

April 28, 2022  
No. 18

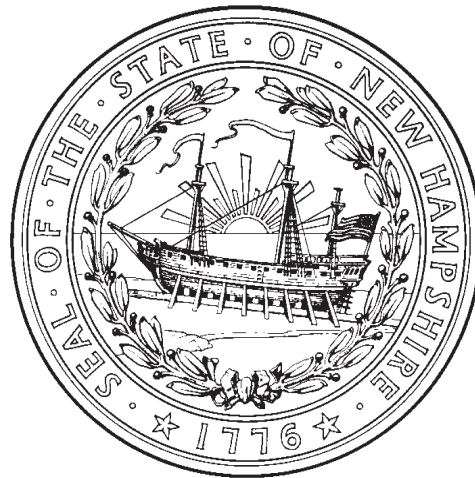
# STATE OF NEW HAMPSHIRE

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

# SENATE CALENDAR

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**THE SENATE WILL MEET IN SESSION ON THURSDAY,  
MAY 5, 2022 AT 10:00 A.M. IN THE SENATE CHAMBER**

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The Senate Session on Thursday, May 5, 2022, in the Senate Chamber  
will be live streamed at the following link:

<https://youtu.be/BvbPVcw125w>

Please note, this link will not be live until the Senate Session on  
Thursday, May 5, 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 1170**, limiting the authority of New Hampshire delegates to policymaking conventions.**04/28/2022, Pending Motion Inexpedient to Legislate, Election Law and Municipal Affairs, SJ 10**

**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**

**HB 1375**, relative to the definition of veteran.**04/28/2022, Pending Motion Committee Amendment # 2022-1698s, Executive Departments and Administration, SJ 10**

**HB 1417-FN-LOCAL**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.**04/28/2022, Pending Motion OT3rdg, Executive Departments and Administration, SJ 10**

**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

### COMMERCE

**HB 314**, relative to homestead food operation licensure.

Ought to Pass, Vote 5-0.

Senator Gannon for the committee.

This bill would simply increase the homestead food operation licensure cap from \$20,000 to \$35,000 a year. All existing guidelines established by the Department of Health and Human Services would remain unchanged. The Committee heard that this bill is necessary given the increased costs homesteaders have faced as they have emerged from the pandemic.

**HB 1039**, relative to the definition of “beverage manufacturer retail outlet” and certain liquor licenses and fees. Ought to Pass with Amendment, Vote 5-0.

Senator Bradley for the committee.

This bill would make modifications to various liquor-related statutes. First, it would clarify that beverage manufacturers do not need to produce beer at their extra location. Second, the phrase “within a 90-day period” would be removed from RSA 178:14, III to clarify that a license is suspended until the Liquor Commission has decided otherwise. Finally, the statutory language in RSA 178:23, IV-V that permitted some licensees to pay for multi-year licenses would be repealed. At the request of the industry, the Committee Amendment included specialty beverages in the statute related to beer festival licenses.

**HB 1048**, relative to minimum nonforfeiture amounts under the standard nonforfeiture law for individual deferred annuities.

Ought to Pass, Vote 5-0.

Senator French for the committee.

At the request of the NH Insurance Department, this bill would reduce the interest rate for individual deferred annuities from 1 percent to 0.15 percent. This reduction would be in alignment with Model Law #805, which was adopted by the National Association of Insurance Commissioners (NAIC). The change made by NAIC came at the request of the insurance industry because they had seen their ability to offer annuity products adversely affected by the low interest rate environment.

**HB 1089**, relative to the unenforceability of noncompete agreements upon termination of an employee for noncompliance with a medical intervention mandate.

Interim Study, Vote 5-0.

Senator French for the committee.

This bill would have made noncompete agreements unenforceable if an employee did not comply with a required medical intervention or if there were a material change to their condition of employment. Industry stakeholders said that the vague and overly broad language of this bill would completely undo existing statutes governing noncompete agreements. Given the overwhelming concerns raised by the industry, the Committee felt the motion of Interim Study was appropriate.

**HB 1282**, relative to the records of communication common carriers.

Interim Study, Vote 5-0.

Senator French for the committee.

This bill would have prohibited communications common carriers from releasing customer information to government entities unless it was requested through a valid search warrant or exempted under an exception to a warrant. The Committee heard that this bill could have potentially unintended consequences on the

operation of all state government agencies. For example, the Department of Revenue believed this bill could impact their ability to conduct communication services tax audits. Also, the Committee heard concerns that this bill could impact the ability of the National Center for Missing and Exploited Children from reporting cyber tips to task forces across the country.

## **EDUCATION**

**HB 1135**, requiring a performance audit of the department of education, education freedom account program. Ought to Pass with Amendment, Vote 5-0.  
Senator Prentiss for the committee.

This bill requires an audit of the department of education and the education freedom account (EFA) program. This is a financial audit, not a performance audit, to review the EFA program's policies and procedures to ensure that it is adhering to legislative requirements and generally accepted standards for operation. As the EFA program is fairly new and contracted out to a private entity, not managed by the state through the department of education, a thoughtful review of how this program and the state-allocated funds are being managed is crucial and necessary. The Committee unanimously adopted a committee amendment to change the effective date to October 1, 2023 to allow for a more thorough audit of the EFA program's most current implementation of rules and procedures.

**HB 1190**, relative to rulemaking by the state board of education for compliance with federal provisions. Inexpedient to Legislate, Vote 5-0.  
Senator Kahn for the committee.

This bill would prohibit the state board of education from adopting administrative rules that require a school district to comply with a federally mandated curriculum or program of study that is not fully funded by federal or state funds. The Committee heard concerns from the chair of the state board of education on how this bill would create complications in rulemaking as neither the state board, nor the state, can predict how programs or curriculum changes will or will not be funded in the future. Additionally, federal law is the supreme law of the land and cannot be superseded by state law. The Committee unanimously supports the motion of inexpedient to legislate.

**HB 1236**, relative to the legislative oversight committee for the education improvement and assessment program. Ought to Pass, Vote 5-0.  
Senator Prentiss for the committee.

This bill reestablishes the legislative oversight committee for the education improvement and assessment program. The Committee heard testimony on how the repeal of this oversight committee, during the COVID-19 pandemic, led to confusion and a breakdown in communication between the department of education, the legislature, the executive branch, etc. as this committee is still referenced in various areas of statute with reporting responsibilities. Under this reestablished committee, the membership does change from three appointed members from the Senate and the House to one member from the Senate and five members from the House.

**HB 1244-L**, relative to parental consent to medical and dental treatments of children in schools. Ought to Pass, Vote 5-0.  
Senator Ricciardi for the committee.

This bill requires a child's parent or legal guardian to provide explicit written consent for any medical or dental treatment provided in a school setting. This bill affords parents and guardians the ability and right to consent to treatment and would be a one-time transactional, consent action.

**HB 1311**, prohibiting persons charged with or convicted of certain assault or controlled drug possession violations from employment in a public school or being granted teaching credentials. Ought to Pass with Amendment, Vote 5-0.  
Senator Ricciardi for the committee.

This bill adds the prohibition of persons convicted of first degree assault or possession of a controlled drug with the intent to sell from employment in a public school and from being granted a teaching credential. The Committee heard testimony on how striking it is that these convictions do not already bar an individual from becoming a teacher in NH. The Committee unanimously adopted an amendment to require that the possession of a controlled drug with the intent to sell conviction be at the felony level and within the last ten years.

**HB 1367**, relative to civics instruction in schools.

Ought to Pass, Vote 5-0.

Senator Ward for the committee.

This bill requires a competency assessment in government and civics instruction in high schools in NH. This bill modifies the provisions enacted in 2021 that made a civics competency assessment a high school graduation requirement by requiring students to pass this assessment, with a grade of 70 percent or higher, on the 128-question civics naturalization examination developed by the 2020 U.S. Citizen and Immigration Services. This bill also ensures that students with individualized education programs (IEPs) receive accommodations when taking this assessment.

**HB 1639**, relative to the youth risk behavior survey in schools.

Ought to Pass with Amendment, Vote 5-0.

Senator Hennessey for the committee.

This bill would require that a parent or legal guardian be notified by their school district, in writing and electronically, of the administration of the youth risk behavior survey to students. The Committee adopted an amendment that requires school districts to provide at least 14 days notice prior to the distribution of the survey to the addresses known by the district at the time of notification. During the public hearing, the Committee heard testimony on the need for better communication between school districts and parents related to their right to opt their child out of participation in this survey. The Committee also heard testimony on the significance of participation in this survey as it relates to better understanding the areas our kids may need additional supports in their communities and how grant funding is distributed based on survey results. This bill, as amended unanimously by the Committee, seeks to strike a balance by acknowledging the crucial data collected by this survey, as it relates to the well-being of our children, while also ensuring that parents are provided a timely opportunity to opt their children out of this survey if they so choose.

**HB 1663**, relative to requirements for home education students.

Ought to Pass, Vote 5-0.

Senator Prentiss for the committee.

The bill clarifies provisions for home education programs concerning notifications required for students moving to a new school district, educational evaluations, and termination of home education. During the COVID-19 pandemic, many NH families made the transition to homeschooling. This bill works to achieve clarity by decomplicating homeschool statutes and rules for parents and advocates seeking to attain information on the homeschooling process in NH without having to consult two bodies of law.

## **ELECTION LAW AND MUNICIPAL AFFAIRS**

**HB 144**, relative to absentee ballot request forms.

Ought to Pass with Amendment, Vote 5-0.

Senator Soucy for the committee.

This bill as amended modifies the absentee ballot request forms and the absentee ballot envelopes. The changes made will improve the usability of the application for the voter while also clarifying the information for the clerk. Furthermore, language has been added to make clear that an "illness or other medical condition" is allowable for receipt of an absentee ballot.

**HB 1174**, relative to election challengers.

Ought to Pass with Amendment, Vote 5-0.

Senator Birdsell for the committee.

This bill as amended clarifies how an election challenger may observe ballot counting at the polling place. It codifies into law that the moderator must assign a position for the challenger that enables them to see and hear the hand counting of ballots. Additionally, the challenger must be able to maintain a clear line of sight on any electronic ballot counting device.

**HB 1194**, relative to the procedure for overriding a local tax cap.

Inexpedient to Legislate, Vote 5-0.

Senator Soucy for the committee.

This bill would have required a super majority vote of the legislative body to override a local tax cap. Many communities across New Hampshire have adopted a tax cap with the understanding that they could override it with a simple majority. Making this change would limit the legislative bodies' ability to increase or decrease the amount of appropriations which current law prohibits. In addition, the language as drafted would significantly complicate the process for SB 2 towns that have adopted tax caps to then approve special capital projects.



**HB 1307**, modifying the authority and duties of the housing appeals board.  
Inexpedient to Legislate, Vote 5-0.  
Senator Perkins Kwoka for the committee.

This bill would modify the authority and duties of the Housing Appeals Board by reducing the scope of its jurisdiction. Currently, the Housing Appeals Board can hear appeals of local decisions on housing and housing development. Considering the housing crisis New Hampshire is in, and the delays that come with appeals in the Superior Court, the Committee determined that it was inappropriate to make modifications to the authority of the Housing Appeals Board at this time.

### **ENERGY AND NATURAL RESOURCES**

**HB 478**, relative to treatment of PFAS contaminants in the drinking water of the Merrimack Village Water District.  
Interim Study, Vote 5-0.  
Senator Giuda for the committee.

HB 478 would require Saint Gobain Performance Plastics to pay for the remediation if water in certain wells in Merrimack that it contaminated. While the committee understands and sympathizes with the people of Merrimack, they are hesitant for the legislature to become involved in an ongoing legal dispute between the Merrimack Village Water District and Saint Gobain.

**HB 1205**, allowing the department of environmental services to have access to enhanced 911 information.  
Ought to Pass, Vote 5-0.  
Senator Perkins Kwoka for the committee.

Currently, Department of Environmental Services has limited access to 911 data including the longitude, latitude, and street address. In recent years Department of Environmental Services has been able to use this data to figure out the location of private wells during contamination events, especially in southern New Hampshire. This bill will enable Department of Environmental Services to use this data to maintain an inventory of services lines in addition, including uniform naming conventions with other political subdivisions.

**HB 1258**, relative to the implementation of the department of energy.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Perkins Kwoka for the committee.

HB 1258 aims to fix issues that were left unanswered in the wake of the passage of HB 2 last year which created the Department of Energy. The Department and the Public Utilities Commission requested this legislation. The bill transfers several of the duties of Public Utilities Commission to the Department of Energy, in keeping with the guiding principle that the Department should be an administrative, policy-making body and the Commission an adjudicative body. The bill also gives the Department a period of 5 years to create new rules around needed elements.

**HB 1270**, repealing the legislative oversight committee to monitor the transformation of delivery of electric services.  
Ought to Pass, Vote 5-0.  
Senator Giuda for the committee.

The purpose of HB 1270 is to retire the Legislative Oversight Committee. It has become clear that the committee has accomplished its stated purpose. Since 2018, there have been no subsequent meetings of this committee. Instead of assigning this committee a new purpose, it would be better to eliminate the committee. If necessary, a new committee may be created in the future. The Senate Energy and Natural Resources Committee asks for support for this legislation.

**HB 1285**, relative to the multi-use energy data platform.  
Ought to Pass, Vote 5-0.  
Senator Perkins Kwoka for the committee.

HB 1285 clarifies that it is the duty of the Public Utilities Commission to establish privacy standards for the multi-use energy data platform, as opposed to the Department of Energy. This is a clean up change from the restructuring around the creation of the Department of Energy last year. The bill requires, as a condition of accessing the online energy data platform, that a third party complete a qualification and registration process to ensure that any customer data downloaded from the platform remains in a safe, secure environment according to data privacy standards established by the PUC.

**HB 1293**, relative to the design of sewage or waste disposal systems for a person's own domicile.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Watters for the committee.

HB 1293 repeals the exemption allowing any person who desires to submit plans and specification for a sewage or waste disposal system for the person's own domicile to do so without a permit. The existing exemption creates an undue regulatory burden on the Department of Environmental Services. This provision is rarely used, but when it is used it creates problems for the Department.

**HB 1299**, relative to the process for the importation of wildlife and creating an appeal process for denials of permits. Ought to Pass with Amendment, Vote 5-0.

Senator Watters for the committee.

HB 1299 establishes a procedure for applying for a permit to import or display wildlife and establishes an appeal process for denial of such permits. The bill allows people in New Hampshire who wish to apply for a permit to import certain wildlife to go through an appeal process if they are denied such a permit. The amendment for the bill changes this appeal process to allow anyone who is denied a permit to appeal the decision in writing to the fish and game commission within 60 days of the denial. The Executive Director must respond to the appeal with 60 days.

**HB 1331**, relative to power line maintenance and construction.

Ought to Pass, Vote 5-0.

Senator Watters for the committee.

HB 1331 will allow any New Hampshire utility customer that requires a power line extension located on private property to hire any contractor who is approved by the utility. The Department of Energy took no position on this bill. Utility approval will still be required

## **JUDICIARY**

**HB 254**, relative to the placement of minors in secure settings.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

This bill addresses the criteria for secure detention pending adjudication and the circumstances in which a minor may be committed to the Department of Health and Human Services for the remainder of his or her minority. The Committee amended the bill to tailor the language to be more appropriate for addressing children in these situations. It is vital that children are treated by the system in a way that helps them to lead productive and meaningful lives, and not cause them to unnecessarily suffer from irreparable harm to their detriment and that of society as a whole.

