include, but is not limited to: phone numbers, email addresses, employer information, social service agency information, vehicle license plate number, and state of registration, social media account information, or a relative or friend's name and address.***

***(2) Document voter verification by an authorized election official or by a registered voter whose name was on the checklist at the opening of the polls and has valid identification documentation.***

3 General Voter Registration; Determining Qualifications of Applicant. Amend RSA 654:12 to read as follows:

654:12 Determining Qualifications of Applicant.

I. [When determining the qualifications of an applicant] ***After the applicant has proven his or her identity as required in paragraph III of this section***, the supervisors of the checklist, or the town or city clerk, shall require the applicant to present proof of citizenship, age, and domicile, as provided in the following categories:

(a) CITIZENSHIP. The supervisors of the checklist, or the town or city clerk, shall accept from the applicant any one of the following as proof of citizenship: the applicant's birth certificate, passport, naturalization papers if the applicant is a naturalized citizen, a qualified voter affidavit, [a sworn statement on the voter registration form used starting 30 days before an election and on election day,] or any other reasonable documentation which indicates the applicant is a United States citizen. The qualified voter affidavit shall be in the following form, and shall be retained in accordance with RSA 33-A:3-a:

Date: \_\_\_\_\_

QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)

Name: \_\_\_\_\_

Name at birth if different: \_\_\_\_\_

Place of birth: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Date and Place of Naturalization: \_\_\_\_\_

Domicile Address: \_\_\_\_\_

Mailing Address (if different): \_\_\_\_\_

Telephone number (requested but optional) \_\_\_\_\_

Email address (requested but optional) \_\_\_\_\_

***If I am using this form for purposes of identity, I acknowledge my photograph shall be taken and that photo will be preserved in my voter record.***

I hereby swear and affirm, under the penalties for voting fraud set forth below, that I am not in possession of some or all of the documents necessary to prove my identity, citizenship, and age and that I am the identical person whom I represent myself to be, that I am a duly qualified voter of this town (or ward), that I am a United States citizen, that I am at least 18 years of age as of this date or will be at the next election, and that to the best of my knowledge and belief the information above is true and correct.

(Signature of applicant)

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

On the date shown above, before me, \_\_\_\_\_ (print name of notary public, justice of the peace, election officer), appeared \_\_\_\_\_ (print name of person whose signature is being notarized), (known to me or satisfactorily proven (circle one)) to be the person whose name appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

This affidavit was executed for purposes of proving (check all that apply):

Identity

Citizenship

Age

\_\_\_\_\_

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

(b) AGE. Any reasonable documentation indicating the applicant will be 18 years of age or older at the next election, or, if the applicant does not have reasonable documentation in his or her possession at the place and time of voter registration, a qualified voter affidavit, which shall be retained in accordance with RSA 33-A:3-a[, or a sworn statement on the voter registration form used starting 30 days before an election and on election day].

(c) DOMICILE.

~~[(1) Registering more than 30 days in advance of an election.]~~

~~[(A)]~~ (1) A person who possesses one of the following qualified documents identifying the applicant's name and the address claimed as domicile must present that document when applying for registration ~~[prior to election day]~~: ~~[(i)]~~ (A) New Hampshire driver's license or identification card issued under RSA 260:21,

RSA 260:21-a, or RSA 260:21-b; [(ii)] **(B)** New Hampshire resident vehicle registration; [(iii)] **(C)** a picture identification issued by the United States government that contains a current address; [(iv)] **(D)** government issued check, *pay stub*, benefit statement, or tax document. [A person who possesses such a document, but failed to bring it with the person when seeking to register to vote shall be required to return when he or she can present one of these documents or to bring the document and register on election day.]

~~(B) A person who attests under penalty of voter fraud that he or she does not possess any of the qualified documents listed in subparagraph (A) may present any reasonable documentation of having established a physical presence at the place claimed as domicile, having an intent to make that place his or her domicile, and having taken a verifiable act to carry out that intent. The documentation must establish that it is more likely than not that the applicant has a domicile and intends to maintain that domicile, as defined in this chapter, at least until election day in the town or ward in which he or she desires to vote. Reasonable]~~

**(2) Additional documentation for the purpose of establishing a voter's domicile** may include, but is not limited to, evidence of:

[(i)] **(A)** Residency, as set forth in RSA 654:1, I-a, at an institution of learning at that place;

[(ii)] **(B)** Renting or leasing an abode [at that place for a period of more than 30 days, to include time directly prior to an election day];

[(iii)] **(C)** Purchasing an abode at that place;

[(iv)] **(D)** Enrolling the applicant's dependent minor child in a publicly funded elementary or secondary school which serves the town or ward of that place, using the address where the registrant resides;

[(v)] **(E)** Listing that place as the person's physical residence address on state or federal tax forms, other government identification showing the address, or other government forms showing the address;

[(vi)] **(F)** Providing the address of that place to the United States Post Office as the person's permanent address, provided it is not a postal service or commercial post office box;

[(vii)] **(G)** Obtaining public utility services for an indefinite period at that place; [or]

[(viii)] **(H)** Arranging for a homeless shelter or similar service provider located in the town or ward to receive United States mail on behalf of the individual.

An applicant whose domicile is at an abode of another and whose name is not listed on the document offered as proof of domicile may provide a written statement from a person who is listed as owner, property manager, or tenant on the document that the applicant resides at that address, signed by that person [under penalty of voting fraud if false information is provided];

**(I) A qualified voter affidavit, or any other reasonable documentation which indicates the applicant meets the domicile requirements.**

[(2) Registering within 30 days before an election and on election day.]

~~(A) When registering within 30 days before an election or on election day as provided in RSA 654:7-a, if the applicant does not have in his or her possession at the polls one of the qualified documents listed in subparagraph (1) or other reasonable documentation which establishes that it is more likely than not that the applicant has a domicile at the address claimed in the town or ward in which he or she desires to vote, he or she may execute a sworn statement on the voter registration form used starting 30 days before an election and on election day and initial the acknowledgment of domicile evidence obligation. If the applicant identifies on his or her application action taken to establish his or her domicile, which he or she has documentation of, he or she must agree to mail a copy of or present the document in person to the city or town clerk within 10 days, or where the town clerk's office is open fewer than 20 hours weekly, within 30 days. Copies of documents provided in compliance with this subparagraph are exempt from the public disclosure required by RSA 91-A. The clerk shall document receipt of a copy or completion of verification of a document presented in person and forward verification to the supervisors of the checklist. An applicant whose voter registration is approved based on an acknowledgment of a domicile evidence obligation who knowingly or purposely fails to provide a document to the city or town clerk as required by this paragraph shall be subject to the penalties of wrongful voting as established in RSA 659:34. The supervisors of the checklist shall initiate removing the name from the checklist of any such person who fails to provide proof of domicile by the deadline by sending the person the notice required by RSA 654:44.~~

~~(B) A person registering within 30 days before an election or on election day who does not possess reasonable documentation of establishing domicile and has taken no verifiable action to carry out his or her intent to establish domicile at the address claimed on the voter registration application may nonetheless register to vote by initialing the paragraph on the registration form acknowledging that domicile may be verified. The supervisors of the checklist shall, as soon as practical following an election at which the person initials such paragraph to register and vote, attempt to verify that the person was domiciled at the address claimed on election day by means including, but not limited to:~~

~~(i) Examining public records held by the town or city clerk, municipal assessing and planning offices, tax collector, or other municipal office that may house public records containing domicile confirmation; or~~

~~(ii) Requesting 2 or more municipal officers or their agents or state election officers or their agents to visit the address and verify that the individual was domiciled there on election day. In unincorporated places that have not organized for the purposes of conducting elections, county officers may be asked to perform this function; or~~

~~(iii) Referring the registrant's information to the secretary of state, who shall cause such further investigation as is warranted.~~

~~(C) Any case where supervisors are unable to verify the applicant's domicile or where evidence exists of voting fraud shall be promptly reported to the secretary of state and to the attorney general, who shall cause such further investigation as is warranted.]~~

II. The supervisors may refuse to add the name of an applicant to the checklist if he or she fails to present the evidence or an affidavit as required by this section. Without limiting the acceptance of other forms of proof of domicile or identity deemed reasonable by the supervisors:

(a) Any one of the following documents is presumptive evidence that the individual seeking to vote meets the domicile requirement, provided the document is currently valid, was issued to or in the name of the applicant, and shows the address the applicant claims as a domicile:

(1) New Hampshire driver's license.

(2) New Hampshire vehicle registration.

(3) Armed services identification, or other photo identification issued by the United States government.

