

February 2, 2023
No. 9A

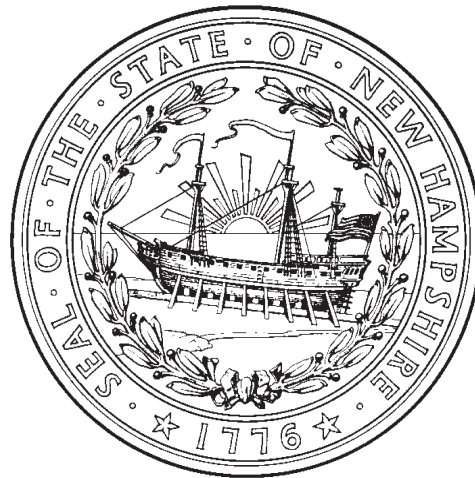
STATE OF NEW HAMPSHIRE

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 livestreamed on the NH Senate's YouTube channel:
<https://www.youtube.com/NewHampshireSenateLivestream>

Links are also available on the Senate Meeting Schedule.



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

SENATE CALENDAR ADDENDUM

**THE SENATE WILL MEET IN SESSION ON THURSDAY,
FEBRUARY 9, 2023 AT 10:00 A.M. IN THE SENATE CHAMBER**

**The Senate Session on Thursday, February 9, 2023, in the Senate Chamber
will be live streamed at the following link:**

<https://youtu.be/b-eScgaeIug>

**Please note, this link will not be live until the Senate Session on
Thursday, February 9, 2023 at 10:00 A.M.**

CONSENT CALENDAR REPORTS

COMMERCE

SB 196, establishing a minimum amount of uninsured motorist coverage required for vehicles operating as part of transportation network companies in New Hampshire.

Re-refer to Committee, Vote 5-0.

Senator Innis for the committee.

This bill would have established a minimum amount of coverage required for vehicles operating as part of a transportation network company (TNC). At the request of the prime sponsor, the Committee felt a motion of Re-Refer would provide additional time to resolve concerns raised by the NH Insurance Department and industry stakeholders.

EDUCATION

SB 109, relative to school safety and coordination with law enforcement.

Ought to Pass with Amendment, Vote 5-0.

Senator Lang for the committee.

SB109 amends RSA 193-D:7 to accommodate the sharing of documents and/or information among law enforcement officers and school administrators, pertaining only to acts of violence, property damage and/or theft on school property. This would promote a greater level of integrity and participation in investigations and disciplinary proceedings involving juveniles suspected of criminality or violence.

SB 154-FN, relative to tuition waivers for children in guardianships after being in state foster care.

Ought to Pass with Amendment, Vote 5-0.

Senator Gendreau for the committee.

SB 154-FN amends RSA 187-A:20-b so that eligibility for state tuition waivers is expanded to include more individuals in the foster care system. Prior to SB 154-FN, exclusively those actively in the foster system, or under guardianship were entitled to limited subsidies. Specifically, 30 tuition waivers were mandated to be split between USNH and CCSNH. SB 154-FN moves to include those who were adopted following tenure in foster care, those moved out-of-state, and increases the total number of waivers to 70.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 92-FN, relative to the authority of registers of probate.

Ought to Pass with Amendment, Vote 5-0.

Senator Gray for the committee.

This bill as amended establishes duties for the Registers of Probate as it pertains to the Court Probate Navigator Program. This volunteer program provides assistance with regards to process issues such as logging in and navigating the court electronic filing process. In the event that a Register of Probate stops participating in the Court Navigator Program, the County Commissioners shall have the ability to fill the position.

ENERGY AND NATURAL RESOURCES

SB 69-FN, relative to allowing certain nonprofits to participate as a customer-generator group hosts under net energy metering.

Ought to Pass with Amendment, Vote 5-0.

Senator Avard for the committee.

Senate Bill 69 enables certain nonprofits to participate as a customer-generator group host under net energy metering. SB 69 was introduced to clarify current statutory language to allow for nonprofits to participate in community energy projects and to increase. Additionally, the amendment the committee adopted provided a clear definition for what qualifies as a nonprofit to participate in net energy metering. SB 69 will allow nonprofits to save costs on energy and allow for these organizations to reinvest into themselves and surrounding communities to better serve those they are intended to.

SB 161, relative to low-moderate income community solar projects.