**HB 408**, relative to employment restrictions for registered sex offenders.

Interim Study, Vote 5-0.

Senator Carson for the committee.

This bill would prohibit a person convicted of certain sexual assault offenses from hiring or otherwise engaging in any employment or volunteer service which provides direct services to a minor, or supervision or oversight of a minor. Although this issue is worthy of consideration, the language is in need of further review before it can be implemented.

**HB 1103**, relative to certain assets in a divorce proceeding.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

This bill provides that, in a divorce proceeding, the Court shall not require a party to sell a marital asset if the party is able to compensate the other party for his or her interest in it and the sale is not required for an equitable division of the marital property. This is a simple delineation in the divorce process that balances the interests of both parties in the most appropriate manner.

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

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

This bill provides that in the determination of parental rights and responsibilities following the death of a child's parent or guardian the Court shall consider the wishes of the deceased guardian as outlined in the estate documents. Although this is not a prescriptive direction to the Court, it still appropriately considers the wishes of that deceased parent or guardian when making a decision in the best interests of the child. This will not only put parents and guardians on notice as to including this kind of information in their estate planning but will also help to provide more stability and certainly for children faced with tragic situations.

**HB 1266**, relative to restrictions on enforcement of federal immigration laws.

Interim Study, Vote 5-0.

Senator Carson for the committee.

This bill would prohibit state, county, municipal, or judicial officials from adopting or enforcing policies restricting enforcement of federal immigration laws. The Committee had concerns regarding how this legislation would impact the State Police's Fairness in Policing Policy, and therefore believes this language needs further examination and recommends the bill to Interim Study.

**HB 1303**, relative to causes for absolute divorce.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

This bill revises the grounds for absolute divorce by removing the words "habitual drunkard" from our statutes and replacing it with "habitually abuses alcohol". Furthermore, the bill extends the grounds to include drug abuse, in recognition of the reality some are faced with in their relationships.

**HB 1305**, relative to temporary alimony.

Interim Study, Vote 5-0.

Senator Carson for the committee.

This bill would modify the definition of temporary alimony that a court may award in a pending divorce case. Making this amendment to the statute would result in a pretty significant change in the alimony process, and the Committee believes that more time is needed to examine possible unintended consequences.

**HB 1382**, relative to the presumption of shared parenting in the determination of parental rights and responsibilities.

Inexpedient to Legislate, Vote 5-0.

Senator Carson for the committee.

This bill would define shared parenting and establish a presumption that shared parenting is in the best interests of the child. The current statute of RSA 461-A already establishes a presumption that children do best when both parents have stable and meaningful involvement in their children's lives, and further there were concerns brought forward during testimony regarding the impact this would have on domestic violence victims. Therefore, the Committee believes the current RSA 461-A implements a process that is in the best interest of children and recommends that this bill not move forward.

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

Interim Study, Vote 5-0.

Senator Carson for the committee.

This bill would provide that in parenting cases with shared decision-making responsibility, either parent may consent to mental health treatment for the child provided that the parent notifies the other parent of the decision. Although the Committee appreciates the intent of the legislation and recognizes the vital importance of mental health treatment, the language is simply not ready to move forward at this time.

## REGULAR CALENDAR REPORTS

### COMMERCE

**HB 1165**, repealing the Granite State paid family leave plan.

Interim Study, Vote 4-1.

Senator Bradley for the committee.

### EDUCATION

**HB 1132**, relative to applications for a charter conversion school.

Ought to Pass with Amendment, Vote 3-1.

Senator Hennessey for the committee.

**HB 1195**, relative to public comment periods at school board or school administrative unit public meetings.

Ought to Pass with Amendment, Vote 5-0.

Senator Hennessey for the committee.



### **ELECTION LAW AND MUNICIPAL AFFAIRS**

**HB 1397**, relative to the length of terms for Rockingham county officers.  
Ought to Pass with Amendment, Vote 4-0.  
Senator Gray for the committee.

### **ENERGY AND NATURAL RESOURCES**

**HB 490**, relative to the definitions of “game camera” and “hunting day” and relative to the use of game cameras.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Avard for the committee.

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

Inexpedient to Legislate, Vote 3-2.

Senator Gray for the committee.

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

Ought to Pass with Amendment, Vote 4-1.

Senator Watters for the committee.

**HB 1185**, relative to treatment of water contaminated with perfluorinated chemicals.

Inexpedient to Legislate, Vote 4-0.

Senator Gray for the committee.

**HB 1186**, relative to companion animals during a declared state of emergency.

Ought to Pass with Amendment, Vote 4-0.

Senator Perkins Kwoka for the committee.

**HB 1356**, relative to the taking of gray squirrels.

Inexpedient to Legislate, Vote 3-2.

Senator Watters for the committee.

**HB 1454-FN**, relative to permits for the siting of new landfills.

Inexpedient to Legislate, Vote 3-1.

Senator Avard for the committee.

### **FINANCE**

**HB 103-FN**, establishing a dental benefit under the state Medicaid program.

Ought to Pass, Vote 6-0.

Senator Rosenwald for the committee.

**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 481-FN-A**, establishing the office of the right-to-know ombudsman and making an appropriation therefor.

Ought to Pass, Vote 6-0.

Senator Giuda 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 1066-FN**, requiring the commissioner of the department of environmental services to prepare a plan relative to cyanobacterial blooms in New Hampshire.

Ought to Pass, Vote 6-0.

Senator Hennessey for the committee.

**HB 1221-FN**, relative to the rate of the business profits tax, and relative to payment by the state to municipalities of an amount equal to a portion of retirement system contributions of political subdivision employers.

Ought to Pass with Amendment, Vote 6-0.

Senator Giuda for the committee.

**HB 1263**, relative to prescribed studies on health, physical education, wellness, and personal finance literacy in schools.

Ought to Pass, Vote 4-2.

Senator Reagan for the committee.

**HB 1288**, relative to the terms for certain officers and the names, duties, and funds of certain divisions within the department of administrative services.

Ought to Pass, Vote 6-0.

Senator Daniels for the committee.

**HB 1513-FN**, relative to the definition of a child with a disability for purposes of special education.

Ought to Pass with Amendment, Vote 6-0.

Senator Rosenwald for the committee.

**HB 1526-FN**, relative to income eligibility for in and out medical assistance.

Ought to Pass with Amendment, Vote 5-0.

Senator Rosenwald for the committee.

**HB 1584-FN**, establishing a capital improvement grant program for the benefit of state fairs and agricultural fairs.

Inexpedient to Legislate, Vote 4-2.

Senator Daniels for the committee.

**HB 1597-FN**, permitting arraignments for felonies and preliminary examinations to be heard in circuit court.

Inexpedient to Legislate, Vote 5-1.

Senator Daniels for the committee.

**HB 1604-FN**, including state medical facilities in the statute providing medical freedom in immunizations.

Ought to Pass, Vote 6-0.

Senator Hennessey for the committee.

**HB 1624-FN-A**, relative to students with disabilities participating in co-curricular activities and making an appropriation therefor.

Ought to Pass, Vote 6-0.

Senator Hennessey for the committee.

**HB 1627-FN-A**, establishing an education freedom account program administrator in the department of education and making an appropriation therefor.

Ought to Pass with Amendment, Vote 6-0.

Senator Hennessey for the committee.

**HB 1662-FN**, related to privacy obligations of the department of health and human services.

Ought to Pass, Vote 5-1.

Senator Giuda for the committee.

### **HEALTH AND HUMAN SERVICES**

**HB 1022**, permitting pharmacists to dispense the drug ivermectin by means of a standing order.

Ought to Pass with Amendment, Vote 3-2.

Senator Gray for the committee.

**HB 1080**, relative to the rights of conscience for medical professionals.

Interim Study, Vote 4-1.

Senator Bradley for the committee.

**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 1210**, relative to exemptions from vaccine mandates.

Interim Study, Vote 4-1.

Senator Bradley for the committee.

**HB 1455**, relative to state enforcement of federal vaccination mandates.

Ought to Pass with Amendment, Vote 3-2.

Senator Avard 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 238**, prohibiting provocations based on a victim's actual or perceived gender, gender identity, gender expression, or sexual orientation from being used as a defense in manslaughter cases.

Interim Study, Vote 3-2.

Senator Gannon for the committee.

**HB 1101**, relative to a forfeiture of personal property.

Interim Study, Vote 4-1.

Senator Gannon for the committee.

**HB 1178**, prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms.

Ought to Pass with Amendment, Vote 3-2.

Senator French for the committee.

**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.

Ought to Pass with Amendment, Vote 3-2.

Senator Carson for the committee.

**HB 1625**, repealing the prohibition on entering or remaining on a public way or sidewalk adjacent to a reproductive health care facility.

Ought to Pass, Vote 3-2.

Senator Gannon for the committee.

## AMENDMENTS

Election Law and Municipal Affairs

April 26, 2022

2022-1809s

05/04

### Amendment to HB 144

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

1 Absentee Voter Registration; Applicability. Amend RSA 654:16 and 654:17 to read as follows:

654:16 Applicability. Any person who has his *or her* domicile in any town or city in this state and is qualified to vote therein at the next subsequent election to be held in said town or city except for the fact that his *or her* name does not appear on the checklist to be used at the election, and who is temporarily absent therefrom or who by reason of physical disability, *illness, or other medical condition* is unable to attend a meeting of the supervisors of the checklist, may cause his *or her* name to be added to such checklist by applying to the city or town clerk or the secretary of state for a voter registration form provided for in RSA 654:7 and an appropriate absentee registration affidavit provided for in RSA 654:17.

654:17 Absentee Registration Affidavit.

I. The absentee registration affidavit shall be prepared by the secretary of state and shall be in substantially the following form:

#### Affidavit (Absence from town)

I, \_\_\_\_\_ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

1) That my legal domicile is in the town of \_\_\_\_\_, New Hampshire, I will be of the age of 18 years or over on election day and am entitled to vote in the election to be held in said town on \_\_\_\_\_, \_\_\_\_\_ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;

2) That I do not intend to be present within said town at such time prior to said election as shall enable me personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;

3) That I am temporarily residing in \_\_\_\_\_ (city and state or city, province, and country);

4) That I hereby enclose one of the following as proof of identity and domicile:

(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or

(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;

- 5) That I acknowledge that if I do not provide a copy of proof of identity and domicile as required by section 4) above, this application may not be approved; and
- 6) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

Signature of Applicant

Date

In accordance with RSA 659:34, the penalty for knowingly or purposefully 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.

**Affidavit (Physical Disability, *Illness, or Other Medical Condition*)**

I, \_\_\_\_\_ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

- 1) That my legal domicile is in the town of \_\_\_\_\_, New Hampshire, I will be of the age of 18 years or over on election day, and am entitled to vote in the election to be held in said town on \_\_\_\_\_, \_\_\_ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;
- 2) That I am unable by reason of physical disability, ***illness, or other medical condition*** personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;
- 3) That I hereby enclose one of the following as proof of identity and domicile:
  - (a) A copy of a current and valid New Hampshire driver’s license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or
  - (b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator’s duty to provide such a letter upon my request;
- 4) That I acknowledge that if I do not provide a copy of proof of identity and domicile as required by section 3) above, this application may not be approved; and
- 5) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

Signature of Applicant

Date

In accordance with RSA 659:34, the penalty for knowingly or purposefully 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.

II. There shall be printed below each of the foregoing affidavits the following affirmation:

**Affirmation**

I, \_\_\_\_\_, the undersigned witness, do hereby swear or affirm, under the penalties for voting fraud set forth below, that on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_ (date), the above named, \_\_\_\_\_, having satisfied me as to his or her identity, signed the foregoing affidavit in my presence, and did before me swear to (or affirm) the truth of the statements therein contained.

Signature of Witness

In accordance with RSA 659:34, the penalty for knowingly or purposefully 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.

2 Absentee Voting Based on Official Absence, Religious Observance, and Disability, Illness, or Other Medical Condition. Amend RSA 656:33 to read as follows:

656:33 Official Absence, Religious Observance, and Disability, ***Illness, or Other Medical Condition*** Absentee Ballots. Prior to any state election, the secretary of state shall prepare, in such quantity as the secretary of state may deem necessary, absence, religious observance, and disability, ***illness, or other medical condition*** absentee ballots in the same form as nearly as practicable as the official ballot to be used at said election. Said absentee ballots shall have the words “absentee ballot” printed on them and shall be similarly endorsed and printed on paper of the same color as that used for official ballots.

3 Absentee Voting. Amend the section heading of RSA 657:1 and RSA 657:1, I to read as follows:

657:1 Absence, Religious Observance, and Disability, ***Illness, or Other Medical Condition*** Absentee Voting.

I. Any person who will be absent on the day of any state election from the city, town, or unincorporated place in which he or she is registered to vote or who cannot appear in public on any election day because of his or her observance of a religious commitment or who is unable to vote there in person by reason of physical disability, ***illness, or other medical condition*** may vote at such elections as provided in this chapter. A person who is unable to appear at any time during polling hours at his or her polling place because of an employment obligation shall be considered absent for purposes of this chapter. For the purposes of this section, the term “employment” shall include the care of children and infirm adults, with or without compensation.

4 Absentee Ballot Application Forms. Amend the section heading and RSA 657:4, I to read as follows:

657:4 ***Absentee Ballot Application*** Forms.

I. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance, and Disability, ***Illness, or Other Medical Condition***:

I hereby declare that (check one):

I am a duly qualified voter who is currently registered to vote in this [town/ward] ***city, town, or unincorporated place***.

I am ***unable to register to vote in person because I am*** absent from the [town/city] ***city, town, or unincorporated place*** where I am domiciled and will be until after the next election, or I am unable to register in person due to a disability, and request that the forms necessary for absentee voter registration be sent to me with the absentee ballot.

I will be entitled to vote by absentee ballot because (check one):

I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled.

I am confined in a penal institution for a misdemeanor or while awaiting trial.

~~I am requesting a ballot for the presidential primary election and I may be absent on the day of the election from the city, town, or unincorporated place where I am domiciled, but the date of the election has not been announced. I understand that I may only make such a request 14 days after the filing period for candidates has closed, and that if I will not be absent on the date of the election I am not eligible to vote by absentee ballot.~~

I cannot appear in public on election day because of observance of a religious commitment.

I am unable to vote in person due to a disability, ***illness, or other medical condition***.

I cannot appear at any time during polling hours at my polling place because of an employment obligation. For the purposes of this application, the term “employment shall include the care of children and infirm adults, with or without compensation.

For use only on the Monday immediately prior to the election: I cannot appear at my polling place on election day because the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning for election day applicable to my city, town, or unincorporated place and either (check one):



\_\_\_\_\_ I [~~am elderly or infirm or I have a physical disability, and~~] would otherwise vote in person but I have concerns for my safety traveling in the storm.

\_\_\_\_\_ I anticipate that school, child care, or adult care will be canceled, and would otherwise vote in person but will need to care for children or infirm adults.