(b) Any one of the following is presumptive evidence of the identity of an applicant sufficient to satisfy the identity requirement for an official authorized by RSA 659:30 to take the oath of an applicant swearing to a qualified voter, domicile, or election day affidavit ~~[or a sworn statement on the voter registration form used starting 30 days before an election and on election day]:~~

(1) Photo driver's license issued by any state or the federal government.

(2) United States passport, armed services identification, or other photo identification issued by the United States government.

(3) Photo identification issued by local or state government.

(c) The presumptions established in this paragraph may be defeated by evidence establishing that it is more likely than not that the applicant is not qualified as a voter.

III. To prove the qualifications set forth in paragraphs I and II, an applicant for registration as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship, and domicile relate to the applicant. A person who has in his or her immediate possession a photo identification approved for use by paragraph II must present that identification when applying for registration. A person who does not have an approved photo identification with him or her may establish identity through completion of the qualified voter affidavit, which shall be retained in accordance with RSA 33-A:3-a~~], or a sworn statement on the voter registration form used starting 30 days before an election and on election day].~~ Residents of a nursing home or similar facility may prove their identity through verification of identity by the administrator of the facility or by his or her designee. For the purposes of this section, the application of a person whose identity has been verified by an official of a nursing home or similar facility shall be treated in the same manner as the application of a person who proved his or her identity with a photo identification.

III-a. *The supervisors of the checklist and the town or city clerks may use the nonpublic information contained in the centralized voter registration database and other records, that they have access to, held by the state of New Hampshire, the town or city clerk, municipal assessing and planning offices, tax collector, or other municipal office records that contain records that confirm the identity, citizenship, age, or domicile information provided by the applicant.*

III-b. 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).

IV. Any person who is applying for registration as a voter and who is currently *or was previously* registered to vote in a different town or ward in New Hampshire shall complete the voter registration form provided for in RSA 654:7. If the election official receiving the application confirms through the centralized voter registration database required by RSA 654:45 that the applicant is currently *or was previously* registered to vote in New Hampshire, the applicant shall prove identity and domicile, but shall not be required to prove his or her age or citizenship.

V.(a) The election official approving the application for registration as voter of a person who does not present an approved form of photo identification as proof of identity when registering, shall mark the voter registration form to indicate that no photo identification was presented and shall inform the person that, if he or she is a first-time election day registrant in New Hampshire, he or she will receive a letter of identity verification. The person entering the voter information into the centralized voter registration database shall determine if the person is listed in the system as having been previously registered in the town or ward reported by the applicant on the voter registration form. If the person is a new registrant who has not been previously registered anywhere in New Hampshire or if the centralized voter registration database does not confirm a previous registration claimed on the voter registration form, the election official shall cause the record created in the centralized voter registration database to indicate that the person is a new applicant in New Hampshire and that no photo identification was presented. When municipalities enter information on people who register on election day into the centralized voter registration database, to the extent practical applicants who are registering for the first time in New Hampshire and who also register without presenting an approved photo identification shall be entered first. ~~[The person entering the voter information of election day residents into the centralized voter registration database shall cause the records to indicate if the voter executed a sworn statement on the voter registration form used starting 30 days before an election and on election day.]~~

(b) The secretary of state shall cause a letter of identity verification to be mailed by first class mail to each voter identified at any election as a first-time election day registrant in New Hampshire who also did not verify his or her identity with an approved photo identification. The letter shall be mailed by January 10 in every odd-numbered year in the case of persons registering at a state primary or general election, or within 90 days after any other election. The secretary of state shall mark the envelope with instructions to the United States Post Office not to forward the letter and to provide address correction information. The letter shall notify the person that a person who was unable to present photo identification registered or registered and voted using his or her name and address and instruct the person to return the letter within 45 days with a written confirmation that the person registered and voted or to contact the attorney general immediately if he or she did not register and vote. Any voter under a protective order pursuant to RSA 173-B, and whose name does not appear on the checklist as provided under RSA 654:25, shall not be subject to the provisions of paragraph V. *The secretary of state may establish and implement a process for the voter to respond to the letter of identity verification by an electronic communication such as an email message or a text message.*

(c) The secretary of state shall conduct an inquiry regarding any letters mailed pursuant to subparagraph (b) that are returned as undeliverable by the United States Post Office and those persons who were mailed letters under subparagraph (b) and have not confirmed their registration. The inquiry may include consulting with, and examining public records held by, municipal officials, which contain information relevant to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the voter registration form. After such inquiry, the secretary of state shall prepare and forward to the attorney general for investigation a list of those people whose identity or eligibility to vote could not be confirmed. Upon receipt of notice from a person who receives a letter of identity verification that the person did not register and vote, or upon receipt of a referral from the secretary of state, the attorney general shall cause an investigation to be made to determine whether fraudulent registration or voting occurred.

(d) ~~Within 90 days of each election, the secretary of state shall cause a list of persons executing sworn statements on the voter registration form used starting 30 days before an election and on election day since the prior election to be forwarded to the attorney general and the division of motor vehicles. The secretary of state shall send a letter to each such person informing him or her of a driver's obligation to obtain a New Hampshire driver's license within 60 days of becoming a New Hampshire resident. The letter shall be mailed within 60 days after the election, except that if the election is a state primary election, the letter shall be mailed 60 days after the general election, and if the election is a regularly scheduled municipal election, the letter shall be mailed by the July 1 or January 1 next following the election. The secretary of state shall mark the envelope with instructions to the United States Post Office not to forward the letter and to provide address correction information.~~

~~(e) The secretary of state shall conduct an inquiry regarding any letters mailed pursuant to subparagraph (d) that are returned as undeliverable by the United States Post Office. The inquiry may include consulting with, and examining public records held by, municipal officials, which contain information relevant to a person's qualifications to vote in New Hampshire, and interviewing persons living at the address listed on the letters. After such inquiry, the secretary of state shall prepare and forward to the attorney general for investigation a list of those people whose eligibility to vote could not be confirmed. The attorney general shall cause an investigation to be made to determine whether fraudulent registration or voting occurred.~~

~~(f) Upon completion of any investigation authorized under RSA 654:12, the secretary of state and the attorney general shall forward a report summarizing the results of the inquiry and investigation, respectively, to the speaker of the house of representatives, the president of the senate, and the chairpersons of the appropriate house and senate standing committees with jurisdiction over election law.~~

4 Voting Procedures; Obtaining a Ballot. RSA 659:13, I(c) is repealed and reenacted to read as follows:

(c)(1) If the voter does not have a valid photo identification, the ballot clerk shall direct the voter to see the supervisor of the checklist.

(2) The supervisor of the checklist shall review the voter's qualifications and determine if the voter's identity can be verified. This review may include verification by the voter of nonpublic data contained in the centralized voter registration database or verification by a moderator or supervisor of the checklist, or the clerk of a town, ward, or city, or by a registered voter whose name was on the checklist at the opening of the polls and who possesses valid identification documentation. Other than an authorized election official, no registered voter whose name was on the checklist at the opening of the polls and who possesses valid identification documentation shall verify the identity of more than 2 voters in each election. Verification of identity shall be documented on a form provided by the secretary of state.

(3) If the supervisor of the checklist cannot verify the voter's identity, the supervisor of the checklist shall inform the voter that he or she may execute a challenged voter affidavit. The voter shall receive an explanatory document prepared by the secretary of state explaining the proof of identity requirements. If the voter executes a challenged voter affidavit, the ballot clerk shall mark the checklist in accordance with uniform procedures developed by the secretary of state.

(4) The person entering voter information into the centralized voter registration database shall cause the records to indicate when a voter has not presented a valid photo identification and has executed a challenged voter affidavit.

5 Voting Procedure; Obtaining a Ballot. Amend RSA 659:13, II(b) to read as follows:

(b) In addition to the forms of photo identification authorized in subparagraph (a), the identification requirements of paragraph I may be satisfied by verification of the person's identity by a moderator or supervisor of the checklist or the clerk of a town, ward, or city, ***or by a registered voter whose name was on the checklist at the opening of the polls and who possesses valid identification documentation***, provided that if any person authorized to challenge a voter under RSA 659:27 objects to such verification, identifies the reason for the objection in writing, and states the specific source of the information or personal knowledge upon which the challenge of the photo identification is based, the voter shall be required to execute a challenged voter affidavit as if no verification was made. ***Other than an authorized election official, no registered voter whose name was on the checklist at the opening of the polls and who possesses valid identification documentation shall verify the identity of more than 2 voters in each election.***

6 Repeals. The following are repealed:

I. RSA 33-A:3-a, CXLI(f), relative to retention of municipal records of verifiable action of domicile.

II. RSA 659:34, I(h) - (i), relative to certain penalties for voter fraud.

III. 2016, 175:2, relative to Interstate Voter Registration Crosscheck Program.

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

2022-1660s

#### AMENDED ANALYSIS

This bill amends the procedures for determining voter qualifications and voter registration, and allows an authorized election official to use nonpublic information contained in the centralized voter registration database to verify a voter's identity.