Ought to Pass with Amendment, Vote 5-0.

Senator Birdsell for the committee.

SB 161 amends current statute to allow for low- and moderate-income customers to participate in community solar projects. Current statute states that projects must directly benefit at least 5 eligible applicants. Additionally the current eligibility standards dictate that a customer is defined as having a meter in their unit, while many public housing authorities or housing projects have a single meter for all of its units meaning that low- and moderate-income communities are often denied to participate in community solar projects. SB 161 would amend the current statute and allow for single meter developments to participate in these projects if the majority of the residents are at or below 80 percent of the Area Median Income. By allowing low- and moderate-income communities to participate in community solar it will allow the housing authorities to save costs on energy prices and allow for them to reinvest the saved money into their units and residents.

SB 167-FN-L, relative to green hydrogen energy and infrastructure.

Ought to Pass with Amendment, Vote 5-0.

Senator Watters for the committee.

Senate Bill 167-FN provides the framework for green hydrogen infrastructure in New Hampshire. SB 167-FN adds green hydrogen facilities and infrastructure to renewable electric generation. By adding green hydrogen energy into renewable electric generation, it provides fuel diversity, establishes a green hydrogen business tax and property tax program reduction program, and establishes a green hydrogen advisory committee established in the department of energy. Additionally, the committee amendment establishes a clear definition for green hydrogen. SB 167-FN paves the way for New Hampshire to begin to incorporate new forms and innovations in energy.

SB 168, relative to participation in a low-moderate income residential customers community solar project.

Re-refer to Committee, Vote 5-0.

Senator Avarad for the committee.

Senate Bill 168 allows for low-moderate income residential customers to participate in community solar project. SB 168 allows for certain large electrical generators in low-moderate income community solar projects and expands the eligibility of residents to benefit from community solar projects. SB 168 attempts to lower the cost of energy for low-moderate income individuals, who are hit the hardest by drastic changes in the cost of energy.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 94, relative to residential child care licensing of child care institutions and agencies.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

This bill modifies and adds definitions to child day care licensing and modifies the requirements for licensing renewals for child day care licensing. This bill brought forward by DHHS to provide clarity to definitions, change definitions to better serve youth in residential programs, add provisions to clarify child day care renewal of licenses, add the provision to rulemaking, the process creating rules for the requesting of waivers to minimum standards. It also provides for the investigation of complaints at youth recreation programs and the confidentiality of complaint records.

SB 103, relative to proclaiming an observance of Fort Constitution Days.

Ought to Pass with Amendment, Vote 5-0.

Senator Perkins Kwoka for the committee.

As introduced, SB 103 would proclaim an observance of Fort Constitution Days. The events at what was then known as Fort William and Mary, including storming the garrison and lowering the Union Jack, played a critical role in the launch of the American Revolution. Given that there is already the American

Revolution Sestercentennial Commission developing a state-wide plan for observing the 250th anniversary of the American Revolution, the Committee Amendment adds recognizing and celebrating the events at Fort Constitution to the Commission's duties.

SB 150-FN, relative to the family mediator certification board.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

This bill modifies the Family Mediator Certification Board by changing the requirements for a quorum down to three members from five. This bill will also address the problem of board vacancies by changing the process for how the vacancies are filled. The number of required meetings per year will also be reduced from twelve to six since eleven of the twelve meetings in the past year were canceled.

SB 206, prohibiting corporal punishment in child day care agencies.

Ought to Pass, Vote 5-0.

Senator Carson for the committee.

This bill expands the definition of endangerment to include corporal punishment as defined by the Department of Health and Human Services. This bill will also ensure that individuals caught committing corporal punishment in a childcare facility will be reported to the appropriate licensing board and if found guilty of the charge, will be placed on a registry affecting their ability to be employed in childcare.

SB 207, establishing a committee to study licensure of mental health professionals.

Ought to Pass with Amendment, Vote 5-0.

Senator Perkins Kwoka for the committee.

SB 207 re-establishes a committee to study licensure of mental health professionals, which was initially created in SB 220 (2022). The 2022 study committee discovered that there was far more work to be done than its mandate allowed. Re-establishing this study committee will allow additional work on this important topic to be done. The Committee Amendment makes a related statutory change to permit peer support groups for first responders, as they seek to address the mental health challenges caused by their line of work.