**\_\_\_\_\_ I am requesting a ballot for the presidential primary election and I may be absent on the day of the election from the city, town, or unincorporated place where I am domiciled, but the date of the election has not been announced. I understand that I may only make such a request 14 days after the filing period for candidates has closed, and that if I will not be absent on the date of the election I am not eligible to vote by absentee ballot.**

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

I am requesting an official absentee ballot for the following election (check one):

\_\_\_\_\_ **General Election to be held on**  
**(MM/DD/YYYY)**

\_\_\_\_\_ **State Primary Election to be held on**  
**(MM/DD/YYYY)**

\_\_\_\_\_ Presidential Primary **Election** to be held on  
**(MM/DD/YYYY)**

(The date may appear as blank when the date is not known.)

~~\_\_\_\_\_ State Primary to be held on~~  
~~(MM/DD/YYYY)~~

~~\_\_\_\_\_ General Election]~~

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

\_\_\_\_\_ Republican Party

\_\_\_\_\_ Democratic Party

\_\_\_\_\_ (name of any party determined by the secretary of state to have achieved official status under RSA 652:11)

and am requesting a ballot for that party's primary.

Please print:

Applicant's Name:

\_\_\_\_\_

(Last) (First) (Middle) (Sr., Jr., II., III)

Applicant's Voting Domicile (home address):

\_\_\_\_\_

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Mail the ballot to me at this address (if different than the home address):

\_\_\_\_\_

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

~~Applicant's Phone Number : \_\_\_\_\_~~

~~Applicant's Email Address : \_\_\_\_\_]~~

Applicant's Signature: \_\_\_\_\_

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

(MM/DD/YYYY)

**Please provide one or both of the following in case we need to contact you:**

**Applicant's Phone Number:** \_\_\_\_\_

**Applicant's Email Address:** \_\_\_\_\_

I attest that I assisted the applicant in executing this form because he or she has a disability.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

If your absentee ballot application or affidavit envelope has the printed name and signature of a person who assisted you with voting, your signature will not be compared to your signature on the absentee ballot affidavit to verify your identity. Otherwise, if your signatures do not appear to be made by the same person, your absentee ballot may not be counted.

The applicant must sign this form to receive an absentee ballot. Any person who witnesses and assists a voter with a disability in executing this form shall print and sign his or her name in the space provided on the application form. The moderator will not compare the voter's signature on the application with the signature on the absentee ballot affidavit when a person assisting the voter has signed the statement on the absentee ballot application or affidavit envelope that assistance was provided.

5 Absentee Ballots. Amend RSA 657:7 to read as follows:

657:7 Absence, Religious Observance, and Disability, **Illness, or Other Medical Condition That Prevents the Voter From Appearing at the Polls.** Prior to any state election, the secretary of state shall prepare the following forms in such quantity as he **or she** deems necessary:

I. Absence, religious observance, and disability, **illness, or other medical condition** absentee ballots as provided in RSA 656:33.

II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the following:

**YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE**

I do hereby certify under the penalties for voting fraud set forth below that:

I am a voter in the city, [or] town, **or unincorporated place** of \_\_\_\_\_, New Hampshire, **in ward** \_\_\_\_\_ [-] **and that** one of the following applies to me:

1) I will be absent on election day. Absence includes:

a) I will be out-of-town on election day.

b) I will be unable to vote in person because I will be working.

c) I will be unable to vote in person because I will be caring for children or infirm adults, with or without compensation.

d) I am voting absentee on the Monday immediately before the election, the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning that applies to my town/ward, **or unincorporated place**, and I have concerns for traveling in the storm.

2) I am unable to vote in person due to disability, **illness, or other medical condition.**

3) I am unable to vote in person due to observance of a religious commitment, which prevents me from voting in person.

4) I am confined to a penal institution for a misdemeanor or while awaiting trial.

I have carefully read or had read to me the absentee voting instructions. I personally marked the absentee ballot enclosed in this envelope or, due to a disability, I had assistance in marking the absentee ballot.

Voter Signature \_\_\_\_\_

**Voter Address** \_\_\_\_\_

A person assisting a voter with a disability shall sign this statement on this envelope acknowledging the assistance.

I attest that I assisted (print voter name) \_\_\_\_\_ because the voter is a person with a disability. I marked the ballot and/or this form as instructed by the voter.

In accordance with RSA 659:34, the penalty for knowingly or purposefully 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.

III. Return envelopes of size sufficient to contain the preceding envelope addressed to the town and city clerks of the state in which absentee voters shall return their ballots, **if such ballots are returned by mail**. On the envelopes shall be printed "Enclosed is the ballot of an absentee voter" and, at the top thereof, 4 blank spaces with the words "Name, Voting Address, Ward, Town or City" appropriately printed thereon. **Absentee ballots returned to town or city clerks in person shall not be required to be placed in such outer envelopes.**

IV. Such explanatory matter and instructions for voters as the secretary of state with the approval of the attorney general shall deem appropriate to carry into effect the purposes hereof.

V. Mailing envelopes large enough to contain all the above materials in which the town and city clerks shall mail or deliver them to absentee voters.

6 Absentee Voting; Refusal to Certify; Procedure. Amend RSA 657:16 to read as follows:

657:16 Refusal to Certify; Procedure. If he or she refuses to certify the application, the town or city clerk shall notify the applicant in writing within 7 days to that effect. The town or city clerk shall provide the applicant with an absentee ballot and a notice that the ballot will not be counted unless the applicant submits the documents necessary to complete an absentee registration. The applicant shall be advised in writing what documents, if any, have been received in proper form and which the applicant must submit. **If the applicant submits such documents via mail, he or she shall do so by enclosing them** in the outer envelope that contains the absentee ballot envelope. **An applicant hand delivering such documents need not enclose them in the outer envelope.** The town or city clerk shall mark the absentee ballot application, the absentee ballot affidavit, and the outer envelope, **if applicable**, with the words "Not Registered." Upon receipt of [an] **a mailed** outer envelope marked "Not Registered," the clerk shall open the outer envelope. If the applicant returns the required documents with the absentee ballot by the date set for correcting the checklist under RSA 654:27 and RSA 654:28, the town or city clerk shall forward the registration forms to the supervisors of the checklist and, if the applicant is found to be qualified, the applicant shall be registered and his or her absentee ballot shall be processed in the same manner as the absentee ballot of a previously registered voter. All documents received after the deadline for correcting the checklist under RSA 654:27 and RSA 654:28 shall be processed as election day registrations under RSA 654:7-a. If the ballot is returned without the required documents in proper form, the ballot shall be marked in the manner set forth by law for successfully challenged absentee ballots and preserved in accordance with RSA 33-A:3-a. The clerk shall preserve the application of any applicant who is not registered as a voter until the time set by law for the destruction of the ballots after the election at which time the application shall be destroyed. Any justice of the superior court has jurisdiction in equity upon such notice as he or she may order to require that the name of the person making application for an absentee ballot be placed upon the checklist or registered as a member of any party and be sent an absentee ballot.

7 Absentee Voting; Procedure by Voter. Amend RSA 657:17, I to read as follows:

I. After marking the ballot, the voter or the person assisting a blind voter or voter with a disability who is unable to mark his or her ballot shall enclose and seal the same in an inner envelope. The voter shall execute the affidavit on the envelope. A person assisting a blind voter or voter with a disability who needs assistance executing the affidavit shall sign a statement on the affidavit envelope acknowledging the assistance. **If the voter or the person assisting the blind voter or voter with a disability who needs assistance is mailing the absentee ballot to the town or city clerk, the voter or the person assisting the blind voter or voter with a disability** shall enclose and seal the inner envelope with the affidavit in an outer envelope. The voter or the person assisting a blind voter or voter with a disability shall then endorse on the outer envelope the voter's name, address, and voting place. The absentee ballot shall be delivered to the city or town clerk from whom it was received in one of the following ways:

(a) The voter or the voter's delivery agent may personally deliver the envelope, ***in which case the voter or the voter's delivery agent need not enclose the affidavit envelope in the outer envelope***; or

(b) The voter or the person assisting the blind voter or voter with a disability may mail the ***ballot and affidavit envelope within the outer*** envelope to the city or town clerk, with postage affixed.

8 Subdivision Heading Amended. Amend the subdivision heading preceding RSA 657:12 to read as follows:

Procedure for Absence, Religious Observance, and Disability,  
***Illness, or Other Medical Condition***, and Overseas Voting

9 Town Elections; Absentee Voting. Amend RSA 669:26 to read as follows:

669:26 Absentee Voting.

I. Every town which has adopted an official ballot system for town elections as provided in RSA 669:12 or 669:13 shall provide for absentee voting. Any eligible voter who is absent from such a town on the day of a town election, or who cannot appear in public on election day because of his or her observance of a religious commitment, or who, by reason of physical disability, ***illness, or other medical condition***, is unable to vote in person may vote at a town election in accordance with the provisions of this section and RSA 669:27-669:29. A person who is unable to appear at any time during polling hours at his or her polling place because of an employment obligation shall be considered absent for purposes of this section and RSA 669:27-669:29. For the purposes of this section, the term "employment" shall include the care of children and infirm adults, with or without compensation.

***I-a. Notwithstanding any statutory reference to the 45 day deadline to deliver absentee ballots to UOCAVA voters, as defined in RSA 652:16-b, the town clerk shall deliver absentee ballots to UOCAVA voters in a manner consistent with RSA 657:19.***

II. When the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning for election day applicable to the town:

(a) A person who is elderly or infirm or who has a physical disability, ***illness, or other medical condition***, who otherwise would have voted in person but has concerns for his or her safety traveling in the storm, shall be considered absent for purposes of this section and RSA 669:27-669:29 and may vote absentee on the Monday immediately prior to the election.

(b) A person who cares for children or infirm adults who reasonably anticipates that school, child care, or adult care will be canceled, who otherwise would have voted in person but will be deterred from voting by the need to care for children or infirm adults, shall be considered absent for purposes of this section and RSA 669:27-669:29 and may vote absentee on the Monday immediately prior to the election.

(c) As required by RSA 652:20, the clerk's office shall be open to receive applications for absentee ballots, to provide voters the opportunity to complete absentee ballots, and to receive returned ballots on the Monday immediately prior to an election at a minimum from 3:00 p.m. to 5:00 p.m. The clerk may designate a deputy clerk or assistant to provide this service, provided the individual has taken the oath of office and has been trained in the requirements for using an absentee ballot and the procedures for issuing and receiving absentee ballots.

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

2022-1809s

#### AMENDED ANALYSIS

This bill modifies the absentee ballot request forms and absentee ballot envelopes, permits absentee voting due to illness or other medical condition that prevents the voter from appearing at the polls, and permits absentee ballots to be emailed to UOCAVA voters for local elections.

Senate Judiciary  
April 27, 2022  
2022-1843s  
05/04

Amendment to HB 254

Amend the bill by replacing section 5 with the following:

5 New Subparagraph; Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19, I by inserting after subparagraph (l) the following new subparagraph:

(m)(1) Notwithstanding the provisions of RSA 169-B:19, I(j), a court may commit the minor to the custody of the department of health and human services for the remainder of minority if:

(A) The minor is found delinquent:

(i) For an offense which would be a felony if committed by an adult; or

(ii) For an offense which would be a class A misdemeanor if committed by an adult and the minor has previously been adjudicated delinquent under this chapter for at least 3 offenses which would be felonies or class A misdemeanors if committed by an adult; and

(B) The court finds that there is no placement or set of supervision and treatment services other than secure confinement:

(i) That will protect the public from a substantial risk of serious bodily injury;

(ii) That will protect the public from a substantial risk of significant loss, damage, or destruction of property; or

(iii) That, given the seriousness of the minor's criminal conduct, constitutes an appropriate disposition under all the circumstances; or

(C) Pursuant to a plea agreement entered into by a minor with consultation of counsel, and the court makes express findings that this disposition is in the best interest of the minor.

(2) A court's finding pursuant to subparagraphs (1)(A) and (1)(B) is only sufficient to support secure confinement if it is made by clear and convincing evidence following either a stipulation by the parties or a hearing. Further, the court's finding shall include written case-specific findings which identify the evidence relied upon and the basis for the determination that secure confinement is necessary. Commitment under this subparagraph may only be made if the minor has not waived the right to counsel at any stage of the proceedings.

(3) If there is a diagnosis or other evidence that a minor committed under this subparagraph may have a serious emotional disturbance or other behavioral health disorder, the minor shall, with the consent of the minor and the minor's family, be referred to a care management entity pursuant to RSA 135-F:4, III. The care management entity shall develop and oversee the implementation of a care plan for the minor, intended to reduce, if possible, the period of commitment. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release consistent with the cap on youth development center population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is notified.

Energy and Natural Resources

April 26, 2022

2022-1807s

04/10

#### Amendment to HB 490

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

AN ACT relative to the definitions of "game camera" and "hunting day," relative to the use of game cameras, relative to the use of temporary tree stands or observation blinds, and relative to the definition of "firearm."

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

3 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA 207 by inserting after section 62 the following new section:

207:63 Use of Game Cameras.

I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal.



II. A landowner may remove a game camera which the landowner has not authorized to remain on his or her property. A landowner shall notify the owner of any game camera that the landowner removes.

III. A person who places a game camera on the private property of another shall label the camera with that person's name and contact information.

IV. A property owner may contact a local or state law enforcement officer or a conservation officer to remove a game camera which was placed in violation of this section.

V. This section shall not prohibit:

(a) The use of a game camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or

(b) The lawful use of implanted or attached electronic devices by fish and game department staff or other persons holding a scientific permit from the executive director to identify, monitor, and track animals; or

(c) Any device placed or used in accordance with a warrant or in accordance with other lawful actions of law enforcement officers and personnel of the fish and game department in the performance of their official duties.

VI. Any person who violates this section shall be guilty of violation and subject to a fine of up to \$1,000 for each offense and, for a second or subsequent conviction under this section, forfeiture of the placed equipment.

4 Fish and Game; Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a, V to read as follows:

V. ~~[All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.]~~ ***A portable or temporary tree stand or observation blind that does not violate paragraphs I or II of this section may be erected on the land of another between August 31 and December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by January 1, unless allowed by the written permission of the landowner. The portable or temporary tree stand or observation blind shall be labeled with the name and address of the owner in a clearly visible manner not higher than 6 feet off the ground, using an identification sign made of durable material at least 3 inches by 6 inches in size.***

5 Pistols and Revolvers; Definition of "Firearm". Amend RSA 159:1 to read as follows:

159:1 Definition.

***I. "Pistol or revolver," as used [herein] in this chapter, means any firearm with barrel less than 16 inches in length. It does not include antique pistols, gun canes, or revolvers. An antique pistol, gun cane, or revolver, for the purposes of this chapter, means any pistol, gun cane, or revolver utilizing an early type of ignition, including, but not limited to, flintlocks, wheel locks, matchlocks, percussions and pin-fire, but no pistol, gun cane, or revolver which utilizes readily available center fire or rim-fire cartridges which are in common, current use shall be deemed to be an antique pistol, gun cane, or revolver. Nothing in this section shall prevent antique pistols, gun canes, or revolvers from being owned or transferred by museums, antique or arms collectors, or licensed gun dealers at auctions, gun shows, or private premises provided such ownership or transfer does not conflict with federal statutes.***

***II. In this chapter, "firearm" shall have the same meaning as in 18 U.S.C. section 921(a)(3) as it appears on April 12, 2022. For the purposes of this chapter, the meaning of "firearm" shall not be construed in a manner that is broader than the definition under federal law.***

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

2022-1807s

#### AMENDED ANALYSIS

This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal. The bill also provides limitations on the use of temporary tree stands and observation blinds and defines "firearm" as having the same meaning as the federal definition of "firearm."