Senate Finance

April 19, 2022

2022-1663s

07/05

#### Amendment to HB 1256-FN

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

AN ACT relative to positions within the department of military affairs and veterans services and making an appropriation to the state regenerative manufacturing workforce development fund.

Amend the bill by replacing all after section 6 with the following:

7 State Regenerative Manufacturing Workforce Development Fund; Appropriation. The sum of \$1,000,000 for the fiscal year ending June 30, 2022 is hereby appropriated to the state regenerative manufacturing workforce development fund established in RSA 162-T:3. This appropriation shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

8 Effective Date.

I. Section 7 of this act shall take effect upon its passage.

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

2022-1663s

#### AMENDED ANALYSIS

This bill:

I. Renames the position of cemetery superintendent to cemetery director and establishes duties and salary classifications for that office.

II. Alters the list of positions the adjutant general nominates for appointment.

III. Renames the position of administrator of the division of community based military programs to director of the division of community based military programs and establishes the salary classification for that office.

IV. Makes an appropriation to the state regenerative manufacturing workforce development fund.

Senate Executive Departments and Administration

April 20, 2022

2022-1682s

07/05

#### Amendment to HB 1269

Amend the bill by replacing section 32 with the following:

32 Advisory Committee on Marine Fisheries; Membership Qualifications. Amend RSA 211:60, I to read as follows:



I. There is established an advisory committee on marine fisheries to recommend programs and policies regarding marine fisheries to the fish and game commission. The advisory committee shall consist of 5 members and one alternate member, all *with expertise in marine fisheries*, ~~[of whom]~~ *who* shall be residents of the ~~[seacoast region]~~ *tidewater towns, as defined in RSA 206:2-a*, appointed by the governor and council.

Senate Judiciary  
April 20, 2022  
2022-1677s  
04/10

Amendment to HB 1296-FN

Amend RSA 318-B:17-b, I-d as inserted by section 1 of the bill by replacing it with the following:

***I-d. A document purporting to waive or relinquish rights or interests in seized property shall be valid only if the document is obtained by the prosecuting authority and accepted by the superior court in conjunction with a plea or conviction. Before accepting the document, the superior court shall determine that the waiver was executed knowingly and voluntarily.***

Amend RSA 318-B:17-b, III as inserted by section 1 of the bill by replacing it with the following:

III. The court may order forfeiture of all items or property interests subject to the provisions of paragraph I[, except as follows:

(a) ~~No item or property interest shall be subject to forfeiture unless the owner or owners thereof were consenting parties to a felonious violation of this chapter and had knowledge thereof.~~

(b) ~~No items or property interests shall be subject to forfeiture unless involved in an offense which may be charged as a felony]~~ ***as part of a criminal prosecution and following a conviction for a felony violation of this chapter pursuant to paragraph III-a. All forfeiture-related petitions shall be filed at and heard by the superior court that has jurisdiction over the criminal case.***

Amend RSA 318-B:17-b, III-a(a)-(j) as inserted by section 1 of the bill by replacing them with the following:

***III-a.(a)(1) If a defendant in a criminal matter is represented by a public defender or counsel appointed by the court, the public defender or appointed counsel shall represent the defendant in the forfeiture proceeding and any other related criminal proceeding.***

***(2) Following seizure, a defendant or any other person with an interest in the property shall have a right to a post-seizure hearing. The court shall give such post-seizure hearings priority on the court's docket.***

***(3) A person with an interest in the property may petition the superior court for a hearing.***

***(4) The court may hold a post-seizure hearing:***

***(A) As a separate hearing; or***

***(B) At the same time as a probable cause determination, a post-arraignment hearing, or other pretrial hearing.***

***(5) A party, by agreement or for good cause, may move for one extension of no more than 10 days. Any motion may be supported by affidavits or other submissions.***

***(6) The court shall order the return of property if it finds:***

***(A) The seizure was invalid;***

***(B) A criminal charge has not been filed and no extension of the filing period is available;***

***(C) The property is not reasonably required to be held as evidence; or***

***(D) The final judgment likely shall be in favor of the defendant or any other person with an interest in the property.***

***(7) The provisions of this section shall not apply to contraband.***

***(b) In a case in which the state seeks forfeiture of property the prosecuting authority shall file with the superior court a petition for forfeiture. The petition shall be a separate document and accompany the initial or a subsequent indictment or information. It shall include the following information:***

- (1) *A description of the property seized;*
- (2) *The time, date, and place of the seizure; and*
- (3) *A description of how the property was used in or derived from the alleged crime.*

*(c)(1) The prosecuting authority may allege, in the petition, the forfeiture of property as a sanction related to the crime for which the defendant is charged, as part of sentencing consideration, or through other means for the court to oversee the forfeiture proceeding.*

*(2) The petition shall not be read to the jury.*

*(3) At the superior court's discretion, the court may allow the prosecuting authority to amend the petition for forfeiture as required in the interest of justice.*

*(4) The prosecuting authority shall serve the indictment or information as provided by the rules of the court.*

*(5) The prosecuting authority shall serve the petition for forfeiture:*

*(A) At arraignment;*

*(B) For cases initiated in the circuit court-district division, no later than 90 days after the underlying criminal case has been bound over to the superior court;*

*(C) For cases initiated in superior court, no later than 90 days after the complaint has been filed;*

*(D) As established by the superior court in its grant of a motion by the prosecuting authority that seeks extension of the deadlines in subparagraphs (B) or (C) as required in the interests of justice; or*

*(E) At the superior court's discretion.*

*(6) The court shall order the return of the property to the owner if the prosecuting authority does not file an indictment or information as provided by the court's rules, the period of an extension expires, or the court does not grant an extension.*

*(d) Discovery related to the forfeiture proceeding shall be subject to rules 12 and 13 in New Hampshire's rules of criminal procedure.*

*(e) The court shall consider the loss of property subject to forfeiture as a criminal sanction as part of and following the prosecution of the underlying crime. Property may be forfeited if:*

*(1) The state secures a conviction under this chapter; and*

*(2) The state establishes by a preponderance of the evidence that the property is an instrumentality of, or proceeds derived directly from, the crime for which the state secured a conviction.*

*(f) After the defendant's conviction, the court shall hold the forfeiture proceeding at its discretion. It shall be conducted by the court without a jury.*

*(g) Nothing in this paragraph shall prevent property from being forfeited as part of:*

*(1) A plea agreement; or*

*(2) A grant of immunity or reduced punishment, with or without the filing of a criminal charge, in exchange for testifying or assisting a law enforcement investigation or prosecution.*

*(h) The court may waive the conviction requirement and grant title to the property to the state if the prosecuting authority files a motion no fewer than 90 days after seizure and shows by a preponderance of the evidence that, before conviction, the defendant:*

*(1) Is deceased;*

*(2) Was deported by the United States government;*

*(3) Has abandoned the property; or*

*(4) Has fled the jurisdiction.*

*(i) The defendant may petition the superior court to determine, before trial, at trial or upon conviction, whether the forfeiture is unconstitutionally excessive under the state or federal constitution. The defendant shall bear the burden of establishing the forfeiture is unconstitutionally excessive by a preponderance of the evidence at a hearing conducted by the court without a jury. In determining whether the forfeiture is unconstitutionally excessive, the court shall not consider the value of the property to the state, but may consider other relevant factors including:*

*(1) The seriousness of the crime and its impact on the community, including the duration of the activity, use of a firearm, and harm caused by the defendant;*

*(2) The extent to which the defendant participated in the crime;*

*(3) The extent to which the property was used in committing the crime;*

*(4) Whether the crime was completed or attempted;*

*(5) The sentence or fine to be imposed for committing the crime;*

*(6) The hardship to the defendant if the forfeiture of a motor vehicle would deprive the defendant of the defendant's livelihood;*

*(7) An unjust hardship to the defendant's family if the property is forfeited; and*

*(8) All relevant factors related to the fair market value of the property.*

*(j)(1) Property encumbered by a security interest shall not be forfeited. The prosecuting authority shall return property to a secured interest holder, other than the defendant or rightful owner, up to the value of the interest. Contraband shall not be returned.*

*(2) If the property is not returned, the secured interest holder may petition the court at any time before the court enters judgment in the criminal prosecution or grants the motion in subparagraph (h).*

*(3) The court shall hear the petition within 30 days after its filing or at the court's discretion. The hearing shall be held before the court without a jury. The court may consolidate the hearing on the petition with any other hearing before the court in the case.*

*(4) The secured interest holder shall establish by a preponderance of the evidence the validity of the security interest, mortgage, lien, leasehold, lease, rental agreement, or other agreement.*