JUDICIARY

SB 76-FN, establishing a criminal penalty for failure to report a medico-legal death.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

SB 76-FN would add a criminal penalty for failure to report a medico-legal death. The Committee Amendment adds law enforcement to the list of entities to which a person who discovers a body must report. This bill will ensure that appropriate steps are taken upon the discovery of a deceased person.

SB 128-FN, relative to payment for legal services for persons involuntarily admitted for mental health services.

Ought to Pass with Amendment, Vote 5-0.

Senator Abbas for the committee.

SB 128-FN would provide that legal services for individuals involuntarily committed for mental health services shall be paid from the indigent defense fund. The Committee Amendment makes a small change to ensure that the implementation of the bill is practical. This bill will transfer the reimbursement of legal counsels' payment, for involuntary admission cases, from the court system to the indigent defense fund.

SB 129-FN, relative to the payment of costs for indigent persons involved in mediation services.

Ought to Pass, Vote 5-0.

Senator Abbas for the committee.

SB 129-FN requires indigent mediation costs to be funded out of the mediation fund without reimbursement. This is a request of the Judicial Branch to remove a requirement to repay the costs by indigent parties, as part of an effort to clean up existing statutes.

TRANSPORTATION

SB 81, relative to ignition interlock device preset levels.

Ought to Pass, Vote 5-0.

Senator Fenton for the committee

This bill sets the level for alcohol ignition interlock devices to 0.020. The bill would help to keep New Hampshire roads safer and is designed to prevent driving under the influence.

SB 118-FN, requiring children under the age of 2 years to be restrained in a motor vehicle.

Ought to Pass, Vote 5-0.

Senator Fenton for the committee.

This bill requires children under the age of 2 years old to be restrained in a rear facing child restraint in a motor vehicle. The bill would attempt to keep children under the age of 2 years old safer when traveling in a vehicle in the event of a collision.

SB 188-FN, relative to catalytic converters.

Ought to Pass with Amendment, Vote 5-0.

Senator Fenton for the committee.

This bill places a variety of record keeping requirements on catalytic converter and scrap metal dealers, and requires their cooperation with enforcement in the event of a theft. The amendment exempted licensed vehicle salvage yards from selling parts of a car related to the catalytic converter.

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

Ought to Pass with Amendment, Vote 5-0.

Senator Ward for the committee.

This bill establishes a safety program for off highway recreational vehicles. The amendment further detailed training certificate requirements, temporary certificates beginning in July 2024, and explaining the lifetime permanent certificate requirements.

REGULAR CALENDAR REPORTS

ENERGY AND NATURAL RESOURCES

SB 56-FN, relative to payments for upland resource losses.

Ought to Pass with Amendment, Vote 4-0.

Senator Watters for the committee.

FINANCE

SB 114-FN-L, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.

Ought to Pass, Vote 6-0.

Senator Rosenwald for the committee.

SB 125-FN-A, relative to annual grants to regional development corporations.

Ought to Pass, Vote 6-0.

Senator Pearl for the committee.

AMENDMENTS

Energy and Natural Resources

February 7, 2023

2023-0404s

09/08

Amendment to SB 56-FN

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

AN ACT relative to payments for restoration of certain jurisdictional resource losses.

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

1 Aquatic Resource Compensatory Mitigation; Fund Established. Amend RSA 482-A:29, I and II to read as follows:

I. There is hereby established the aquatic resource compensatory mitigation fund into which payments made under this subdivision shall be deposited. The fund shall be a separate, nonlapsing fund continually appropriated to the department to be used only as specified in this subdivision for costs related to wetlands creation or restoration, stream and river restoration, stream and river enhancement, ***restoration or enhancement of any jurisdictional area identified under RSA 482-A:30-b***, preservation of upland areas adjacent to wetlands and riparian areas, and the subsequent monitoring and maintenance of such areas.

II. A separate, non-lapsing account shall be established within the fund into which all administrative assessments collected under RSA 482-A:30, III, [and] RSA 482-A:30-a, II, **and RSA 482-A:30-b, III** shall be placed. Such account moneys shall be used for administration of the fund, including staff, and aquatic resource mitigation related projects.