Health and Human Services  
 April 27, 2022  
 2022-1867s  
 05/04

#### Amendment to HB 1022

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

AN ACT permitting pharmacists to dispense the drug Ivermectin by means of a standing order and establishing a commission to study the use of Ivermectin to treat Covid-19.

Amend RSA 318-47-n, I as inserted by section 1 of the bill by replacing it with the following:

I. In this section, “standing order” means a written and signed protocol authored by one or more physicians licensed under RSA 329:12 or one or more advanced practice registered nurses licensed under RSA 326-B:18. Such agreement shall specify a protocol allowing the pharmacist licensed under RSA 318:18 to dispense Ivermectin under the delegated prescriptive authority of the physician or advanced practice registered nurse, specify a screening protocol for each patient, specify a requirement to document screening performed and the prescription in the patient’s medical record, and include a plan for referring for evaluation and treatment of adverse events; provided that the standing order shall not be used if the patient is pregnant or under 18 years of age. Any such prescription shall be regarded as being issued for a legitimate medical purpose in the usual course of professional practice.

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

5 New Subdivision; Commission to Study the Use of Ivermectin to Treat Covid-19 Established. Amend RSA 126-A by inserting after section 97 the following new subdivision:

#### Commission to Study the Use of Ivermectin to Treat Covid-19

126-A:98 Commission to Study the Use of Ivermectin to Treat Covid-19. There is established a commission to study use of Ivermectin to treat Covid-19.

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives, at least one of whom shall be a member of the house health, human services and elderly affairs committee and one of whom shall be a member of the executive departments and administration committee.

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

(c) The commissioner of the department of health and human services, or designee.

(d) A representative of the New Hampshire board of pharmacy, appointed by the board.

(e) A representative of the board of nursing, appointed by the board.

(f) A representative of the board of medicine, appointed by the board.

(g) A representative of the New Hampshire Medical Society, appointed by the society.

(h) A representative of the New Hampshire Hospital Association, appointed by the association.

(i) A representative of the New Hampshire Nurse Practitioners Association, appointed by the association.

(j) A representative of the New Hampshire Pharmacist Association, appointed by the association.

(k) Two members of the public, one of whom shall be appointed by the senate president and one of whom shall be appointed by the speaker of the house of representatives.

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

III. The commission shall examine national data on the use of Ivermectin to treat Covid-19, relevant studies around the use of Ivermectin and work already being conducted by other states standing orders. The commission shall review implementation of RSA 318:47-n, permitting pharmacists to dispense Ivermectin by means of a standing order, and provide a recommendation as to whether such authority should be made permanent.

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

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

6 Repeal. The following are repealed:

I. RSA 126-A:98 and the subdivision heading preceding RSA 126-A:98, relative to a commission to study the use of Ivermectin to treat Covid-19.

II. RSA 318:47-n, authorizing pharmacists to dispense Ivermectin by means of a standing order.

7 Effective Date.

I. Paragraph I of section 6 of this act shall take effect December 31, 2023.

II. Paragraph II of section 6 of this act shall take effect July 1, 2024.

III. Sections 1-4 of this act shall take effect 60 days after its passage.

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

2022-1867s

#### AMENDED ANALYSIS

This bill allows pharmacists to dispense Ivermectin pursuant to a standing order. The authority is repealed July 1, 2024. The bill also establishes a commission to study the use of Ivermectin to treat Covid-19 and to provide a recommendation regarding whether to make the standing order permanent.

Commerce  
April 26, 2022  
2022-1799s  
04/10

#### Amendment to HB 1039

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

AN ACT relative to the definition of “beverage manufacturer retail outlet” and certain liquor licenses and fees, including beer and specialty beverage festival licenses.

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to read as 5-6, respectively:

3 Beer and Specialty Beverage Festival Licenses. Amend RSA 178:30 to read as follows:

178:30 Beer *and Specialty Beverage* Festival Licenses.

I. The commission may issue a supplemental beer *and specialty beverage* festival license to the holder of a beverage manufacturer license, brew pub license, wholesale distributors license, beverage vendor license, on-premises license, or off-premises license. The commission may also issue a beer *and specialty beverage* festival license to a responsible person representing a voluntary nonprofit group or such group’s designee. Notwithstanding any other provisions of law, the holder of a license under this section shall be allowed to organize, advertise, and hold an event not exceeding 3 days in length, promoting the products of the beverage industry. The provisions of RSA 178:22, I, III, and IV shall apply to any license issued under this section. The sales and services of alcoholic beverages shall be in a clearly defined area. Applications for a license under this section shall be filed with the commission 15 working days before the date on which the license is needed.

II. For purposes of regulation, any person issued a license under paragraph I shall be subject to all applicable statutory provisions and rules adopted under this title, except as directed by this section. Any violations committed by a supplemental licensee shall be considered violations against the applicant’s annual or seasonal license.

III. No alcohol other than beverages, *specialty beverages*, and specialty beer shall be served under this license.

IV. Holders of a license issued under paragraph I may temporarily register beverages, *specialty beverages*, and specialty beer not currently registered for sale in New Hampshire. Registration shall be on forms provided by the commission. Registration forms shall be filed with the commission and an administration fee of \$10 per brand registered shall be assessed. Temporary registration of beverages, *specialty beverages*, and specialty beer shall not be allowed once a registration form is filed with the commission. Any temporary registration filed under this paragraph shall expire upon the termination of the event or shall not exceed 3 consecutive days, whichever is longer.

V. Beverages, *specialty beverages*, and *specialty beer* registered with the commission under paragraph IV shall be purchased by the holder of the license. Additionally, fees of \$.30 per gallon of beverages or specialty beer, **or a fee of 5 percent of the wholesale price per case of any specialty beverage**, purchased under this paragraph shall be paid to the commission by the licensee within 10 business days of the expiration of the license. Payment shall be accompanied by any forms and documentation required by the commission.

VI. Beverages, *specialty beverages*, and *specialty beer* purchased under paragraph V which are partially consumed or not consumed shall be returned to the supplier for credit or shall be destroyed.

VII. Notwithstanding any other provision of this chapter, holders of beverage manufacturer, beverage vendor, wholesaler, and brew pub licenses or any other industry member not licensed in New Hampshire may furnish draft beer equipment and/or representatives to dispense and promote their beverages, *specialty beverages*, and *specialty beer* at licensed beer festivals.

VIII.(a) No license shall be issued under paragraph I unless the applicant obtains:

- (1) Official approval of the chief of the local fire department as to the safety of the location; and
- (2) Official approval of the local health department concerning sanitary conditions; and
- (3) Official approval of the local police department as to the accessibility and public safety of the location and the event.

(b) Written statements from such officials shall accompany the application for a license issued under paragraph I. The selectmen, city council, city manager, or town administrator may at their discretion, assign police officers to the location of the event where alcoholic beverages are served.

IX. Notwithstanding any other provision of law, the commission or its investigators may suspend, without warning, any license issued under paragraph I, if in their opinion, such continued sale or service of alcoholic beverages is contrary to the public interest.

4 Fees; Beer and Specialty Beverage Festival. Amend RSA 178:29, I, Beer Festival by replacing it with the following:

Beer **and Specialty Beverage** Festival

One-day	\$ 250
Two-day	\$ 300
Three-day	\$ 350

2022-1799s

#### AMENDED ANALYSIS

This bill:

I. Removes the production and manufacturing requirements from the definition of “beverage manufacturer retail outlet.”

II. Prohibits licensed carriers from transporting any liquor, wine, or beverage from a person without a direct shipper permit at any time.

III. Repeals provisions for multi-year liquor licenses.

IV. Allows holders of a beer festival license to also sell specialty beverages.

Senate Education  
 April 26, 2022  
 2022-1803s  
 10/05

Amendment to HB 1132

Amend the bill by replacing section 1 with the following:

1 Chartered Public Schools; Public School Vote for Charter Conversion. Amend RSA 194-B:3, VI to read as follows:

VI.(a) Any existing public school may by a vote of the school board ***and a 2/3 majority vote taken by the school district at a regular annual meeting pursuant to RSA 195, RSA 197, or the governing charter, called for the purpose and provided that an article is inserted in the warrant for said meeting to*** become a charter conversion school[, provided that, in addition to all other requirements of this chapter for establishment of a chartered public school:

~~(1) A majority of its prospective teachers vote by ballot to approve such conversion in a district with more than one school, or 2/3 of the teachers so vote in a single school district.~~

~~(2) The school superintendent and principal both provide their approval in writing].~~

(b) All pupils attending a school which successfully converts to charter status shall be eligible for admission to such chartered public school.

***(c) Nothing in this section shall be construed to limit a school district's obligation to provide special education services to all qualifying students residing in the district consistent with the requirements of state and federal law.***

Senate Education  
 April 26, 2022  
 2022-1805s  
 10/04

Amendment to HB 1135

Amend the bill by replacing section 2 with the following:

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

Energy and Natural Resources  
 April 26, 2022  
 2022-1821s  
 12/04

Amendment to HB 1148

Amend the bill by replacing section 1 with the following:

1 Department of Energy; Report Required. The department of energy shall report to the chairpersons of the house science, technology, and energy committee, the senate energy and natural resources committee, the house municipal and county government committee, and the senate election law and municipal affairs committee by June 1, 2023, concerning:

I. The authority of municipalities to enact or enforce a resolution, ordinance, rule, code, policy, or take any action that restricts or prohibits or has the effect of restricting or prohibiting the types or fuel sources of energy production which may be used, delivered, converted, or supplied to customers.

II. Any restrictions on the authority of municipalities to implement policies or goals to meet "net-zero" or "zero emissions" targets.

2022-1821s

AMENDED ANALYSIS

This bill requires the department of energy to report on the authority of a municipality regarding energy usage and targets.



Election Law and Municipal Affairs  
 April 25, 2022  
 2022-1782s  
 04/10

Amendment to HB 1174

Amend the bill by replacing section 1 with the following:

1 New Section; Provisions for the Purity of Elections; Challengers. Amend RSA 666 by inserting after section 5 the following new section:

666:5-a Challengers; Where Positioned. Notwithstanding any other provision of law to the contrary, a challenger appointed pursuant to RSA 666:5 shall be assigned by the moderator or other election official presiding at the polling place to such position or positions within the polling place as will enable such challenger to see and hear the hand-counting of ballots for the tabulation of votes, and to maintain a line of sight on any electronic ballot counting device. Nothing in this section shall deprive any other person of the right to observe the hand-counting of ballots for the tabulation of votes as provided by law.

2022-1782s

AMENDED ANALYSIS

This bill permits election challengers to observe the hand counting of ballots and tabulation of votes from a distance which enables them to maintain a line of sight on any electronic ballot counting device.

Senate Judiciary  
 April 27, 2022  
 2022-1845s  
 04/10

Amendment to HB 1178

Amend RSA 159-E:2 as inserted by section 1 of the bill by replacing it with the following:

159-E:2 Application. In light of the long-standing practice of cooperation between federal, state, and local law enforcement agencies, nothing in this chapter shall prevent a state, county, or local official from cooperating with or rendering aid or assistance to federal officials in any circumstance where there is reasonable suspicion to believe that a person who is the subject of an investigation for violation of federal firearms law covered by RSA 159-E:1 also has committed, is committing, or is about to commit a violation of New Hampshire law or a violation of a federal law, regulation, order, or practice not covered by RSA 159-E:1. Nothing in this chapter shall prevent a state, county, or local official from providing authorized federal officials, upon their request, with official state, county, or local records that are available to the public or which constitute criminal history records maintained by an agency of state, county, or local government, or taking any other action necessary to fulfill or comply with the state's obligations under the National Crime Prevention and Privacy Compact approved and ratified in RSA 106-B:14, III, provided that the provisions of this chapter shall not provide for the distribution of information required to be destroyed pursuant to 18 U.S.C. section 922(t)(2)(C). Nothing in this chapter shall prohibit the judicial branch from entering protective order information into law enforcement databases.

Energy and Natural Resources  
 April 25, 2022  
 2022-1750s  
 04/05

Amendment to HB 1186

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Emergency Shelter for Companion Animals. Amend RSA 126-A by inserting after section 97 the following new subdivision:

Emergency Shelter for Companion Animals

126-A:98 State Policy for Companion Animals. During a declared state of emergency as defined in RSA 4:45, III(c) containing an evacuation order, any hotel or community shelter that shelters evacuated persons shall allow disaster animal response trailers, or other reasonable accommodations, on site to accommodate any companion animal belonging to such evacuated persons. The maximum number of animals per sheltered

family shall comply with local ordinances. For the purpose of this section, “companion animal” means a cat, dog, or other legally-owned animal kept in an enclosure that might typically be found in a home. During such emergency, any volunteer who has been vetted by the department of health and human services and is a member of the disaster animal response team and is assisting evacuated persons and companion animals shall be considered an emergency worker under RSA 21-P:41, VI(c).

Senate Education  
 April 26, 2022  
 2022-1835s  
 10/05

#### Amendment to HB 1195

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

AN ACT relative to public comment periods at school district meetings and meetings of the state board of education.

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

1 New Subdivision; School Board Public Comment Period. Amend RSA 189 by inserting after section 73 the following new subdivision:

#### School Board Public Comment Period

189:74 School Board Public Comment Period.

I. School boards shall provide the opportunity for the public to comment on school district matters at a meeting of the school board held under RSA 91-A:2. The public comment period shall be for no less than 30 minutes. School boards may request that persons register in advance of the meeting, but may not require pre-registration as a condition of participating in the public comment period. School boards may impose reasonable time limits for each speaker, provided such time limits are equal for all speakers. Nothing in this section shall restrict school boards from establishing other reasonable standards for the public comment period, provided such standards are imposed equally for all speakers. School boards may reasonably restrict public comments that disclose student personally-identifiable information, teacher personally-identifiable information, or other confidential or privileged information.

II. The requirement that a school board shall provide the opportunity for the public to comment on school district matters at a meeting of the school board shall not apply to emergency meetings under RSA 91-A:2, II.

III. The requirement that a school board shall provide the opportunity for the public to comment on school district matters at a meeting of the school board shall not apply when the sole purpose of the school board meeting is to enter non-public session under RSA 91-A:3.

2 New Section; State Board of Education; Public Comment Period. Amend RSA 21-N by inserting after section 10 the following new section:

21-N:10-a State Board of Education Public; Comment Period. The state board of education shall provide the opportunity for the public comment on educational matters at meetings of the state board. The public comment period shall be for no less than 30 minutes. The state board of education may request that persons register in advance of the meeting, but may not require pre-registration as a condition of participating in the public comment period. The state board of education may impose reasonable time limits for each speaker, provided such time limits are equal for all speakers. Nothing in this section shall restrict the state board of education from establishing other reasonable standards for the public comment period, provided such standards are imposed equally for all speakers. The state board of education may reasonably restrict public comments that disclose student personally-identifiable information, teacher personally-identifiable information, or other confidential or privileged information.