*(5) If the secured interest holder alleges a valid interest but the prosecuting authority seeks to proceed, the prosecuting authority shall prove by a preponderance of the evidence that:*

*(A) The interest is invalid;*

*(B) The interest resulted from a fraudulent conveyance; or*

*(C) The secured interest holder consented to the use of the property in the crime for which the defendant is charged.*

*(6) If the state fails to meet its burden under subparagraph (5), the court shall order the state to relinquish claims to the property, up to the value of the interest, and return the interest to the secured interest holder.*

Amend RSA 318-B:17-b, III-a (k)(2) as inserted by section 1 of the bill by replacing it with the following:

*(2) If the property is not summarily returned, an innocent owner may petition the superior court at any time before the court enters judgment in the criminal prosecution or grants the motion in subparagraph (h).*

Senate Executive Departments and Administration  
April 20, 2022  
2022-1698s  
04/08

Amendment to HB 1375

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

1 Statutory Construction; Definition of Veteran. Amend RSA 21:50, I(a)(2)(A) to read as follows:

(A) ~~[An honorable discharge]~~ ***Any honorable discharge or any discharge under honorable conditions;*** or

2 New Hampshire Veterans' Home; Command and Employees. Amend RSA 119:6 to read as follows:

119:6 Commandant and Employees. The board shall appoint, or may remove, for just cause, a commandant of the home. ~~[Honorably discharged veterans as defined in RSA 119:1]~~ ***A veteran honorably discharged or discharged under honorable conditions pursuant to RSA 21:50*** shall have preference for employment in the home if qualified by the New Hampshire division of personnel.

3 Preference of Resident Laborers and Veterans; Employment of Veterans. Amend RSA 283:4, I to read as follows:

I. In public employment of clerks, office help, mechanics, laborers, inspectors, supervisors, foremen, janitors, peace officers, and relief employees in the construction of public works, public projects and in the conduct of city, town or district departments by a county, city, town, or district, or by persons contracting therewith for such construction, carrying out of relief projects and in the conduct of city, town, or district departments, preference shall be given to citizens of the state who have served in the armed forces of the United States, for not less than 90 days, in times of war, and have been ***honorably discharged*** ~~[honorably]~~ ***or discharged under honorable conditions pursuant to RSA 21:50*** therefrom or released from active duty therein, if equally qualified for said employment and if registered in accordance with the provisions of RSA 283:7. Where such employment is obtained from relief rolls or for persons in need, in cases of equal or greater need preference shall be given to such veterans.

4 Reemployment of Veterans; Veterans Guaranteed Reemployment. Amend RSA 97:1 to read as follows:

97:1 Veterans Guaranteed Reemployment. Each county, town, city, precinct, school board or other political subdivision of the state shall reemploy a veteran of any branch of the military service of the United States who has been placed on inactive status or been ~~[given a discharge other than dishonorable]~~ ***honorably discharged or discharged under honorable conditions pursuant to RSA 21:50*** and who, within 90 days after being so made inactive or discharged, in writing, notifies the treasurer or other fiscal agent of such political subdivision that he ***or she*** desires to be reinstated in the position he held with such political subdivision at the time he ***or she*** entered said military service.

5 Interstate Compact on Educational Opportunity for Military Children. Amend RSA 110-D:3, XX to read as follows:

XX. "Veteran" means a person who served in the uniformed services and who was ***honorably discharged*** or ~~[released there from under conditions other than dishonorable]~~ ***discharged under honorable conditions pursuant to RSA 21:50***.

6 Honorable Discharge; References Amended. Amend the following RSAs by replacing "honorable discharge" or "an honorable discharge" with "an honorable discharge or a discharge under honorable conditions pursuant to RSA 21:50": RSA 115-A:16; 115-A:29, I-II; 115-B:1, II(a); 115-B:1, II(c); 165:5; 175:1, XXII; 176:10; 261:86, I(d); 261:87-b, I; 275-G:1, II; 466:8, I; and 651-A:13.

7 Honorably Discharged; References Amended. Amend the following RSAs by replacing "honorably discharged" with "an honorable discharge or discharged under honorable conditions pursuant to RSA 21:50": RSA 72:28, IV(a); 72:28-b, IV; 72:35, I; 99-F:2, VI(a)(1)-(3); 100-A:4, VI(a)(2); 119:1, I; 119:2, II; 261:86, I(c)-(e); 261:141, VIII(c); 261:157-a; and 291:3.

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

Senate Judiciary  
April 20, 2022  
2022-1676s  
04/05

Amendment to HB 1388-FN

Amend RSA 645:1, I(b) as inserted by section 1 of the bill by replacing it with the following:

***(b) Such person knowingly transmits to another, who is 16 years of age or older, an image of himself or herself fornicating, exposing his or her genitals, or performing any other act of gross lewdness, when the recipient does not consent to receipt of the image.***

Senate Finance  
 April 20, 2022  
 2022-1665s  
 08/10

Amendment to HB 1421-FN

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

2 Funds for Revolving Funds. The sum of \$7,760,000 for the biennium ending June 30, 2023 is hereby appropriated to the department of environmental services for the purpose of providing state matching funds for supplemental Drinking Water State Revolving Fund and Clean Water State Revolving Fund funding authorized by the Infrastructure Investment and Jobs Act, Public Law 117-58. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated, and said appropriation shall not lapse.

2022-1665s

AMENDED ANALYSIS

This bill requires public and private schools and licensed child care facilities to install water bottle filling stations or test and remediate all water outlets at the facility.

This bill also makes an appropriation for certain drinking water grant programs administered by the department of environmental services.

Senate Judiciary  
 April 20, 2022  
 2022-1670s  
 07/04

Amendment to HB 1431-FN-LOCAL

Amend the bill by replacing section 1 with the following:

1 Declaration of Purpose. The general court finds that it is a fundamental right of parents to direct the upbringing, education, and care of their minor children. The general court further finds that important information relating to a minor child should not be withheld, either inadvertently or purposefully, from his or her parent, including information relating to the minor's education. The general court further finds it is necessary to establish a consistent mechanism for parents to be notified of information relating to the health, education, and well-being of their minor children.

Amend RSA 169-I:3 through RSA 169-I:5 as inserted by section 2 of the bill by replacing them with the following:

169-I:3 Infringement of Parental Rights Prohibited. The state, any of its political subdivisions, including, without limitation, any school board, school district, or school administrative unit, any other governmental entity shall not infringe on the fundamental rights of a parent to direct the upbringing and education of his or her minor child without demonstrating that such action is reasonable and necessary to achieve a compelling state interest and that such action is narrowly tailored and cannot be achieved by less restrictive means.

169-I:4 Parental Rights.

I. All parental rights are reserved to the parent of a minor child in this state without obstruction or interference from the state, any of its political subdivisions, including, without limitation, any school board, school district, or school administrative unit, or any other governmental entity including, but not limited to, all of the following rights of a parent of a minor child in this state:

(a) The right to direct the education and care of his or her minor child.

(b) The right to direct the upbringing and the moral or religious training of his or her minor child.

(c) The right to apply to enroll his or her minor child in a public school or, as an alternative to public education, a private school, including a religious school, a home education program, or other available options, as authorized by law.

(d) The right to access and review all school records relating to his or her minor child, pursuant to RSA 189:66, IV.

(e) The right to be notified promptly if an employee of the state, any of its political subdivisions, or any other governmental entity has a reasonable basis to believe that a criminal offense has been committed against his or her minor child, unless the incident has first been reported to law enforcement or the bureau of child protective services and notifying the parent would impede the investigation.

II. An employee of the state, any of its political subdivisions, including, without limitation, any school board, school district, or school administrative unit, or any other governmental entity who encourages or coerces, or attempts to encourage or coerce, a minor child to withhold information from his or her parent who is not suspected of a criminal offense against the minor and sharing the information would not impede an investigation of a criminal offense against the minor may be subject to disciplinary action.

III. A parent of a minor child in this state has rights that are more comprehensive than those listed in this section. This chapter shall not be construed to prescribe all rights to a parent of a minor child in this state.

#### 169-I:5 Parental Rights in Education.

I. Each school board, school district, or school administrative unit shall, in consultation with parents, teachers, and administrators, develop and adopt publicly a policy to promote parental involvement in the public school system. Such policy shall include:

(a) A plan for parental participation in schools to improve parent and teacher cooperation in such areas as homework, school attendance, and discipline.

(b) A procedure for a parent to learn about his or her minor child's course of study, including the source of any supplemental education materials.

(c) Procedures for a parent to learn about the nature and purpose of clubs and activities offered at his or her minor child's school, including those that are extracurricular or part of the school curriculum.

(d) Procedures for a parent to learn about gifted or special education programs offered in the district.