2 New Section; Payment For Other Jurisdictional Losses. Amend RSA 482-A by inserting after section 482-A:30-a the following new section:

482-A:30-b Payment for Other Jurisdictional Resource Losses. For losses to sand dunes, undeveloped portions of a duly-established 100-foot buffers of designated prime wetlands, and undeveloped tidal buffer zones, the in-lieu payment shall be the sum of:

I. The cost that would have been incurred if a resource of the same type was restored at the ratios adopted by the department, based on a price of \$65,000 per acre of resource area created, to be adjusted at the beginning of the calendar year according to the annual simple rate of interest on judgments established by RSA 336:1;

II. The area of resources impacted, as used in the calculation performed under paragraph I, times the cost of land in the municipality where the impact is occurring as calculated by the total assessed land values in the municipality, as determined by the department of revenue administration, which are equalized, divided by the number of acres in the municipality to yield a per acre equalized land value; and

III. An administrative assessment equal to 20 percent of the amount in paragraphs I and II.

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

Energy and Natural Resources

February 7, 2023

2023-0406s

10/08

Amendment to SB 69-FN

Amend the bill by replacing section 2 with the following:

2 Limited Electrical Energy Producers Act; Definitions. New Paragraph; Definition; Non-profit Host. Amend RSA 362-A:1-a by inserting after paragraph II-f the following new paragraph:

II-g. "Nonprofit 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 nonprofit, provided that all customers are located within the same utility franchise service territory. A nonprofit host may be owned by either a public or private entity. For this definition, "nonprofit" means any community and technical college, colleges and universities, hospitals as defined in RSA 151:2, I(a) that operate as a not for profit or a non-profit, housing authorities, bona fide religious organizations, and the Pease development authority.

2023-0406s

AMENDED ANALYSIS

This bill allows nonprofit entities of the community and technical colleges, colleges and universities, not-for-profit hospitals, housing authorities, bona fide religious organizations, and the Pease development authority, to participate as customer-generator group hosts under net energy metering.

Senate Judiciary

February 7, 2023

2023-0419s

07/10

Amendment to SB 76-FN

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

AN ACT relative to reporting of medico-legal deaths.

Amend the bill by replacing section 1 with the following:

1 Office of the Chief Medical Examiner; Mandatory Reporting of Medico-Legal Deaths. Amend RSA 611-B:12 to read as follows:

611-B:12 Mandatory Reporting of Medico-Legal Deaths. It shall be the duty of anyone who finds the body of any person whose death is suspected to have been caused or to have occurred in any manner described in RSA 611-B:11, or who finds remains which are thought to be human to immediately notify the medical examiner, ***the law enforcement agency having primary jurisdiction of the area, [and] or*** the county attorney for the county where the body or remains are found. ***Any person who violates this section shall be guilty of a misdemeanor.***

2023-0419s

AMENDED ANALYSIS

This bill creates the option of notification to the law enforcement agency having primary jurisdiction of the area in which remains thought to be human are found and adds a criminal penalty for failure to report a medico-legal death.

Election Law and Municipal Affairs

February 7, 2023

2023-0398s

07/08

Amendment to SB 92-FN

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

1 New Section; Information About Probate Court Filings; Registers of Probate; Authority. Amend RSA 548 by inserting after section 1 the following new section:

548:1-a Information About Probate Court Filings.

I. Registers of probate may provide information to parties regarding probate process governed under state statute using information provided by the probate division regarding an overview of probate process and court information.

II. In order to qualify to be elected as register of probate, or to qualify to fill a vacancy, the candidate shall be an active volunteer with the court probate navigator program, and must continue to participate as an active volunteer with the court probate navigator program throughout the term as a register of probate. This paragraph shall not apply if the judicial branch does not have a probate navigator program at the time of the election or appointment, or if the probate navigator program is discontinued during the register of probate's term of office.

III. Registers of probate may provide assistance with process issues such as assistance in logging into and navigating the court electronic filing process and provide other assistance consistent with their training. Nothing in this section shall be construed to authorize registers of probate to give legal advice or otherwise engage in the unauthorized practice of law. Nothing in this section shall be construed to give registers of probate the status of judicial branch employees.

IV. Registers of probate shall not charge a fee or receive any compensation for services provided under this section other than what is authorized under RSA 548:17.

V. In the event that a register of probate stops participating in the court navigator program, the county commissioners shall have the ability to fill the position with a candidate who is qualified under paragraph II of this section. Failure to continue to participate in the program throughout the term shall disqualify the person to be a candidate for register of probate in the next election. This paragraph shall not apply if the judicial branch does not have a probate navigator program at the time of the election or appointment, or if the probate navigator program is discontinued during the register of probate's term of office.