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

2022-1835s

#### AMENDED ANALYSIS

This bill requires public comment periods at school board meetings and meetings of the state board of education.

Senate Finance  
 April 26, 2022  
 2022-1840s  
 10/04

Amendment to HB 1221-FN

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

AN ACT relative to the rate of the business profits tax, and relative to payment by the state to political subdivisions of an amount equal to a portion of retirement system contributions of political subdivision employers.

Amend the bill by replacing sections 4 and 5 with the following:

4 Local Property Tax Reduction. A one-time appropriation of state surplus funds is hereby granted to each political subdivision of the state in accordance with section 5 of this act. It is the intent of the legislature that this will result in a one-time reduction in local property taxes without increasing state or local baseline spending.

5 Retirement System Costs; State Funding; Appropriation. For the state fiscal year ending June 30, 2023, the state shall pay to each political subdivision an amount equal to 7.5 percent of both the normal and accrued liability contributions of each political subdivision for benefits under the retirement system on account of its group II members and group I teacher members. The board of trustees of the retirement system shall certify the amount required for each such state payment based on actual payroll data from the fiscal year ending June 30, 2022, and the total amount of the state grants, to the treasurer. The governor is authorized to draw a warrant for the total sum of these one-time grants out of any money in the treasury not otherwise appropriated.

Energy and Natural Resources  
 April 26, 2022  
 2022-1824s  
 12/05

Amendment to HB 1258

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

AN ACT relative to the implementation of the department of energy and relative to the definition of “municipal host” for purposes of limited electrical energy producers.

Amend the bill by replacing section 6 with the following:

6 Department of Energy; Transfer of Rules, Orders, Approvals. Amend RSA 12-P:14 to read as follows:

12-P:14 Transfer of Rules, Orders, Approvals. Existing rules, orders, and approvals of the public utilities commission which are associated with any functions, powers, and duties, transferred to the department of energy pursuant to RSA 12-P:11 or any other statutory provision, shall continue in effect ***notwithstanding any provision of RSA 541-A:17, II to the contrary***, and be enforced by the commissioner of the department of energy ***or the commission, as applicable***, until they ***otherwise*** expire or are repealed or amended in accordance with applicable law, ***or for a period of 5 years, whichever occurs first. To the extent the department acts pursuant to an existing rule, order, or approval, the department shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.***

Amend the bill by replacing section 8 with the following:

8 Regional Greenhouse Gas Initiative; Carbon Dioxide Emissions Budget Trading Program. Amend the introductory paragraph of RSA 125-O:21, VI to read as follows:

VI. The department and the ~~[commission]~~ ***department of energy*** shall report on an annual basis to the air pollution advisory committee under RSA 125-J:11 ~~[and the legislative oversight committee]~~; ***the chair of the house science, technology, and energy committee; and the chair of the senate energy and natural resource committee***, to monitor the transformation of delivery of electric services under RSA 374-F:5, on the status of the implementation of RGGI in New Hampshire, with emphasis on the prices and availability of RGGI allowances to affected CO2 sources, consumer protection mechanisms, and the trends in electric rates for New Hampshire businesses and ratepayers. The report shall include but not be limited to:

Amend the bill by replacing all after section 32 with the following:

33 Limited Electrical Energy Producers Act; Definitions. Amend RSA 362-A:1-a, II-c to read as follows:

II-c. “Municipal host” means a customer generator with a total peak generating capacity of greater than one megawatt and less than 5 megawatts used to offset the electricity requirements of a group consisting exclusively of one or more customers who are political subdivisions, provided that all customers are located within the same utility franchise service territory. A municipal host shall be located in the same municipality as all group members if the facility began operation after January 1, 2021. A municipal host may be owned by either a public or private entity. For this definition, “political subdivision” means *the state of New Hampshire or* any city, town, county, school district, chartered public school, village district, school administrative unit, or any district or entity created for a special purpose administered or funded by any of the above-named governmental units.

34 Repeals. The following are repealed:

- I. RSA 12-P:12, relative to prohibited service.
- II. RSA 371:17-a, relative to new attachments on existing utility poles.
- III. RSA 371:17-b, relative to temporary licenses for existing crossings on existing poles.
- IV. RSA 371:18, relative to exceptions to hearing requirements.
- V. RSA 374-F:3, V(b), relative to transition service.

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

2022-1824s

#### AMENDED ANALYSIS

This bill makes various changes to amend the powers and duties of the public utilities commission and the department of energy. This bill also amends the definition of “political subdivision,” as used in the definition of a “municipal host.”

Senate Judiciary  
 April 27, 2022  
 2022-1859s  
 04/05

#### Amendment to HB 1280

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

AN ACT prohibiting a parent’s refusal to vaccinate a child from being used as evidence in any proceeding to terminating parental rights and enacting the 2009 interstate compact for the placement of children.

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

1 Termination of Parental Rights; Grounds for Termination of the Parent-Child Relationship; Decision to Vaccinate Prohibited. Amend RSA 170-C:5, II to read as follows:

II. That, although the parents are financially able, they have substantially and continuously neglected to provide the child with necessary subsistence, education or other care necessary for his mental, emotional, or physical health or have substantially and continuously neglected to pay for such subsistence, education or other care when legal custody is lodged with others; provided, however, it shall not be grounds for the termination of the parent-child relationship for the sole reason the parent of said child relies upon spiritual means through prayer in accordance with a recognized religious method of healing in lieu of medical treatment for the healing of said child. ***A parent’s decision not to have their child vaccinated shall not be used as evidence in any proceeding to terminate parental rights.***

2 Interstate Compact for the Placement of Children. RSA 170-A is repealed and reenacted to read as follows:

#### CHAPTER 170-A INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN

170-A:1 Interstate Compact for the Placement of Children. On the effective date of this chapter, based upon the enactment of the Interstate Compact for the Placement of Children into law by the thirty-fifth compacting state, the governor is authorized and directed to execute a compact on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

## ARTICLE I

### Purpose

The purpose of this Interstate Compact for the Placement of Children is to:

- I. Provide a process through which children subject to this compact are placed in safe and suitable homes in a timely manner.
- II. Facilitate ongoing supervision of a placement, the delivery of services, and communication between the states.
- III. Provide operating procedures that will ensure that children are placed in safe and suitable homes in a timely manner.
- IV. Provide for the promulgation and enforcement of administrative rules implementing the provisions of this compact and regulating the covered activities of the member states.
- V. Provide for uniform data collection and information sharing between member states under this compact.
- VI. Promote coordination between this compact, the Interstate Compact for Juveniles, the Interstate Compact on Adoption and Medical Assistance, and other compacts affecting the placement of and which provide services to children otherwise subject to this compact.
- VII. Provide for a state's continuing legal jurisdiction and responsibility for placement and care of a child that it would have had if the placement were intrastate.
- VIII. Provide for the promulgation of guidelines, in collaboration with Indian tribes, for interstate cases involving Indian children as is or may be permitted by federal law.

## ARTICLE II

### Definitions

As used in this compact:

- I. "Approved placement" means the public child-placing agency in the receiving state has determined that the placement is both safe and suitable for the child.
- II. "Assessment" means an evaluation of a prospective placement by a public child-placing agency in the receiving state to determine if the placement meets the individualized needs of the child, including, but not limited to, the child's safety and stability, health and well-being, and mental, emotional, and physical development. An assessment is only applicable to a placement by a public child-placing agency.
- III. "Child" means an individual who has not attained the age of 18.
- IV. "Certification" means to attest, declare, or swear to before a judge or notary public.
- V. "Default" means the failure of a member state to perform the obligations or responsibilities imposed upon it by this compact or the bylaws or rules of the Interstate Commission.
- VI. "Home study" means an evaluation of a home environment conducted in accordance with the applicable requirements of the state in which the home is located and that documents the preparation and the suitability of the placement resource for placement of a child in accordance with the laws and requirements of the state in which the home is located.
- VII. "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for services provided to Indians by the Secretary of the Interior because of their status as Indians, including any Alaskan native village as defined in section 3(c) of the Alaska Native Claims Settlement Act, 43 U.S.C. section 1602(c).
- VIII. "Interstate Commission for the Placement of Children" means the commission that is created under Article VIII of this compact and which is generally referred to as the "Interstate Commission."
- IX. "Jurisdiction" means the power and authority of a court to hear and decide matters.
- X. "Legal risk placement" or "legal risk adoption" means a placement made preliminary to an adoption where the prospective adoptive parents acknowledge in writing that a child can be ordered returned to the sending state or the birth mother's state of residence, if different from the sending state, and a final decree of adoption shall not be entered in any jurisdiction until all required consents are obtained or are dispensed with in accordance with applicable law.



XI. “Member state” means a state that has enacted this compact.

XII. “Noncustodial parent” means a person who, at the time of the commencement of court proceedings in the sending state, does not have sole legal custody of the child or has joint legal custody of a child, and who is not the subject of allegations or findings of child abuse or neglect.

XIII. “Nonmember state” means a state which has not enacted this compact.

XIV. “Notice of residential placement” means information regarding a placement into a residential facility provided to the receiving state, including, but not limited to, the name, date, and place of birth of the child, the identity and address of the parent or legal guardian, evidence of authority to make the placement, and the name and address of the facility in which the child will be placed. Notice of residential placement shall also include information regarding a discharge and any unauthorized absence from the facility.

XV. “Placement” means the act by a public or private child-placing agency intended to arrange for the care or custody of a child in another state.

XVI. “Private child-placing agency” means any private corporation, agency, foundation, institution, or charitable organization, or any private person or attorney, that facilitates, causes, or is involved in the placement of a child from one state to another and that is not an instrumentality of the state or acting under color of state law.

XVII. “Provisional placement” means a determination made by the public child-placing agency in the receiving state that the proposed placement is safe and suitable, and, to the extent allowable, the receiving state has temporarily waived its standards or requirements otherwise applicable to prospective foster or adoptive parents so as to not delay the placement. Completion of the receiving state requirements regarding training for prospective foster or adoptive parents shall not delay an otherwise safe and suitable placement.

XVIII. “Public child-placing agency” means any government child welfare agency or child protection agency or a private entity under contract with such an agency, regardless of whether the entity acts on behalf of a state, a county, a municipality, or another governmental unit, and which facilitates, causes, or is involved in the placement of a child from one state to another.

XIX. “Receiving state” means the state to which a child is sent, brought, or caused to be sent or brought.

XX. “Relative” means someone who is related to the child as a parent, stepparent, sibling by half or whole blood or by adoption, grandparent, aunt, uncle, or first cousin or a nonrelative with such significant ties to the child that the nonrelative may be regarded as a relative as determined by the court in the sending state.

XXI. “Residential facility” means a facility providing a level of care that is sufficient to substitute for parental responsibility or foster care and that is beyond what is needed for assessment or treatment of an acute condition. For purposes of the compact, the term “residential facility” does not include institutions primarily educational in character, hospitals, or other medical facilities.

XXII. “Rule” means a written directive, mandate, standard, or principle issued by the Interstate Commission promulgated pursuant to Article XI of this compact that is of general applicability and that implements, interprets, or prescribes a policy or provision of the compact. A rule has the force and effect of an administrative rule in a member state and includes the amendment, repeal, or suspension of an existing rule.

XXIII. “Sending state” means the state from which the placement of a child is initiated.

XXIV. “Service member’s permanent duty station” means the military installation where an active duty United States Armed Services member is currently assigned and is physically located under competent orders that do not specify the duty as temporary.

XXV. “Service member’s state of legal residence” means the state in which the active duty United States Armed Services member is considered a resident for tax and voting purposes.

XXVI. “State” means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory of the United States.

XXVII. “State court” means a judicial body of a state that is vested by law with responsibility for adjudicating cases involving abuse, neglect, deprivation, delinquency, or status offenses of individuals who have not attained the age of 18.

XXVIII. “Supervision” means monitoring provided by the receiving state once a child has been placed in a receiving state pursuant to this compact.

## ARTICLE III

### Applicability

I. Except as otherwise provided in paragraph II, this compact shall apply to:

(a) The interstate placement of a child subject to ongoing court jurisdiction in the sending state, due to allegations or findings that the child has been abused, neglected, or deprived as defined by the laws of the sending state; provided, however, that the placement of such a child into a residential facility shall only require notice of residential placement to the receiving state prior to placement.

(b) The interstate placement of a child adjudicated delinquent or unmanageable based on the laws of the sending state and subject to ongoing court jurisdiction of the sending state if:

(1) The child is being placed in a residential facility in another member state and is not covered under another compact; or

(2) The child is being placed in another member state and the determination of safety and suitability of the placement and services required is not provided through another compact.

(c) The interstate placement of any child by a public child-placing agency or private child-placing agency as a preliminary step to a possible adoption.

II. The provisions of this compact shall not apply to:

(a) The interstate placement of a child in a custody proceeding in which a public child-placing agency is not a party; provided, however, that the placement is not intended to effectuate an adoption.

(b) The interstate placement of a child with a nonrelative in a receiving state by a parent with the legal authority to make such a placement; provided, however, that the placement is not intended to effectuate an adoption.

(c) The interstate placement of a child by one relative with the lawful authority to make such a placement directly with a relative in a receiving state.

(d) The placement of a child, not subject to paragraph I, into a residential facility by his or her parent.

(e) The placement of a child with a noncustodial parent, provided that:

(1) The noncustodial parent proves to the satisfaction of a court in the sending state a substantial relationship with the child;

(2) The court in the sending state makes a written finding that placement with the noncustodial parent is in the best interests of the child; and

(3) The court in the sending state dismisses its jurisdiction in interstate placements in which the public child-placing agency is a party to the proceeding.

(f) A child entering the United States from a foreign country for the purpose of adoption or leaving the United States to go to a foreign country for the purpose of adoption in that country.

(g) Cases in which a child who is a United States citizen living overseas with his or her family, at least one of whom is in the United States Armed Services and stationed overseas, is removed and placed in a state.

(h) The sending of a child by a public child-placing agency or a private child-placing agency for a visit as defined by the rules of the Interstate Commission.

III. For purposes of determining the applicability of this compact to the placement of a child with a family member in the United States Armed Services, the public child-placing agency or private child-placing agency may choose the state of the service member's permanent duty station or the service member's declared legal residence.

IV. Nothing in this compact shall be construed to prohibit the concurrent application of the provisions of this compact with other applicable interstate compacts, including the Interstate Compact for Juveniles and the Interstate Compact on Adoption and Medical Assistance. The Interstate Commission may, in cooperation with other interstate compact commissions having responsibility for the interstate movement, placement, or transfer of children, promulgate similar rules to ensure the coordination of services, timely placement of children, and reduction of unnecessary or duplicative administrative or procedural requirements.