(e) Procedures for a parent to learn about parental rights and responsibilities under general law, including all of the following:

(1) Their right to object to instructional materials and other materials used in the classroom, pursuant to RSA 186:11, IX-c.

(2) Their right to exercise their option to get an exception to a particular health or sex education instruction, pursuant to RSA 186:11, IX-b.

(3) Their right to exempt his or her minor child from immunizations, as provided in RSA 141-C:20-a.

(4) Their right to review statewide, standardized assessment results.

(5) Their right to inspect school district instructional materials.

(6) Their right to access information relating to the school district's policies for promotion or retention, including high school graduation requirements.

(7) Their right to receive a school report card and be informed of his or her minor child's attendance requirements and compliance with such requirements.

(8) Their right to access information relating to the state standards, report card requirements, attendance requirements, and instructional materials requirements.

(9) Their right to participate in parent-teacher associations and parent-teacher organizations that are sanctioned by a school board or the department of education.

(10) The right of a parent to opt out of any district-level data collection relating to his or her minor child not required by law.

(f) The right to be notified promptly when any school board, school district, school administrative unit, school administrator, or other school employee initiates, terminates, or changes:

(1) A student's course of study or registration in classes, athletic teams, clubs, or other extra-curricular activities;

(2) Any discipline imposed by school authorities;

(3) Services recommended or provided pursuant to an individualized education plan or Section 504 of the Rehabilitation Act of 1973;

(4) Provision of any Medicaid services;

(5) Enrollment in any Title I services or free and reduced lunch program;

(6) Off-campus activities, including field trips or off-campus privileges;

(7) Medical treatment, including provision of medication, psychological, or counseling services; or

(8) Directory information.

(g) The right to be notified promptly when any school board, school district, school administrative unit, school administrator, or other school employee initiates, investigates, or finds the need for any action by school authorities relating to the student pursuant to school policies governing student conduct, truancy, dress code violations, sexual harassment, bullying, hazing, behavior management and intervention, substance use, suicide prevention, gender expression or identity, disability accommodation, and special meal prescription.

II. A parent may request, in writing, from the superintendent the information required under this section. Within 10 business days of such request, the superintendent shall provide such information to the parent. If the superintendent denies a parent's request for information or does not respond to the parent's request within 10 business days, the parent may appeal the denial to the school board. The school board shall place a parent's appeal on the agenda for its next public meeting. If it is too late for a parent's appeal to appear on the next agenda, the appeal shall be included on the agenda for the subsequent meeting. If a parent is dissatisfied with the results of such an appeal, or such an appeal does not take place in a timely fashion as required by this paragraph, the aggrieved parent may bring an action for declaratory and injunctive relief as set forth in RSA 169-I:7.

Amend RSA 169-I:7 as inserted by section 2 of the bill by replacing it with the following:

169-I:7 Violations. Any parent claiming a violation of any provisions of this chapter may bring an action for declaratory relief, injunctive relief, and money damages against the state or any of its political subdivisions, including, without limitation, any school board, school district, or school administrative unit, any other governmental entity which the parent claims has violated this chapter in the superior court having jurisdiction over the relevant individual or the state or any of its political subdivisions. If the court finds in favor of the parent, it may award reasonable attorneys' fees and court costs to the parent.

Health and Human Services

April 20, 2022

2022-1696s

05/10

#### Amendment to HB 1466

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

1 New Paragraph; Physicians and Surgeons; Disciplinary Action; Off-Label Use of Prescription Drug. Amend RSA 329:17 by inserting after paragraph VI-a the following new paragraph:

VI-b. The state of New Hampshire confirms its strong support for shared decision making between healthcare professionals and their patients. A licensee may lawfully prescribe an FDA approved drug product for an off-label indication where there is sound scientific medical evidence or when the licensee has provided and documented informed consent for the patient including a disclosure that a prescription is for an off-label indication. The standardized form for informed consent shall be approved by the board of medicine. A licensee shall be held to the same standard of care as when prescribing for on-label indications.

2 New Paragraph; Nurse Practice Act; Advanced Practice Registered Nurse; Disciplinary Action; Off-label Use of Prescription Drug. Amend RSA 326-B:37 by inserting after paragraph III the following new paragraph:

III-a. The state of New Hampshire confirms its strong support for shared decision making between healthcare professionals and their patients. A licensee may lawfully prescribe an FDA approved drug product for an off-label indication where there is sound scientific medical evidence or when the licensee has provided

and documented informed consent for the patient including a disclosure that a prescription is for an off-label indication. The standardized form for informed consent shall be approved by the board of nursing. A licensee shall be held to the same standard of care as when prescribing for on-label indications.

3 New Section; Physician Assistant; Disciplinary Action; Off-label Use of Prescription Drug. Amend RSA 328-D by inserting after section 6 the following new section:

328-D:6-a Off-label Use of Prescription Drugs; When Permitted. The state of New Hampshire confirms its strong support for shared decision making between healthcare professionals and their patients. A licensee may lawfully prescribe an FDA approved drug product for an off-label indication where there is sound scientific medical evidence or when the licensee has provided and documented informed consent for the patient including a disclosure that a prescription is for an off-label indication. The standardized form for informed consent shall be approved by the board of medicine. A licensee shall be held to the same standard of care as when prescribing for on-label indications.

4 New Section; Pharmacists and Pharmacies; Prescriptions. Amend RSA 318 by inserting after section 13 the following new section:

318:13-a Filling of Prescriptions. No licensed pharmacist shall face non-disciplinary or disciplinary action by the pharmacy board for filling a valid prescription for an off-label use.

5 Construction of Chapter. Nothing in this chapter shall be construed to legalize, constitute, condone, authorize, or approve suicide, assisted suicide, mercy killing, or euthanasia, or permit any affirmative or deliberate act or omission to end one's own life or to end the life of another other than to permit the natural process of dying.

6 Effective Date. The act shall take effect upon its passage.

Election Law and Municipal Affairs

April 19, 2022

2022-1655s

04/05

#### Amendment to HB 1467-FN

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

AN ACT relative to recounts of state representative races during a general election.

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

1 New Section; General Provisions for Recounts; Recount of Additional Offices. Amend RSA 660 by inserting after section 17 the following new section:

660:17-a Recount of Additional Offices on Ballots Involved in Recounts. For general election recounts of state representative races, the secretary of state's office shall, in addition to recounting the state representative race:

I. Conduct an audit of the votes cast on those ballots for President, United States Senate, United States House of Representatives, or governor;

II. Conduct such audit using the ballots for 10 of the state representative races to be recounted. The races shall be selected randomly. If less than 10 races are to be recounted, the ballots for each recounted race shall be audited;

III. Select the office to be audited for each recount; and

IV. Allow a full recount of any race where there is a discrepancy of greater than one percent from the election results reported to the secretary of state.

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

2022-1655s

#### AMENDED ANALYSIS

This bill requires a partial audit of additional offices on ballots involved in recounts of state representative races in a general election, and creates parameters around such audits.



Commerce  
 April 19, 2022  
 2022-1647s  
 07/05

Amendment to HB 1469-FN

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

AN ACT establishing a committee to study the need for anti-discrimination legislation in the New Hampshire financial services industry.

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

1 Committee Established. There is established a committee to study the need for anti-discrimination legislation in the New Hampshire financial services industry.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study:

I. The possible need for anti-discrimination legislation in the New Hampshire financial services industry based on legally-protected expression of political viewpoints or ideologies, social media activity, membership in clubs or organizations, possession or sales of firearms, or other legally protected activity that could cause financial institutions to decline to engage in business relations with people or businesses engaging in such activities; and

II. Whether the New Hampshire banking department has sufficient resources to receive and investigate complaints about such practices and to issue an annual report to the general court about its findings.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2022.

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

2022-1647s

AMENDED ANALYSIS

This bill establishes a committee to study the need for anti-discrimination legislation in the New Hampshire financial services industry based on legally-protected expressions.

Senate Judiciary  
 April 20, 2022  
 2022-1686s  
 04/08

Amendment to HB 1476-FN

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

AN ACT relative to release of a defendant pending trial.

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

1 Bail and Recognizances; Release of a Defendant Pending Trial. Amend RSA 597:2, I-III(a) to read as follows:  
597:2 Release of a Defendant Pending Trial.

I. Except as provided in paragraph **III or** VI, upon the appearance before the court of a person charged with an offense, the court shall issue an order that, pending arraignment or trial, the person be:

- (a) Released on his or her personal recognizance or upon execution of an unsecured appearance bond, pursuant to the provisions of paragraph III;
- (b) Released on a condition or combination of conditions pursuant to the provisions of paragraph III;
- (c) Detained; or
- (d) Temporarily detained to permit revocation of conditional release pursuant to the provisions of paragraph VIII.