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

Senate Executive Departments and Administration

February 2, 2023

2023-0307s

06/05

Amendment to SB 94

Amend RSA 170-E:25, I as inserted by section 5 of the bill by replacing it with the following:

I “Child” means any person under 21 years of age, ***or up to 22 years of age if the person is receiving special education or special education and related services as identified by the child’s school district.***

Amend the bill by deleting section 1 and renumbering the original sections 2-9 to read as 1-8, respectively.

Senate Executive Departments and Administration

February 2, 2023

2023-0303s

08/07

Amendment to SB 103

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

AN ACT including the raid on Fort William and Mary in Portsmouth in the planning of the American revolution sestercentennial commission.

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

1 Duties; Sestercentennial Commission; Fort William and Mary. Amend RSA 17-S:3 to read as follows:

17-S:3 Duties. The commission shall:

I. Lead New Hampshire’s planning efforts to commemorate the significance of the American Revolution and Declaration of Independence to our state and national history, ***including the raid on Fort William and Mary in Portsmouth in December 1774 which included the first shots fired in the American Revolution.***

II. Make recommendations outlining the most effective and appropriate means for the state of New Hampshire to commemorate the American Revolution and Declaration of Independence sestercentennial celebration.

III. Identify and pursue resources necessary to effectively communicate and implement commemorative activities.

IV. Implement recommendations by working with the office of the governor, appropriate state and local government agencies, members of the New Hampshire general court, organizations, and individuals that are interested in commemorating the American Revolution and signing of the Declaration of Independence.

V. Coordinate communications with the United States sestercentennial commission to ensure that New Hampshire will be a significant state for events recognizing the American Revolution and signing of the Declaration of Independence.

VI. Coordinate scheduling of New Hampshire American Revolution sestercentennial activities and coordinate activities with the national commission.

VII. Solicit information and testimony from any individual or entity with information or expertise relative to the commission’s charge.

VIII. Plan a publicly noticed and publicized event for July 4, 2026, relating to the American Revolution and the signing of the Declaration of Independence.

IX. Plan a publicly noticed and publicized event for December 14, 2026, relating to the raid on Fort William and Mary, now named Fort Constitution.

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

2023-0303s

AMENDED ANALYSIS

This bill includes the raid on Fort William and Mary in Portsmouth in the planning of the American revolution sestercentennial commission.

Senate Education

February 7, 2023

2023-0405s

09/05

Amendment to SB 109

Amend RSA 193-D7, II as inserted by section 1 of the bill by replacing it with the following:

II. Notwithstanding any other provision of law, law enforcement may disclose law enforcement records or information contained within such records related to any report of a “serious threat to school safety” pursuant to RSA 169-B:2, XIV to the reporting school officials for use in disciplinary proceedings conducted in accordance with RSA 193:13, I(b) and II. Law enforcement may also, upon issuance of a court order pursuant to RSA 169-B:35, II, disclose court records to such school officials. All records shall be maintained in accordance with the Family Education Rights and Privacy Act, 20 U.S.C. section 1232g, and applicable state law.

Senate Judiciary
February 7, 2023
2023-0423s
07/05

Amendment to SB 128-FN

Amend the bill by replacing section 1 with the following:

1 New Hampshire Mental Health Services; Involuntary Admissions; Payment for Legal Services. Amend RSA 135-C:23 to read as follows:

135-C:23 Legal Services; Payment; Appointment. ~~[The client or person sought to be admitted shall pay the costs of the legal services in connection with hearings held under this chapter.]~~ If the client or person sought to be admitted ***does not have legal*** ~~[is unable to pay for]~~ counsel ***in connection with hearings held under this chapter***, the court shall appoint ~~[either a member of New Hampshire Legal Assistance, or its successor organization, or another]~~ ***an*** attorney who shall be compensated at a rate as determined by the supreme court. ***The cost of such court-appointed attorneys, including counsel and investigative, expert, or other services and expenses approved by the circuit court that are necessary to provide adequate representation, shall be paid from funds appropriated for indigent defense pursuant to RSA 604-A.***

Senate Education
February 7, 2023
2023-0401s
06/08

Amendment to SB 154-FN

Amend introductory paragraph RSA 187-A:20-b, II as inserted by section 1 of the bill by replacing it with the following:

II. In this section, an eligible individual is a person who is less than ~~[23]~~ **26** years of age and who is or was:

Amend RSA 187-A:20-b, II(d) as inserted by section 1 of the bill by replacing it with the following:

(d) In placement out-of-state, through the interstate compact for the placement of children, at the time of their 18th birthday;

2023-0401s

AMENDED ANALYSIS

This bill modifies eligibility criteria for tuition waivers for children in guardianships after being in state foster care.