## ARTICLE IV

### Jurisdiction

I. Except as provided in Article IV, paragraph VIII, and Article V, subparagraph II(b) and (c), concerning private and independent adoptions, and in interstate placements in which the public child-placing agency is not a party to a custody proceeding, the sending state shall retain jurisdiction over a child with respect to all matters of custody and disposition of the child which it would have had if the child had remained in the sending state. Such jurisdiction shall also include the power to order the return of the child to the sending state.

II. When an issue of child protection or custody is brought before a court in the receiving state, such court shall confer with the court of the sending state to determine the most appropriate forum for adjudication.

III. In cases that are before courts and subject to this compact, the taking of testimony for hearings before any judicial officer may occur in person or by telephone, audio-video conference, or such other means as approved by the rules of the Interstate Commission, and judicial officers may communicate with other judicial officers and persons involved in the interstate process as may be permitted by their code of judicial conduct and any rules promulgated by the Interstate Commission.

IV. In accordance with its own laws, the court in the sending state shall have authority to terminate its jurisdiction if:

- (a) The child is reunified with the parent in the receiving state who is the subject of allegations or findings of abuse or neglect, only with the concurrence of the public child-placing agency in the receiving state;
- (b) The child is adopted;
- (c) The child reaches the age of majority under the laws of the sending state;
- (d) The child achieves legal independence pursuant to the laws of the sending state;
- (e) A guardianship is created by a court in the receiving state with the concurrence of the court in the sending state;
- (f) An Indian tribe has petitioned for and received jurisdiction from the court in the sending state; or
- (g) The public child-placing agency of the sending state requests termination and has obtained the concurrence of the public child-placing agency in the receiving state.

V. When a sending state court terminates its jurisdiction, the receiving state child-placing agency shall be notified.

VI. Nothing in this article shall defeat a claim of jurisdiction by a receiving state court sufficient to deal with an act of truancy, delinquency, crime, or behavior involving a child as defined by the laws of the receiving state committed by the child in the receiving state which would be a violation of its laws.

VII. Nothing in this article shall limit the receiving state's ability to take emergency jurisdiction for the protection of the child.

VIII. The substantive laws of the state in which an adoption will be finalized shall solely govern all issues relating to the adoption of the child, and the court in which the adoption proceeding is filed shall have subject matter jurisdiction regarding all substantive issues relating to the adoption, except:

- (a) When the child is a ward of another court that established jurisdiction over the child prior to the placement;
- (b) When the child is in the legal custody of a public agency in the sending state; or
- (c) When a court in the sending state has otherwise appropriately assumed jurisdiction over the child prior to the submission of the request for approval of placement.

IX. A final decree of adoption shall not be entered in any jurisdiction until the placement is authorized as an "approved placement" by the public child-placing agency in the receiving state.

## ARTICLE V

### Placement Evaluation

I. Prior to sending, bringing, or causing a child to be sent or brought into a receiving state, the public child-placing agency shall provide a written request for assessment to the receiving state.

II. For placements by a private child-placing agency, a child may be sent or brought, or caused to be sent or brought, into a receiving state upon receipt and immediate review of the required content in a request for approval of a placement in both the sending and receiving state public child-placing agencies. The required content to accompany a request for approval shall include all of the following:

(a) A request for approval identifying the child, the birth parents, the prospective adoptive parents, and the supervising agency, signed by the person requesting approval.

(b) The appropriate consents or relinquishments signed by the birth parents in accordance with the laws of the sending state or, where permitted, the laws of the state where the adoption will be finalized.

(c) Certification by a licensed attorney or authorized agent of a private adoption agency that the consent or relinquishment is in compliance with the applicable laws of the sending state or, where permitted, the laws of the state where finalization of the adoption will occur.

(d) A home study.

(e) An acknowledgment of legal risk signed by the prospective adoptive parents.

III. The sending state and the receiving state may request additional information or documents prior to finalization of an approved placement, but they may not delay travel by the prospective adoptive parents with the child if the required content for approval has been submitted, received, and reviewed by the public child-placing agency in both the sending state and the receiving state.

IV. Approval from the public child-placing agency in the receiving state for a provisional or approved placement is required as provided for in the rules of the Interstate Commission.

V. The procedures for making the request for an assessment shall contain all information and be in such form as provided for in the rules of the Interstate Commission.

VI. Upon receipt of a request from the public child-placing agency of the sending state, the receiving state shall initiate an assessment of the proposed placement to determine its safety and suitability. If the proposed placement is a placement with a relative, the public child-placing agency of the sending state may request a determination for a provisional placement.

VII. The public child-placing agency in the receiving state may request from the public child-placing agency or the private child-placing agency in the sending state, and shall be entitled to receive, supporting or additional information necessary to complete the assessment or approve the placement.

VIII. The public child-placing agency in the receiving state shall approve a provisional placement and complete or arrange for the completion of the assessment within the timeframes established by the rules of the Interstate Commission.

IX. For a placement by a private child-placing agency, the sending state shall not impose any additional requirements to complete the home study that are not required by the receiving state, unless the adoption is finalized in the sending state.

X. The Interstate Commission may develop uniform standards for the assessment of the safety and suitability of interstate placements.

## ARTICLE VI

### Placement Authority

I. Except as otherwise provided in this compact, no child subject to this compact shall be placed in a receiving state until approval for such placement is obtained.

II. If the public child-placing agency in the receiving state does not approve the proposed placement, then the child shall not be placed. The receiving state shall provide written documentation of any such determination in accordance with the rules promulgated by the Interstate Commission. Such determination is not subject to judicial review in the sending state.

III. If the proposed placement is not approved, any interested party shall have standing to seek an administrative review of the receiving state's determination.

(a) The administrative review and any further judicial review associated with the determination shall be conducted in the receiving state pursuant to its applicable administrative procedures act.

(b) If a determination not to approve the placement of the child in the receiving state is overturned upon review, the placement shall be deemed approved; provided, however, that all administrative or judicial remedies have been exhausted or the time for such remedies has passed.

## ARTICLE VII

### Placing Agency Responsibility

I. For the interstate placement of a child made by a public child-placing agency or state court:

(a) The public child-placing agency in the sending state shall have financial responsibility for:

(1) The ongoing support and maintenance for the child during the period of the placement, unless otherwise provided for in the receiving state; and

(2) As determined by the public child-placing agency in the sending state, services for the child beyond the public services for which the child is eligible in the receiving state.

(b) The receiving state shall only have financial responsibility for:

(1) Any assessment conducted by the receiving state; and

(2) Supervision conducted by the receiving state at the level necessary to support the placement as agreed upon by the public child-placing agencies of the receiving and sending states.

(c) Nothing in this section shall prohibit public child-placing agencies in the sending state from entering into agreements with licensed agencies or persons in the receiving state to conduct assessments and provide supervision.

II. For the placement of a child by a private child-placing agency preliminary to a possible adoption, the private child-placing agency shall be:

(a) Legally responsible for the child during the period of placement as provided for in the law of the sending state until the finalization of the adoption.

(b) Financially responsible for the child absent a contractual agreement to the contrary.

III. The public child-placing agency in the receiving state shall provide timely assessments, as provided for in the rules of the Interstate Commission.

IV. The public child-placing agency in the receiving state shall provide, or arrange for the provision of, supervision and services for the child, including timely reports, during the period of the placement.

V. Nothing in this compact shall be construed to limit the authority of the public child-placing agency in the receiving state from contracting with a licensed agency or person in the receiving state for an assessment or the provision of supervision or services for the child or otherwise authorizing the provision of supervision or services by a licensed agency during the period of placement.

VI. Each member state shall provide for coordination among its branches of government concerning the state's participation in and compliance with the compact and Interstate Commission activities through the creation of an advisory council or use of an existing body or board.

VII. Each member state shall establish a central state compact office which shall be responsible for state compliance with the compact and the rules of the Interstate Commission.

VIII. The public child-placing agency in the sending state shall oversee compliance with the provisions of the Indian Child Welfare Act, 25 U.S.C. section 1901 et seq., for placements subject to the provisions of this compact, prior to placement.

IX. With the consent of the Interstate Commission, states may enter into limited agreements that facilitate the timely assessment and provision of services and supervision of placements under this compact.

## ARTICLE VIII

### Interstate Commission for the Placement of Children

The member states hereby establish, by way of this compact, a commission known as the "Interstate Commission for the Placement of Children." The activities of the Interstate Commission are the formation of public policy and are a discretionary state function. The Interstate Commission shall:



I. Be a joint commission of the member states and shall have the responsibilities, powers, and duties set forth herein and such additional powers as may be conferred upon it by subsequent concurrent action of the respective legislatures of the member states.

II. Consist of one commissioner from each member state who shall be appointed by the executive head of the state human services administration with ultimate responsibility for the child welfare program. The appointed commissioner shall have the legal authority to vote on policy-related matters governed by this compact binding the state.

(a) Each member state represented at a meeting of the Interstate Commission is entitled to one vote.

(b) A majority of the member states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

(c) A representative shall not delegate a vote to another member state.

(d) A representative may delegate voting authority to another person from that state for a specified meeting.

III. Include, in addition to the commissioners of each member state, persons who are members of interested organizations as defined in the bylaws or rules of the Interstate Commission. Such members shall be ex officio and shall not be entitled to vote on any matter before the Interstate Commission.

IV. Establish an executive committee which shall have the authority to administer the day-to-day operations and administration of the Interstate Commission. The executive committee shall not have the power to engage in rulemaking.

## ARTICLE IX

### Powers and Duties of the Interstate Commission

The Interstate Commission shall have the following powers:

I. To promulgate rules and take all necessary actions to effect the goals, purposes, and obligations as enumerated in this compact.

II. To provide for dispute resolution among member states.

III. To issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of the interstate compact, its bylaws, rules, or actions.

IV. To enforce compliance with this compact or the bylaws or rules of the Interstate Commission pursuant to Article XII.

V. Collect standardized data concerning the interstate placement of children subject to this compact as directed through its rules, which shall specify the data to be collected, the means of collection and data exchange, and reporting requirements.

VI. To establish and maintain offices as may be necessary for the transacting of its business.

VII. To purchase and maintain insurance and bonds.

VIII. To hire or contract for services of personnel or consultants as necessary to carry out its functions under the compact and establish personnel qualification policies and rates of compensation.

IX. To establish and appoint committees and officers, including, but not limited to, an executive committee as required by Article X.

X. To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose thereof.

XI. To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve, or use any property, real, personal, or mixed.

XII. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed.

XIII. To establish a budget and make expenditures.

XIV. To adopt a seal and bylaws governing the management and operation of the Interstate Commission.

XV. To report annually to the legislatures, the governors, the judiciary, and the state advisory councils of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.

XVI. To coordinate and provide education, training, and public awareness regarding the interstate movement of children for officials involved in such activity.

XVII. To maintain books and records in accordance with the bylaws of the Interstate Commission.

XVIII. To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.

## ARTICLE X

### Organization and Operation of the Interstate Commission

#### I. Organization.

(a) Within 12 months after the first Interstate Commission meeting, the Interstate Commission shall adopt rules to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact.

(b) The Interstate Commission's rules shall establish conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying.

#### II. Meetings.

(a) The Interstate Commission shall meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of the member states, shall call additional meetings.

(b) Public notice shall be given by the Interstate Commission of all meetings, and all meetings shall be open to the public.

(c) The bylaws may provide for meetings of the Interstate Commission to be conducted by telecommunication or other electronic communication.

#### III. Officers and staff.

(a) The Interstate Commission may, through its executive committee, appoint or retain a staff director for such period, upon such terms and conditions, and for such compensation as the Interstate Commission may deem appropriate. The staff director shall serve as secretary to the Interstate Commission but shall not have a vote. The staff director may hire and supervise such other staff as may be authorized by the Interstate Commission.

(b) The Interstate Commission shall elect, from among its members, a chairperson and a vice chairperson of the executive committee, and other necessary officers, each of whom shall have such authority and duties as may be specified in the bylaws.

#### IV. Qualified immunity, defense, and indemnification.

(a) The Interstate Commission's staff director and its employees shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to an actual or alleged act, error, or omission that occurred or that such person had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities; provided, however, that such person shall not be protected from suit or liability for damage, loss, injury, or liability caused by a criminal act or the intentional or willful and wanton misconduct of such person.

(b)(1) The liability of the Interstate Commission's staff director and employees or Interstate Commission representatives, acting within the scope of such person's employment or duties, for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. The Interstate Commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by a criminal act or the intentional or willful and wanton misconduct of such person.

(2) The Interstate Commission shall defend the staff director and its employees and, subject to the approval of the attorney general or other appropriate legal counsel of the member state, shall defend the commissioner of a member state in a civil action seeking to impose liability arising out of an actual or alleged act, error,

or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities; provided, however, that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

(3) To the extent not covered by the state involved, a member state, or the Interstate Commission, the representatives or employees of the Interstate Commission shall be held harmless in the amount of a settlement or judgment, including attorney's fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities; provided, however, that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

## ARTICLE XI

### Rulemaking Functions of the Interstate Commission

I. The Interstate Commission shall promulgate and publish rules in order to effectively and efficiently achieve the purposes of the compact.

II. Rulemaking shall occur pursuant to the criteria set forth in this article and the bylaws and rules adopted pursuant thereto. Such rulemaking shall substantially conform to the principles of the "Model State Administrative Procedures Act," 1981 Act, Uniform Laws Annotated, Vol. 15, p. 1 (2000), or such other administrative procedure acts as the Interstate Commission deems appropriate, consistent with due process requirements under the United States Constitution as now or hereafter interpreted by the United States Supreme Court. All rules and amendments shall become binding as of the date specified, as published with the final version of the rule as approved by the Interstate Commission.

III. When promulgating a rule, the Interstate Commission shall, at a minimum:

- (a) Publish the proposed rule's entire text stating the reasons for that proposed rule;
- (b) Allow and invite any and all persons to submit written data, facts, opinions, and arguments, which information shall be added to the record and made publicly available; and
- (c) Promulgate a final rule and its effective date, if appropriate, based on input from state or local officials or interested parties.

IV. Rules promulgated by the Interstate Commission shall have the force and effect of administrative rules and shall be binding in the compacting states to the extent and in the manner provided for in this compact.

V. Not later than 60 days after a rule is promulgated, an interested person may file a petition in the United States District Court for the District of Columbia or in the federal district court where the Interstate Commission's principal office is located for judicial review of such rule. If the court finds that the Interstate Commission's action is not supported by substantial evidence in the rulemaking record, the court shall hold the rule unlawful and set it aside.

VI. If a majority of the legislatures of the member states rejects a rule, those states may by enactment of a statute or resolution in the same manner used to adopt the compact cause that such rule shall have no further force and effect in any member state.

VII. The existing rules governing the operation of the Interstate Compact on the Placement of Children superseded by this act shall be null and void no less than 12 months but no more than 24 months after the first meeting of the Interstate Commission created hereunder, as determined by the members during the first meeting.

VIII. Within the first 12 months of operation, the Interstate Commission shall promulgate rules addressing the following:

- (a) Transition rules.
- (b) Forms and procedures.
- (c) Timelines.
- (d) Data collection and reporting.
- (e) Rulemaking.

- (f) Visitation.
- (g) Progress reports and supervision.
- (h) Sharing of information and confidentiality.
- (i) Financing of the Interstate Commission.
- (j) Mediation, arbitration, and dispute resolution.
- (k) Education, training, and technical assistance.
- (l) Enforcement.
- (m) Coordination with other interstate compacts.