II. Except as provided in RSA 597:1-d, a person charged with a probation violation shall be entitled to a bail hearing. The court shall issue an order that, pending a probation violation hearing, the person be:

- (a) Released on his or her personal recognizance or upon execution of an unsecured appearance bond, pursuant to the provisions of paragraph III;
- (b) Released on a condition or combination of conditions pursuant to the provisions of paragraph III; or
- (c) Detained.

III. When considering whether to release or detain a person, the court **and, if applicable, a bail commissioner** shall consider the following issues:

- (a) Safety of the public or the defendant.

**(1) Except as provided in RSA 597:1-c, a person who is charged with homicide under RSA 630; first degree assault under RSA 631:1; second degree assault under RSA 631:2; domestic violence under RSA 631:2-b; aggravated felonious sexual assault under RSA 632-A:2; felonious sexual assault under RSA 632-A:3; kidnapping under RSA 633:1; stalking under RSA 633:3-a; trafficking in persons under RSA 633:7; robbery under RSA 636:1, III; possession, manufacture, or distribution of child sexual abuse images under RSA 649-A; or computer pornography and child exploitation under RSA 649-B; shall not be brought before a bail commissioner and shall, upon arrest, be detained for a period of not more than 36 hours from the time of his or her arrest, excluding Saturdays, Sundays and holidays.**

**(2)** If a person is charged with any **other** criminal offense, an offense listed in RSA 173-B:1, I, or a violation of a protective order under RSA 458:16, III, or after arraignment, is charged with a violation of a protective order issued under RSA 173-B, the court may order preventive detention without bail, or, in the alternative, may order restrictive conditions including but not limited to electronic monitoring and supervision, only if the court determines by clear and convincing evidence that release will endanger the safety of that person or the public. In determining whether release will endanger the safety of that person or the public, the court may consider all relevant factors presented pursuant to paragraph IV.

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

2022-1686s

#### AMENDED ANALYSIS

This bill lists certain offenses which, if committed by the defendant, create a rebuttable presumption that a defendant is a danger to the public and shall be detained for up to 36 hours.

Election Law and Municipal Affairs

April 19, 2022

2022-1650s

08/05

#### Amendment to HB 1496-FN

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

AN ACT requiring political subdivisions to make voter checklists available in electronic form to any resident.

Amend the bill by replacing section 1 with the following:

1 Copies of Voter Checklist; Availability. Amend RSA 654:31, II to read as follows:

II. In towns and cities, the public checklist as corrected by the supervisors shall be open for the examination of any person at all times before the opening of a meeting or election at which the list is to be used. The supervisors of the checklist or city or town clerk shall furnish ~~[one or more copies]~~ **a physical copy or an electronic copy** of the most recent public checklist of their town or city to any person requesting such ~~[copies]~~ **copy. If a person requests an electronic copy, the supervisors of the checklist, or the city or town clerk, shall notify the person requesting the copy of the electronic format options available from which the person requesting may choose.** The supervisors of the checklist or city or town clerk may only provide checklist information for their town or city. The supervisors of the checklist or city or town clerk shall charge a fee of \$25 for each copy of the public checklist for a town or ward. For public checklists containing more than 2,500 names, the supervisors of the checklist or city or town clerk shall charge a fee of \$25, plus \$0.50 per thousand names or portion thereof in excess of 2,500, plus any shipping costs. The supervisors of the checklist or city or town clerk may provide public checklist information on paper, computer disk, computer tape, electronic transfer, or any other form.

2022-1650s

#### AMENDED ANALYSIS

This bill requires political subdivisions to make voter checklists available in electronic form to any resident.

Commerce  
April 19, 2022  
2022-1661s  
08/04

#### Amendment to HB 1503-FN

Amend the bill by replacing section 34 with the following:

34 Effective Date. This act shall take effect January 1, 2025.

Senate Executive Departments and Administration  
April 20, 2022  
2022-1683s  
10/05

#### Amendment to HB 1535-FN

Amend subparagraph I(a) of section 1 of the bill by replacing it with the following:

(a) The member has been retired for at least 60 months prior to or on July 1, 2022; and

Health and Human Services  
April 20, 2022  
2022-1687s  
05/08

#### Amendment to HB 1606

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

AN ACT relative to administration of the state immunization registry.

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

1 New Paragraph; Communicable Disease; Immunization Registry; Opportunity to Opt-out or Opt-in to the Registry. Amend RSA 141-C:20-f by inserting after paragraph II the following new paragraph:

II-a. Each patient, or the patient's parent or guardian if the patient is a minor, shall be given the opportunity to opt-out or opt-in to the immunization registry. No patient's personal data, such as name, address, date of birth, immunization, or vaccination information, shall be entered into the registry without the explicit, written or electronic consent of the patient, or the patient's parent or guardian.

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

2022-1687s

## AMENDED ANALYSIS

This bill requires a patient to have the opportunity to opt-out or opt-in to the immunization registry. The bill also provides that a patient's personal data shall not be entered into the registry without their explicit consent.

Capital Budget  
 April 19, 2022  
 2022-1659s  
 10/08

## Amendment to HB 1661-FN-LOCAL

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

AN ACT relative to regional career technical education agreements and relative to an appropriation for preliminary work for a new legislative parking garage.

Amend the bill by replacing sections 6 and 7 with the following:

6 Appropriation; New Legislative Parking Garage; Department of Justice.

I. The sum of \$9,350,000 for the fiscal year ending June 30, 2022 is hereby appropriated to the department of administrative services for the purpose of preliminary design, engineering, and site work for a new legislative parking garage on the site of the department of justice building located at 33 Capitol Street and for moving and leasing costs for relocating the department of justice. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated, and said appropriation shall not lapse.

II. Sums appropriated in paragraph I are based on, but shall not be restricted by, the estimates below:

(a) Preliminary design, engineering and site work:

- (1) Design and engineering costs of a 450 space parking garage - \$1,400,000.
- (2) Design and engineering costs to demolish Storrs Street garage - \$105,000.
- (3) Design and engineering costs to demolish current DOJ building - \$35,000.
- (4) Cost to abandon Capitol Street - \$25,000.
- (5) Cost of demolition of DOJ Building - \$1,100,000.
- (6) Cost and engineering for DOJ site prep - \$535,000.

(b) Moving and leasing related costs:

- (1) Cost to move the department of justice - \$1,200,000.
- (2) Approximate fit-up cost of 50,000 square feet - \$3,750,000.
- (3) Annual lease costs for the entire building - \$1,200,000.

7 Effective Date.

I. Sections 1-5 of this act shall take effect July 1, 2022.

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

2022-1659s

## AMENDED ANALYSIS

This bill requires sending district schools and career and technical education (CTE) centers to enter into an agreement to include scheduling, access, transportation, and credits for CTE students. The bill also makes an appropriation for preliminary design, engineering, and site work for a new legislative parking garage and for costs for relocating the department of justice.

# HEARINGS

All Standing Committee hearings will be live streamed on the NH Senate's YouTube channel:

<https://www.youtube.com/NewHampshireSenateLivestream>

Links are also available on the Senate Meeting Schedule.



## MONDAY, APRIL 25, 2022

### ELECTION LAW AND MUNICIPAL AFFAIRS, Room 100, SH

Sen. Gray (C), Sen. Birdsell (VC), Sen. Ward, Sen. Soucy, Sen. Perkins Kwoka

2:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

### ENERGY AND NATURAL RESOURCES, Room 103, SH

Sen. Avard (C), Sen. Giuda (VC), Sen. Gray, Sen. Watters, Sen. Perkins Kwoka

9:00 a.m. **HB 1258**, relative to the implementation of the department of energy.

9:10 a.m. **HB 1270**, repealing the legislative oversight committee to monitor the transformation of delivery of electric services.

9:20 a.m. **HB 1285**, relative to the multi-use energy data platform.

9:30 a.m. **HB 1331**, relative to power line maintenance and construction.

9:40 a.m. **HB 1148**, relative to prohibiting government entities subordinate to the state from restricting the types of fuel sources that may be used for energy.

**EXECUTIVE SESSION MAY FOLLOW**

## TUESDAY, APRIL 26, 2022

### COMMERCE, Room 100, SH

Sen. French (C), Sen. Gannon (VC), Sen. Bradley, Sen. Soucy, Sen. Cavanaugh

9:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

### EDUCATION, Room 101, LOB

Sen. Ward (C), Sen. Hennessey (VC), Sen. Ricciardi, Sen. Kahn, Sen. Prentiss

9:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

### ENERGY AND NATURAL RESOURCES, Room 103, SH

Sen. Avard (C), Sen. Giuda (VC), Sen. Gray, Sen. Watters, Sen. Perkins Kwoka

9:00 a.m. **HB 1356**, relative to the taking of gray squirrels.

(THE PREVIOUS HEARING ON HB 1356 WAS RECESSED ON APRIL 19TH)

9:10 a.m. **HB 1049**, establishing a committee to study landfill siting criteria and methods for reducing pressure on landfill capacity.

9:20 a.m. **HB 1293**, relative to the design of sewage or waste disposal systems for a person's own domicile.

9:30 a.m. **HB 1205**, allowing the department of environmental services to have access to enhanced 911 information.

**EXECUTIVE SESSION MAY FOLLOW**

**FINANCE**, Room 103, SH

Sen. Daniels (C), Sen. Reagan (VC), Sen. Giuda, Sen. Hennessey, Sen. Morse, Sen. D'Allesandro, Sen. Rosenwald  
2:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

**JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Gannon (VC), Sen. French, Sen. Whitley, Sen. Kahn

1:00 p.m. **HB 1280**, prohibiting a parent's refusal to vaccinate a child pursuant to an order of the state or federal government to be used as a basis for terminating parental rights.

1:30 p.m. **HB 1382**, relative to the presumption of shared parenting in the determination of parental rights and responsibilities.

1:50 p.m. **HB 1416**, relative to consent for mental health treatment in parenting cases with shared decision-making responsibility.

2:10 p.m. **HB 1118**, relative to the determination of parental rights and responsibilities following the death of a child's parent or guardian.

2:30 p.m. **HB 1303**, relative to causes for absolute divorce.

2:45 p.m. **HB 1305**, relative to temporary alimony.  
**EXECUTIVE SESSION MAY FOLLOW**

**TRANSPORTATION**, Room 101, LOB

Sen. Birdsell (C), Sen. Watters (VC), Sen. Ricciardi, Sen. Ward, Sen. Sherman

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

## **WEDNESDAY, APRIL 27, 2022**

**HEALTH AND HUMAN SERVICES**, Room 101, LOB

Sen. Bradley (C), Sen. Gray (VC), Sen. Avard, Sen. Sherman, Sen. Whitley

10:30 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION**

## **MEETINGS**

### **FRIDAY, APRIL 22, 2022**

**NEW HAMPSHIRE TRANSPORTATION COUNCIL (RSA 238-A:2)**

9:00 a.m. NH DOT, Room 114 Regular Meeting  
7 Hazen Drive  
Concord, NH  
Join Zoom Meeting  
<https://us06web.zoom.us/j/86109629014?pwd=TXBmZWJBb2JJVEs0bjVsamVwZ1pQQT09>  
Meeting ID: 861 0962 9014  
Passcode: 872878  
One tap mobile  
+16465588656,,86109629014# US (New York)  
+13017158592,,86109629014# US (Washington DC)  
Dial by your location  
+1 646 558 8656 US (New York)  
+1 301 715 8592 US (Washington DC)  
+1 312 626 6799 US (Chicago)  
+1 720 707 2699 US (Denver)  
+1 253 215 8782 US (Tacoma)  
+1 346 248 7799 US (Houston)

Meeting ID: 861 0962 9014

Find your local number: <https://us06web.zoom.us/j/86109629014>

**SOLID WASTE WORKING GROUP (RSA 149:M:61)**

9:00 a.m. NH DES Offices Recycling & Composting  
Room 208C Subcommittee Meeting  
29 Hazen Drive  
Concord, NH

<https://register.gotowebinar.com/register/944991081080221199>

**SOLID WASTE WORKING GROUP (RSA 149:M:61)**

9:00 a.m. NH DES Offices Waste Reduction & Difficult  
Room 213 Wastes Subcommittee Meeting  
29 Hazen Drive  
Concord, NH

<https://register.gotowebinar.com/register/944991081080221199>

**SOLID WASTE WORKING GROUP (RSA 149:M:61)**

9:00 a.m. NH DES Offices Alternate Waste Management  
Room 214 Technologies Subcommittee Meeting  
29 Hazen Drive  
Concord, NH

<https://register.gotowebinar.com/register/944991081080221199>

**GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1)**

9:30 a.m. Fox Chapel Regular Meeting  
105 Pleasant Street  
Main Bldg.  
Concord, NH

**MOUNT WASHINGTON COMMISSION (RSA 227-B:3)**

9:30 a.m. Pope Memorial Library Regular Meeting  
2719 White Mountain Hwy, S Main Street  
North Conway, NH 03860

**HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

10:00 a.m. Rooms 205-207, LOB Regular Meeting

**SOLID WASTE WORKING GROUP (RSA 149:M:61)**

10:30 a.m. NH DES Offices Regular Meeting  
Room 208C  
29 Hazen Drive  
Concord, NH

<https://register.gotowebinar.com/register/944991081080221199>

**ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

12:00 p.m. Dept. of Revenue Administration Regular Meeting  
Training Room  
109 Pleasant Street  
Concord, NH

***MONDAY, APRIL 25, 2022***

**NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2)**

10:00 a.m. Room B119 Regular Meeting  
121 South Fruit Street  
Concord, NH

**STATE COMMISSION ON AGING (RSA 19-P:1)**

10:00 a.m. NH Employment Security Regular Meeting  
 45 South Fruit Street  
 Concord, NH  
 Remote access via Zoom:  
 By Computer:  
<https://us02web.zoom.us/j/87430173115?pwd=bUFER3I5emt3NGVueDBYYW9SZThLUT09>  
 By Phone:  
 +1 (929) 205-6099 using Meeting ID: 874 3017 3115 and Passcode: 295220  
 Questions? Please contact Rebecca Sky at [Rebecca.Sky@nh.gov](mailto:Rebecca.Sky@nh.gov) or 603-271-0527 or 603-848-4204.  
 Main Topic: Workforce Development

**COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILDLIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30)**

11:00 a.m. Department of Environmental Services Regular Meeting  
 Room 208C  
 29 Hazen Drive  
 Concord, NH

**NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2)**

12:30 p.m. Fred Brown Building Subcommittee Meeting - Survivor  
 Room 288 of Suicide Loss Committee  
 129 Pleasant Street  
 Concord, NH

**NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2)**

1:00 p.m. Brown Building Auditorium Regular Meeting  
 Health and Human Services  
 129 Pleasant Street  
 Concord NH 03301  
 Please see Board the website for additional information regarding this meeting:  
<https://www.dhhs.nh.gov/ombp/medicaid/nhpdab/index.htm>

**COMMISSION TO STUDY OFFSHORE WIND AND PORT DEVELOPMENT (RSA 374-F:10)**

4:30 p.m. NHDES Regional Office Regular Meeting  
 Pease International Tradeport  
 Room A, Suite 175  
 222 International Drive  
 Portsmouth, NH

***TUESDAY, APRIL 26, 2022*****NEW HAMPSHIRE DRUG OVERDOSE FATALITY REVIEW COMMISSION (RSA 126-BB:1)**

4:00 p.m. DHHS Brown Auditorium Regular Meeting  
 129 Pleasant Street  
 Concord, NH 03301  
 Join Zoom Meeting  
<https://nhdhhs.zoom.us/j/3031726939?pwd=ckNDcmNyM1VJdGtsWWlDd2hCWlJVUT09>  
 Meeting ID: 303 172 6939 Passcode: 810055





**COMMISSION TO STUDY THE INCIDENCE OF POST-TRAUMATIC STRESS DISORDER IN FIRST RESPONDERS AND WHETHER SUCH DISORDER SHOULD BE COVERED UNDER WORKERS' COMPENSATION (RSA 281-A:17-d )**

10:00 a.m.                      NH Fire Academy                      Regular Meeting  
    98 Smokey Bear Blvd  
    Classroom 2  
    Concord, NH 03301

**LONG-TERM SEACOAST COMMISSION ON DRINKING WATER (RSA 485-F:6)**

2:00 p.m.                      NHDES Portsmouth Regional Office                      Regular Meeting  
    Pease International Tradeport, Room A  
    222 International Drive, Suite 175  
    Portsmouth, NH

***FRIDAY, MAY 20, 2022***

**OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 21-V:10)**

8:00 a.m.                      Room 100, SH                      Regular Meeting

**FISCAL COMMITTEE (RSA 14:30-a)**

10:00 a.m.                      Rooms 210-211, LOB                      Regular Meeting  
    The You Tube link to view the meeting livestream is;  
    [Fiscal Committee \(05/20\) - YouTube](#)

**LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1)**

10:00 a.m.                      Rooms 206-208, LOB                      Regular Meeting

**NEW HAMPSHIRE RARE DISEASE ADVISORY COUNCIL (RSA 126-A:79)**

3:00 p.m.                      DHHS                      Regular Meeting

Health Training Room  
 3rd Floor  
 29 Hazen Drive  
 Concord, NH 03301  
 Join Zoom Meeting