IX. Upon determination by a majority of the members of the Interstate Commission that an emergency exists:

- (a) The Interstate Commission may promulgate an emergency rule only if it is required to:
  - (1) Protect the children covered by this compact from an imminent threat to their health, safety, and well-being;
  - (2) Prevent loss of federal or state funds; or
  - (3) Meet a deadline for the promulgation of an administrative rule required by federal law.
- (b) An emergency rule shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided hereunder shall be retroactively applied to the emergency rule as soon as reasonably possible, but no later than 90 days after the effective date of the emergency rule.
- (c) An emergency rule shall be promulgated as provided for in the rules of the Interstate Commission.

## ARTICLE XII

### Oversight, Dispute Resolution, and Enforcement

#### I. Oversight.

- (a) The Interstate Commission shall oversee the administration and operation of the compact.
- (b) The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and the rules of the Interstate Commission and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The compact and its rules shall be binding in the compacting states to the extent and in the manner provided for in this compact.
- (c) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact.
- (d) The Interstate Commission shall be entitled to receive service of process in any action in which the validity of a compact provision or rule is the issue for which a judicial determination has been sought and shall have standing to intervene in any proceedings. Failure to provide service of process to the Interstate Commission shall render any judgment, order, or other determination, however so captioned or classified, void as to this compact, its bylaws, or rules of the Interstate Commission.

#### II. Dispute resolution.

- (a) The Interstate Commission shall attempt, upon the request of a member state, to resolve disputes which are subject to the compact and which may arise among member states and between member and non-member states.
- (b) The Interstate Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes among compacting states. The costs of such mediation or dispute resolution shall be the responsibility of the parties to the dispute.

III. Enforcement. If the Interstate Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact, its bylaws, or rules of the Interstate Commission, the Interstate Commission may:

- (a) Provide remedial training and specific technical assistance;

(b) Provide written notice to the defaulting state and other member states of the nature of the default and the means of curing the default. The Interstate Commission shall specify the conditions by which the defaulting state must cure its default;

(c) By majority vote of the members, initiate against a defaulting member state legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its principal office, to enforce compliance with the provisions of the compact, its bylaws, or rules of the Interstate Commission. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees; or

(d) Avail itself of any other remedies available under state law or the regulation of official or professional conduct.

### ARTICLE XIII

#### Financing of the Commission

I. The Interstate Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

II. The Interstate Commission may levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the Interstate Commission and its staff, which must be in a total amount sufficient to cover the Interstate Commission's annual budget as approved by its members each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Interstate Commission, which shall promulgate a rule binding upon all member states.

III. The Interstate Commission shall not incur obligations of any kind prior to securing the funds adequate to meet those obligations, nor shall the Interstate Commission pledge the credit of any of the member states, except by and with the authority of the member state.

IV. The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

### ARTICLE XIV

#### Member States, Effective Date, and Amendment

I. Any state is eligible to become a member state.

II. The compact shall become effective and binding upon legislative enactment of the compact into law by no less than 35 states. The effective date shall be the later of July 1, 2007, or upon enactment of the compact into law by the thirty-fifth state. Thereafter, it shall become effective and binding as to any other member state upon enactment of the compact into law by that state. The executive heads of the state human services administration with ultimate responsibility for the child welfare program of nonmember states or their designees shall be invited to participate in the activities of the Interstate Commission on a nonvoting basis prior to adoption of the compact by all states.

III. The Interstate Commission may propose amendments to the compact for enactment by the member states. No amendment shall become effective and binding on the member states unless and until it is enacted into law by unanimous consent of the member states.

### ARTICLE XV

#### Withdrawal and Dissolution

I. Withdrawal.

(a) Once effective, the compact shall continue in force and remain binding upon each and every member state, provided that a member state may withdraw from the compact by specifically repealing the statute which enacted the compact into law.

(b) Withdrawal from this compact shall be by the enactment of a statute repealing the compact. The effective date of withdrawal shall be the effective date of the repeal of the statute.



(c) The withdrawing state shall immediately notify the president of the Interstate Commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The Interstate Commission shall then notify the other member states of the withdrawing state's intent to withdraw.

(d) The withdrawing state is responsible for all assessments, obligations, and liabilities incurred through the effective date of withdrawal.

(e) Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the members of the Interstate Commission.

## II. Dissolution of compact.

(a) This compact shall dissolve effective upon the date of the withdrawal or default of the member state which reduces the membership in the compact to one member state.

(b) Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

## ARTICLE XVI

### Severability and Construction

I. The provisions of this compact shall be severable, and, if any phrase, clause, sentence, or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

II. The provisions of this compact shall be liberally construed to effectuate its purposes.

III. Nothing in this compact shall be construed to prohibit the concurrent applicability of other interstate compacts to which the states are members.

## ARTICLE XVII

### Binding Effect of Compact and Other Laws

I. Other laws. Nothing in this compact prevents the enforcement of any other law of a member state that is not inconsistent with this compact.

II. Binding effect of the compact.

(a) All lawful actions of the Interstate Commission are binding upon the member states.

(b) All agreements between the Interstate Commission and the member states are binding in accordance with their terms.

(c) In the event any provision of this compact exceeds the constitutional limits imposed on the legislature or executive branch of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

## ARTICLE XVIII

### Indian Tribes

Notwithstanding any other provision in this compact, the Interstate Commission may promulgate guidelines to permit Indian tribes to utilize the compact to achieve any or all of the purposes of the compact as specified in Article I. The Interstate Commission shall make reasonable efforts to consult with Indian tribes in promulgating guidelines to reflect the diverse circumstances of the various Indian tribes.

3 Adoption; Reference Changed. Amend RSA 170-B:18, IV to read as follows:

IV. The department or a licensed child-placing agency making the required assessment may request other departments or licensed child-placing agencies within or outside this state to make the assessment or designated portions thereof as may be appropriate. Where such written assessments are made, a written report shall be filed with the court; provided, however, said report shall not violate RSA 170-A, the interstate compact ~~on~~ **for** the placement of children.

4 Contingency. Sections 2, 3, and 6 of this act, relative to the 2009 edition of the Interstate Compact for the Placement of Children, shall take effect on the date that the commissioner of the department of health and human services certifies to the director of the office of legislative services and the secretary of state that 35 compacting states, including New Hampshire, have enacted the 2009 edition of the Interstate Compact for the Placement of Children.

5 New Section; Interstate Compact on the Placement of Children; Placement of a Child with a Parent. Amend RSA 170-A by inserting after section 1 the following new section:

170-A:1-a Placement of a Child with a Parent. The provisions of this chapter shall not apply to the placement of a child with a parent, provided that:

- I. The parent proves, to the satisfaction of a court, a substantial relationship with the child; and
- II. The court makes a written finding that placement with the parent is in the best interests of the child.

6 Repeal. RSA 170-A:1-a, relative to the placement of a child with a parent under the interstate compact on the placement of children, is repealed.

7 Effective Date.

- I. Sections 2, 3, and 6 of this act shall take effect as provided in section 4 of this act.
- II. Section 5 of this act shall take effect upon its passage.
- III. The remainder of this act shall take effect January 1, 2023.

2022-1859s

#### AMENDED ANALYSIS

This bill:

I. Prohibits a parent's decision not to have their child vaccinated from being used as grounds to terminate parental rights.

II. Provides for the adoption of the 2009 edition of the interstate compact for the placement of children.

III. Exempts certain child placements from the interstate compact on the placement of children in RSA 170-A.

Energy and Natural Resources

April 26, 2022

2022-1825s

12/10

#### Amendment to HB 1293

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

AN ACT relative to the design of sewage or waste disposal systems for a person's own domicile, and relative to water well and sewage or waste disposal systems.

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

2 New Paragraphs; Water Pollution and Waste Disposal; Definitions. Amend RSA 485-A:2 by inserting after paragraph XXIV the following new paragraphs:

XXV. "Water well contractor" shall mean "water well contractor" as defined in RSA 482-B:2.

XXVI. "Water well board" means the water well board established in RSA 482-B:3.

XXVII. "Well" shall mean "well" as defined in RSA 482-B:2.

3 Water Pollution and Waste Disposal; Protective Well Radii. RSA 485-A:30-b is repealed and reenacted to read as follows:

485-A:30-b Protective Well Radii.

I. The requirements in this paragraph shall apply to wells other than municipal or state-owned wells and to sewage disposal systems.

(a) The commissioner shall adopt rules under RSA 541-A providing for protective well radii for private wells and for regulation of land use within the radii boundary.

(b) No action of the department, and nothing in this section, shall have the effect of encumbering any lot, other than a lot upon which a well or sewage disposal system is installed or replaced, without the lot owner's permission. However, the department shall adopt rules that:

(1) Allow abutting landowners to overlap protective well radii.

(2) Allow an applicant to count state and locally-mandated setbacks, recorded easements, or land under conservation or similar dedication toward the required protective well radius provided such setback, easement, or dedicated land ensures the protection of drinking water quality.

II. The requirements in this paragraph shall apply to the installation of wells other than municipal or state-owned wells.

(a) For any well being installed or utilized to serve one or more new commercial buildings or a non-community water system as defined in RSA 485:1-a, the entire protective well radius shall be located on-lot or in conformance with subparagraph I(b)(2). For the purposes of this section, the term “commercial building” means a building that houses a commercial use but shall not include a residence which is also used for commercial purposes unless the total water withdrawal exceeds 600 gallons per day. A new commercial building means a new structure intended for commercial use, an existing residential structure being converted to commercial use, or an increase in water use at an existing commercial building to a level that requires a larger protective well radius under rules adopted by the department.

(b) For all other wells, if the applicable protective well radius cannot be met either on-lot or using the methods described in subparagraph I(b), the on-lot protective radius shall be maximized to the extent practicable. The department may require water quality monitoring, record keeping, and reporting by the owner of the property as it deems necessary to ensure that the well water is suitable for its intended uses for any well installation that does not meet the applicable protective well radius.

(c) Whenever a water well contractor installs a well that does not meet the applicable protective well radius, the water well contractor shall notify the property owner of the consequences of such reduced radius and advise the property owner whether special precautions should be taken relative to well installation.

(d) Prior to a water well contractor changing the location of an existing well, the water well contractor shall advise and consult with the property owner or the property owner’s agent about the best possible alternative location, considering distance to property boundaries, and, if applicable, to the sewage disposal system, and the capability for the lot to support the existing sewage loading considering the alternative location.

(e) Wells shall be installed in conformance with applicable water well board statutes and rules, including RSA 482-B.

(f) When a well is installed concurrently with a sewage disposal system, and prior to the system being placed into operation in accordance with RSA 485-A:29, I, and the well cannot be installed as shown on the approved plan, the water well contractor shall advise and consult with the property owner or the property owner’s agent on the best possible alternative location, considering distance to property boundaries and to the sewage disposal system and the capability for the lot to support the sewage loading considering the alternative location. The owner shall ensure that an amended sewage disposal plan showing the actual location of the well is submitted to the department. If the entire protective well radius cannot be located on-lot, the owner of the property shall sign a standard release form prepared by the department, to acknowledge the potential loss of the protection of any portion of the radius which extends over the property line. Within 30 days after well installation, the owner shall record the release form in the registry of deeds of the county in which the property is located.

(g) Any portion of a protected well radius that is not maintained on lot shall not be deemed to have protection and, therefore, sewage disposal systems shall not be required to meet the setback distance to wells on abutting lots.

III. The requirements in this paragraph shall apply to the installation or replacement of sewage disposal systems.

(a) Plans and specifications for a proposed sewage disposal system for a property which is or will be served by an on-lot well, shall show the location or proposed location of the well, or a designated area within which the well will be located, and shall show the protective radius as specified in the department’s rules.

(b) If the location of a proposed sewage disposal system will not meet the applicable well radius of a well that is or is proposed to be on the same lot, the owner of the property shall sign a setback waiver form prepared by the department upon which the actual distance from wells within the applicable well radius shall be noted. For existing wells, the owner shall record the approved setback waiver form in the registry of deeds

within 30 days after the sewage disposal system approval is issued or, for proposed wells, within 30 days after well installation. The department may require water quality monitoring, record keeping, and reporting by the owner of the property as it deems necessary to ensure that the well water is suitable for its intended uses when any installation or replacement of a sewage disposal system impinges on the applicable protective well radius.

4 Rulemaking; Duties of the Commissioner. Amend the introductory paragraph of RSA 485-A:41, IV to read as follows:

IV. Adopt rules, pursuant to RSA 541-A and after public hearing, relative to the implementation of this subdivision. The commissioner shall adopt rules relative to the circumstances under which the commissioner may grant a waiver of any rule, except that no waivers of rules relating to site loading or set-back distances to ground or surface waters shall be allowed for sewage or waste disposal systems on lots in subdivisions created after September 1, 1989. A waiver must be consistent with the intent of this subdivision and have a just result. In particular, ~~[an encroachment waiver]~~ **a waiver that would result in a protective well radius not being met** shall meet the following criteria:

5 Sewage Disposal Systems; Action on Applications. Amend RSA 485-A:31, I to read as follows:

I. Subject to paragraphs II and III, the department shall give notice in writing **or email** to the person submitting the plans and specifications for subdivision of land of its approval or ~~[disapproval]~~ **of the need for additional information to complete the review** of such plans and specifications within 30 days of the date such plans and specifications and the required fees are received by the department and shall give notice in writing to the person submitting plans and specifications for sewage or waste disposal systems of its approval or ~~[disapproval]~~ **of the need for additional information to complete the review** of such plans and specifications within 15 working days of the date such plans and specifications and the required fees are received by the department. Unless such written ~~[disapproval]~~ **notice of the need for additional information to complete the review** shall be mailed to the person submitting plans and specifications within 30 days in the case of plans and specifications for subdivision of land and 15 working days in the case of plans and specifications for sewage or waste disposal systems from the date of receipt with the required fees by the department, the plans and specifications shall be deemed to have been approved. **If the department gives notice of the need for additional information, the department shall, within 30 days of the receipt of such information in the case of plans and specification for subdivision of land and within 15 working days of the receipt of such information in the case of plans and specifications for sewage or waste disposal systems, approve or deny the application.** The department shall send a copy of the approval or disapproval of such plans and specifications to the planning board or board of selectmen of the affected municipality.

6 New Paragraph; Sewage Disposal Systems; Action on Applications. Amend RSA 485-A:31 by inserting after paragraph III the following new paragraph:

IV. The commissioner shall adopt rules pursuant to RSA 541-A relative to the procedures for review and standards for rendering a final decision for approval or denial of plans and specifications for subdivision of land and sewage or waste disposal systems.

7 Repeal. The following are repealed:

- I. RSA 485-A:2, III-a, relative to the definition of encroachment waiver.
- II. RSA 485-A:30-a, relative to notice of applications for sewage or waste disposal systems.

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

2022-1825s

#### AMENDED ANALYSIS

This bill:

I. Repeals the exemption allowing any person who desires to submit plans and specifications for a sewage or waste disposal system for the person's own domicile to do so without a permit.