<https://nh-dhhs.zoom.us/j/3947758509?pwd=ekp1cjBacVRrTXA2dGIMSW1YL1NYZz09>

Meeting ID: 394 775 8509

Passcode: MCH

One tap mobile

+13017158592,,3947758509#,,, \*424830# US (Washington DC)

+13126266799,,3947758509#,,, \*424830# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 394 775 8509

Passcode: 424830

Find your local number: <https://nh-dhhs.zoom.us/u/ahGr4jjio>

## ***MONDAY, MAY 23, 2022***

### **LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)**

9:30 a.m.                                      Rooms 201-203, LOB                                      Regular Meeting

### **NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2)**

10:00 a.m.                                      Brown Building Auditorium                                      Regular Meeting  
Health and Human Services

129 Pleasant Street  
Concord NH 03301

Please see Board the website for additional information regarding this meeting:

<https://www.dhhs.nh.gov/ombp/medicaid/nhpdab/index.htm>

### **CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2)**

10:15 a.m.                                      Rooms 201-203, LOB                                      Regular Meeting

## ***MONDAY, JUNE 6, 2022***

### **COMMITTEE TO STUDY RAIL TRAIL MANAGEMENT PRACTICES (HB 311, Chapter 94:2, Laws of 2021)**

9:00 a.m.                                      NH Dept. of Environmental Services                                      Regular Meeting  
29 Hazen Drive

Concord, NH 03301

## ***TUESDAY, JUNE 7, 2022***

### **STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2)**

5:00 p.m.                                      Edward Cross Training Center Facility                                      Regular Meeting  
722 Riverwood Drive

Pembroke, NH 03275

Zoom information can be provided by contacting Paul Lloyd at [nhsvac.chair@gmail.com](mailto:nhsvac.chair@gmail.com)

## ***MONDAY, JUNE 13, 2022***

### **NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2)**

2:00 p.m.                                      Regular Meeting

Please download and import the following iCalendar (.ics) files to your calendar system.

Monthly: [https://us02web.zoom.us/meeting/tZAude6uqi0sGtGFRWCP4gleSqZmImDaIGA/ics?icsToken=98tyKuGsrTktHNCTthmCRpwIA4joKO7wiCFdjbd6ui3SIBAHZQ\\_zBfN4P5tyL\\_zR](https://us02web.zoom.us/meeting/tZAude6uqi0sGtGFRWCP4gleSqZmImDaIGA/ics?icsToken=98tyKuGsrTktHNCTthmCRpwIA4joKO7wiCFdjbd6ui3SIBAHZQ_zBfN4P5tyL_zR)

Join Zoom Meeting

<https://us02web.zoom.us/j/84327646605?pwd=R0lwOWFVK0w2U2FKYTVybXM1MjNhdz09>

Meeting ID: 843 2764 6605

Passcode: 731679

One tap mobile

+13017158592,,84327646605#,,,,\*731679# US (Washington DC)

+13126266799,,84327646605#,,,,\*731679# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 843 2764 6605  
Passcode: 731679  
Find your local number: <https://us02web.zoom.us/j/k0nDD3qdp>

**MONDAY, JUNE 20, 2022**

**LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1)**  
10:00 a.m. Rooms 206-208, LOB Regular Meeting

**FRIDAY, JUNE 24, 2022**

**SOLID WASTE WORKING GROUP (RSA 149:M:61)**  
9:30 a.m. NH DES Offices Regular Meeting  
Room 208C  
29 Hazen Drive  
Concord, NH  
<https://register.gotowebinar.com/register/944991081080221199>

\* \* \* \* \*

**NOTICES**

**WEDNESDAY, APRIL 27, 2022**

Former NH Supreme Court Chief Justice John Broderick is inviting all members of the Senate to a conversation on mental health on Wednesday, April 27<sup>th</sup> from 12:30 p.m. - 1:00 p.m. in the Senate Chamber. Justice Broderick started his mental health awareness campaign back in May of 2016. Since then, he has traveled 100,000 miles throughout New England speaking to tens of thousands of students at 300 middle schools and high schools. He looks forward to sharing what he has learned.

Senator Chuck W. Morse, Senate President  
Senator Kevin Cavanaugh

\* \* \* \* \*

**MONDAY, MAY 2, 2022**

The NH Legislative Cancer Caucus will hold a virtual meeting on Monday, May 2, 2022 at 1:00 p.m. This meeting will include a presentation from the American Cancer Society on developments in the use of biomarkers and impacts on health equity. You can access the meeting by using this link:

Join on your computer or mobile app: [Click here to join the meeting](#) Or call in (audio only) [+1 917-727-7985](tel:+19177277985).,277222344# United States, New York City Phone Conference ID: 277 222 344#

Senator Suzanne Prentiss

\* \* \* \* \*

**THURSDAY, MAY 5, 2022**

Walmart cordially invites all legislators and staff to their annual legislative lunch in the State House cafeteria on Thursday, May 5<sup>th</sup> during the session lunch break.

Senator Jeb Bradley, Senate Majority Leader

\* \* \* \* \*

**THURSDAY, MAY 5, 2022**

Associated Builders and Contractors of NH and VT, the voice of the merit shop in the construction industry, is inviting all Senate members and State House staff to a “Coffee, Croissants and Contractors” event at the State House café on Thursday, May 5<sup>th</sup> from 8:00 -10:00 am. Stop by for a coffee and a croissant before House session and learn about the launch of our successful Carpentry Apprenticeship Program at the Manchester Community College. We look forward to seeing you at this event!

Senator Jeb Bradley, Senate Majority Leader

\* \* \* \* \*

**THURSDAY, MAY 5, 2022**

The University of New Hampshire is bringing back University Day on the State House lawn on Thursday, May 5<sup>th</sup> from 11:00 a.m. to 1:00 p.m. Enjoy a BBQ lunch provided by UNH's award-winning dining services and explore a range of exhibits and demonstrations led by world-renowned researchers, students, faculty and staff. Please join us to learn more about how education, outreach and engagement programs at your state research university benefit New Hampshire.

Senator Lou D'Allesandro

\* \* \* \* \*

**HOUSE BILLS AMENDED BY THE SENATE**

**HOUSE BILLS: 84, 169, 292, 293, 307, 347, 355, 381, 503, 543, 591, 1038, 1040, 1160, 1318, 1390, 1586, 1594**

\* \* \* \* \*

**ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2022 BILLS:**

**HOUSE BILLS: 440, 1016, 1427, 1441**

\* \* \* \* \*

**FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEBSITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2021 - 2022 BILLS:**

**SENATE BILLS: 17, 69, 92, 144, 151, 153, 160, 161, 202, 212, 226, 227, 233, 258, 261, 267, 269, 278, 286, 293, 294, 299, 301, 302, 303, 306, 319, 324, 326, 330, 340, 346, 355, 363, 366, 368, 376, 377, 379, 380, 383, 385, 389, 394, 396, 400, 401, 402, 405, 407, 408, 412, 414, 416, 417, 418, 419, 420, 422, 423, 424, 427, 429, 430, 431, 435, 438, 440, 442, 443, 447, 452, 453, 456, 458, 459, 460**

**HOUSE BILLS: 95, 102, 207, 214, 233, 347, 355, 381, 398, 412, 435, 481, 536, 583, 589, 591, 597, 624, 1010, 1016, 1066, 1067, 1130, 1170, 1171, 1192, 1203, 1221, 1230, 1235, 1237, 1256, 1263, 1288, 1297, 1318, 1333, 1335, 1337, 1360, 1411, 1420, 1427, 1431, 1434, 1441, 1456, 1457, 1467, 1469, 1475, 1491, 1496, 1497, 1503, 1513, 1518, 1521, 1527, 1531, 1535, 1540, 1546, 1547, 1552, 1554, 1583, 1586, 1592, 1598, 1604, 1606, 1608, 1613, 1622, 1624, 1642, 1647, 1661, 1662, 1665, 1681, 1682**

\* \* \* \* \*

## SENATE SCHEDULE

Thursday, May 5, 2022	Deadline to ACT on all House bills.
Thursday, May 12, 2022	Deadline to FORM Committees of Conference.
Thursday, May 19, 2022	Deadline to SIGN Committee of Conference Reports.
Thursday, May 26, 2022	Deadline to ACT on Committee of Conference Reports.
Monday, May 30, 2022	Memorial Day (State Holiday)
Monday, July 04, 2022	Independence Day (State Holiday)
Monday, September 05, 2022	Labor Day (State Holiday)
Friday, November 11, 2022	Veterans' Day (State Holiday)
Thursday, November 24, 2022	Thanksgiving Day (State Holiday)
Friday, November 25, 2022	Day after Thanksgiving (State Holiday)
Monday, December 26, 2022	Christmas Day (Observed) (State Holiday)