II. Clarifies the subsurface waiver process in water well systems.

III. Clarifies certain notice requirements for the department of environmental services on sewage and waste disposal systems.

Energy and Natural Resources  
 April 25, 2022  
 2022-1752s  
 04/10

Amendment to HB 1299

Amend the bill by replacing section 2 with the following:

2 General Provisions as to Fish and Game; Import, Possession or Release of Wildlife. Amend RSA 207:14, I to read as follows:

I. **(a)** No person shall import, possess, sell, exhibit, or release any live marine species or wildlife, or the eggs or progeny thereof, without first obtaining a permit from the executive director except as permitted under title XVIII. The executive director shall have the authority to determine the time period and any other conditions governing the issuance of such permit. ~~[The executive director may refuse to issue a permit if he determines that such issuance may pose significant disease, genetic, ecological, environmental, health, safety, or welfare risks to persons, marine species or wildlife.]~~ ***A person may import, possess, sell, exhibit, or release any live marine species or wildlife, or the eggs or progeny thereof, after first obtaining a permit from the executive director, except as otherwise provided in Title XVIII. The chief of the wildlife division shall respond to a request for a permit within 60 days of a submission for a final request. The permit shall be granted within 60 days of the request, unless the executive director determines that issuing a permit may pose a significant disease, genetic, ecological, environmental, health, safety, or welfare risks to persons, marine species, or wildlife.***

***(b) Any person who is denied a permit under subparagraph (a) may appeal the decision in writing to the fish and game commission within 60 days of the denial. The executive director shall respond to the appeal within 60 days.***

***(c) The executive director shall adopt rules pursuant to RSA 541-A to implement the provisions of this paragraph.***

Senate Education  
 April 26, 2022  
 2022-1834s  
 10/04

Amendment to HB 1311

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

1 School Employee and Designated School Volunteer Criminal History Records Check; Violations Added. Amend RSA 189:13-a, V to read as follows:

V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of ***RSA 318-B:2 for possession of a controlled drug with the intent to sell, felony level, within the last 10 years;*** RSA 630:1; 630:1-a; 630:1-b; 630:2; ***631:1;*** 632-A:2; 632-A:3; 632-A:4; 633:1; 633:7; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene; in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, chartered public school, or public academy. The superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy may deny a selected applicant a final offer of employment if such person has been convicted of any crime, misdemeanor or felony, in addition to those listed above. The governing body of a school district, chartered public school, or public academy shall adopt a policy relative to hiring practices based on the results of the criminal history records check and report of misdemeanors and felonies received under paragraph II. Such policy may include language stating that any person who has been convicted of any misdemeanor, or any of a list of misdemeanors, may not be hired. Such policy may also include language stating that any person who has been convicted of any felony, or any of a list of felonies, shall not be hired.

2 Credentialing Applicant and Candidate Criminal History Records Check; Violations Added. Amend RSA 189:13-c, V to read as follows:



V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of ***RSA 318-B:2 possession of a controlled drug with the intent to sell, felony level, within the last 10 years***, RSA 630:1; 630:1-a; 630:1-b; 630:2; ***631:1***; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be granted a teaching credential by the department nor shall candidates be granted clearance.

2022-1834s

#### AMENDED ANALYSIS

This bill adds the prohibition of persons convicted of first degree assault or possession of a controlled drug with the intent to sell at a felony level within the last 10 years from employment in a public school and from being granted a teaching credential.

Election Law and Municipal Affairs

April 26, 2022

2022-1798s

12/10

#### Amendment to HB 1397

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

AN ACT relative to the length of terms for Rockingham county officers and relative to the Gunstock area commission.

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

3 Gunstock Area Commission; Commission Member Elections. 1959, 399:3 is repealed and reenacted to read as follows:

399:3 Membership of the Commission. The commission shall consist of five members hereinafter referred to as "members," and two ex officio non-voting members. The members shall be resident property owners in the county of Belknap, and shall be invested with all the duties hereinafter granted to and imposed upon said commission. The ex officio members shall be the commissioner of the New Hampshire department of business and economic affairs, or designee, and the Belknap county administrator.

2022-1798s

#### AMENDED ANALYSIS

This bill establishes a 4-year term for the county treasurer, county sheriff, county register of deeds, and county attorney in Rockingham county. The bill also adds two ex officio non-voting members to the Gunstock area commission.

Health and Human Services

April 27, 2022

2022-1868s

05/04

#### Amendment to HB 1455

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

1 New Chapter; Employee Health Sovereignty. Amend RSA by inserting after chapter 275-H the following new chapter:

#### CHAPTER 275-I

#### EMPLOYEE HEALTH SOVEREIGNTY

275-I:1 State Enforcement of Federal Vaccination Mandates Prohibited.

I. This state shall not engage in the enforcement of, or any collaboration with the enforcement of, any federal law, order, or rule that effectively requires any person as a condition of his or her employment, or as a condition of any other activity, to submit proof of vaccination against COVID-19 or any variant thereof, or

to submit more than once per month a negative test for COVID-19 or any variant thereof. No state or local government agency, and no official or employee thereof, shall enforce or assist in the enforcement or administration of any such law, order, or rule.

II. Such prohibited activities shall include:

(a) Investigating the violation of, or imposing any penalty for the violation of, any law, order, or rule addressed by paragraph I;

(b) Providing any assistance to any federal department or agency in investigating or penalizing the violation of any law, order, or rule addressed by paragraph I, either through personnel activity or through the use of any state or local government property; or

(c) Providing the COVID-19 vaccination status of any named individual to any federal department or agency, or engaging in any communication with any federal department or agency regarding any investigation into a violation of a law order, or rule addressed by paragraph I.

III. Paragraphs I and II of this section shall not apply to any health care facility, provider, or contractor subject to a federal vaccine requirement including the survey and certification policies and procedures under the authority of the department of health and human services, bureau of licensing and certification.

275-H:2 Severability. If any provision of this chapter or any application of such provision to any particular person or circumstance is held to be invalid by any court of law, the remainder of this chapter and any remaining application of its provisions to any other person or circumstance shall not be affected.

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

Senate Finance  
April 26, 2022  
2022-1832s  
10/04

Amendment to HB 1513-FN

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

AN ACT relative to the definition of a child with a disability under special education laws and providing funding for special education costs for students over age 21 until their 22nd birthday.

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

2 Department of Education; Special Education; Students Age 21; Funding.

I. For the 2022-2023 school year, department of education shall be liable for all school district costs related to providing services to special education students over age 21 until their 22nd birthday. Upon application by a school district, the department shall provide reimbursement for any such costs, which were not otherwise compensated for through other forms of state education aid. To qualify for reimbursement, a school district shall have utilized any unexpended federal Individuals with Disabilities Education Act (IDEA) funds for the fiscal year 2022 and any available IDEA American Rescue Plan Act funds. Payments shall be made to school districts under the payment schedule of special education aid under RSA 186-C:18.

II. Notwithstanding any law to the contrary, any unexpended funds for biennium ending June 30, 2023, in account 06-56-56-560040-3043-629 (special education aid), shall not lapse and shall be made available to the department of education for the purpose of providing reimbursements under paragraph I. Any remaining unexpended funds after all reimbursements have been made shall be transferred to 06-56-56-562010-3015 (court ordered placements). If amounts available under this paragraph are insufficient to cover reimbursements approved under paragraph I, an amount equal to the shortfall is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section.

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

2022-1832s

AMENDED ANALYSIS

This bill modifies the definition of "child with a disability" to include persons up to 21 years of age. The bill also provides for reimbursement from the department of education for special education costs for students over age 21 until their 22nd birthday and provides funding therefor.

Senate Finance  
 April 26, 2022  
 2022-1833s  
 05/04

Amendment to HB 1526-FN

Amend the bill by replacing section 2 with the following:

2 Appropriation; In and Out Medical Assistance. The sum of \$2,685,192 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services to implement 2020; 39:1. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The department may accept and expend matching federal funds for this purpose without prior approval of the fiscal committee.

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.

Senate Finance  
 April 26, 2022  
 2022-1836s  
 10/04

Amendment to HB 1627-FN-A

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

3 Authority and Responsibilities of the Scholarship Organization; Education Freedom Accounts. Amend RSA 194-F:4, V to read as follows:

V.(a) The scholarship organization may withhold from deposits or deduct from EFAs an amount to cover the costs of administering the EFA program, up to a maximum of 10 percent annually.

**(b) For the fiscal year ending June 30, 2025 and the fiscal year ending June 30, 2026, the department of education may withhold up to 50 percent of the prior year costs associated with the education freedom account administrator established in RSA 21-N:7-a. The department shall calculate the total costs under this section and provide this amount to be withheld to the scholarship organization no later than August 15 of each year. The scholarship organization shall include the amount withheld under subparagraph (a), in the calculation of costs of administering the EFA program, which shall not exceed 10 percent annually of the EFAs approved.**

*(c) For the fiscal year ending June 30, 2027, and each fiscal year thereafter, the department of education may withhold 100 percent of the prior year costs associated with the education freedom account administrator established in RSA 21-N:7-a. The department shall calculate the total costs under this section and provide this amount to be withheld to the scholarship organization no later than August 15 of each year. The scholarship organization shall include the amount withheld under subparagraph (a) in the calculation of costs of administering the EFA program, which shall not exceed 10 percent annually of the EFAs approved.*

4 Effective Date. This act shall take effect July 1, 2022.

Senate Education  
April 27, 2022  
2022-1855s  
10/05

Amendment to HB 1639

Amend the bill by replacing section 1 with the following:

1 School Districts; Youth Risk Behavior Survey. Amend RSA 186:11, IX-d to read as follows:

IX-d. Require School Districts to Adopt a Policy Governing the Administration of Non-academic Surveys or Questionnaires to Students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. ***In addition to the written notice, the school district may provide notice electronically to a student's parent or legal guardian.*** The policy shall include an exception from the consent requirement for the youth risk behavior survey ~~[developed by the Centers for Disease Control and Prevention]~~. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey ~~[developed by the Centers for Disease Control and Prevention]~~ ***either in writing or electronically.*** The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian, ***and provide written and electronic notification to addresses as known by the district at the time of notification*** at least ~~[10]~~ ***14*** days prior to distribution to students. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, ***race***, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

2022-1855s

#### AMENDED ANALYSIS

This bill provides for written or electronic notice of the youth risk behavior survey before administering the survey to students.

## 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.



**TUESDAY, MAY 3, 2022**

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





**COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORINATED CHEMICALS (RSA 126-A:79-a)**

2:00 p.m.

Subcommittee Meeting

This meeting will take place by remote conference. To listen in please follow the instructions below:

Please register for HB 737 Environmental Subcommittee Meeting on May 6, 2022 2:00 PM EST at:

<https://attendee.gotowebinar.com/register/711002915265085711>

After registering, you will receive a confirmation email containing information about joining the webinar.

The following email address will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [Amy.E.Rousseau@DES.NH.gov](mailto:Amy.E.Rousseau@DES.NH.gov). You may also call Amy Rousseau at 603-848-1372.

***MONDAY, MAY 9, 2022***

**COMMISSION TO STUDY GRANDFAMILIES IN NEW HAMPSHIRE (RSA 170-G:17-b)**

1:00 p.m.

Room 100, SH

Regular Meeting

***TUESDAY, MAY 10, 2022***

**JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)**

10:00 a.m.

Room 212, LOB

Regular Meeting

***FRIDAY, MAY 13, 2022***

**COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORINATED CHEMICALS (RSA 126-A:79-a)**

10:00 a.m.

Regular Meeting

This meeting will take place by remote conference. To listen in please follow the instructions below:

Please register for HB 737 Commission Meeting on May 13, 2022 10:00 AM EST at:

<https://attendee.gotowebinar.com/rt/5746796955811836429>

After registering, you will receive a confirmation email containing information about joining the webinar.

You also may join the meeting by phone:

Call in Number: 1 (415) 930-5321

Access Code: 613-661-216

Webinar ID: 754-269-779

The following email address will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [Amy.E.Rousseau@DES.NH.gov](mailto:Amy.E.Rousseau@DES.NH.gov). You may also call Amy Rousseau at 603-848-1372.

**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  
98 Smokey Bear Blvd  
Classroom 2  
Concord, NH 03301

Regular Meeting

**COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a)**

12:00 p.m. Auditorium, Brown Building Regular Meeting  
 129 Pleasant Street  
 Concord, NH 03301  
 Join Zoom Meeting  
<https://nh-dhhs.zoom.us/j/4806938281?pwd=WXlpRWYzZER2WFJrcTdYTzhwWHFoUT09>  
 Meeting ID: 480 693 8281  
 Passcode: 356298  
 One tap mobile  
 +16465588656,,4806938281#,,,,\*356298# US (New York)  
 +13017158592,,4806938281#,,,,\*356298# 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)  
 +1 669 900 9128 US (San Jose)  
 +1 253 215 8782 US (Tacoma)  
 +1 346 248 7799 US (Houston)  
 Meeting ID: 480 693 8281  
 Passcode: 356298  
 Find your local number: <https://nh-dhhs.zoom.us/u/adgX6jf1d8>

**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

**ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m. Rooms 306-308, LOB Regular Meeting

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

9:00 a.m. NH DOT Regular Meeting  
 Room 114  
 7 Hazen Drive  
 Concord, NH

**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

**NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22)**

1:00 p.m. Room 100, SH 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=R0lwOWFVK0w2U2FKYTVybXM1MjNhZz09>  
 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/u/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***

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

9:30 a.m.                      Executive Council Chambers                      Regular Meeting  
 Room 207, State House  
 107 North Main Street  
 Concord, NH

### **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>

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# NOTICES

## 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,,277222344#](#) United States, New York City Phone Conference ID: 277 222 344#

Senator Suzanne Prentiss

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## 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

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## 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

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## THURSDAY, MAY 12, 2022

Walmart cordially invites all legislators and staff to their annual legislative lunch in the State House cafeteria on Thursday, May 12<sup>th</sup> during the session lunch break. Please note this is a change from the originally scheduled day.

Senator Jeb Bradley, Senate Majority Leader

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# SENATE BILLS AMENDED BY THE HOUSE

**SENATE BILLS: 229, 242, 289, 293, 398, 405**

\* \* \* \* \*



## HOUSE BILLS AMENDED BY THE SENATE

**HOUSE BILLS:** CACR 21, 84, 169, 230, 292, 293, 307, 347, 355, 381, 503, 514, 543, 591, 624, 1011, 1038, 1040, 1125, 1130, 1134, 1139, 1160, 1277, 1318, 1320, 1333, 1335, 1339, 1343, 1381, 1390, 1420, 1439, 1448, 1487, 1495, 1507, 1531, 1546, 1554, 1579, 1586, 1594, 1626, 1653, 1671, 1681, 1682

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

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

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**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, 445, 452, 453, 456, 458, 459, 460

**HOUSE BILLS:** 95, 102, 103, 207, 214, 233, 347, 355, 381, 398, 412, 435, 481, 536, 583, 589, 591, 597, 624, 1010, 1011, 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, 1584, 1586, 1587, 1592, 1597, 1598, 1604, 1606, 1608, 1613, 1622, 1624, 1627, 1642, 1647, 1661, 1662, 1665, 1681, 1682

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## 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)