Energy and Natural Resources
February 7, 2023
2023-0411s
10/05

Amendment to SB 161

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

1 Electric Renewable Portfolio Standard; Definition; Low-moderate Income Community Solar Project. Amend RSA 362-F:2, X-a to read as follows:

X-a. “Low-moderate income community solar project” means ground-mounted or rooftop solar arrays that directly benefit a group of at least 5 residential end-user customers, where at least a majority of the residential end-user customers are at or below 300 percent of the federal poverty guidelines, ***or directly benefit the residents of a public housing authority created pursuant to RSA 203 or a housing project as defined in RSA 78-B:2 XXIII, where the electric bills are either paid directly by the residents or by the public housing authority or housing project, provided that at least a majority of the residents receiving the direct benefit are at or below 80 percent of the Area Median Income (AMI) calculated by the Department of Housing and Urban Development.*** No more than 15 percent of the projected load for such project shall be attributable to non-residential end-user customers.

2 Renewable Energy Fund; Public Housing Authority Projects. Amend RSA 362-F:10, X to read as follows:

X. Consistent with RSA 362-F:10, VI, the department of energy shall, over each 2-year period commencing July 1, 2010, reasonably balance overall amounts expended, allocated, or obligated from the fund, net of administrative expenditures, between residential and nonresidential sectors. Funds from the renewable energy fund awarded to renewable projects in the residential sector shall be in approximate proportion to the amount of electricity sold at retail to that sector in New Hampshire, and the remaining funds from the renewable energy fund shall be awarded to projects in the nonresidential sector which include commercial and industrial sited renewable energy projects, existing generators, and developers of new commercial-scale renewable generation in New Hampshire, provided no less than 15 percent of the funds shall annually benefit:

(a) Low-moderate income residential customers, including, but not limited to, the financing or leveraging of financing for low-moderate income community solar projects in manufactured housing communities or in multi-family rental housing.

(b) ***Residents of a public housing authority created pursuant to RSA 203, or a housing project as defined in RSA 78-B:2 XXIII, where the electric bills are either paid directly by the residents or by the public housing authority or housing project, provided that at least a majority of the residents benefiting are at or below 80 percent of the Area Median Income (AMI) calculated by the Department of Housing and Urban Development.***

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

Energy and Natural Resources
February 7, 2023
2023-0407s
10/07

Amendment to SB 167-FN-LOCAL

Amend RSA 362-H:1, VII as inserted by section 2 of the bill by replacing it with the following:

VII. “Green hydrogen” means hydrogen derived from a clean energy resource that uses water as the source of the hydrogen. For purposes of green hydrogen electricity generation and hydrogen transmission, a green hydrogen project may include associated clean energy generation, including regenerative fuel cells, transmission, and other infrastructure. “Green hydrogen” electricity generation means a power plant technology in which an electrical generating unit creates electric power exclusively from electrolytic hydrogen, in a manner that produces zero carbon and co-pollutant emissions, using hydrogen fuel that is electrolyzed using a 100 percent zero carbon emission energy source. The term does not include hydrogen produced using steam reforming or any other conversion technology that produces hydrogen from fossil fuel feedstock.

Amend RSA 362-H:3, I and II as inserted by section 3 of the bill by replacing it with the following:

I. The production of green hydrogen by a green hydrogen facility shall be eligible for a credit against the business profits tax. A credit of not more than 10 percent of the qualifying costs or \$500,000, whichever is the lesser value, for investments in green hydrogen facilities and regenerative fuel cells brought into service after December 31, 2023, shall be applied against the business profits tax under RSA 77-A for a taxable period ending on or after December 31, 2024. No taxpayer may qualify for more than \$500,000 in any single taxable period. The aggregate total for this tax credit is \$5,000,000. If the total of applicants exceeds the cap, the funds shall be allocated proportionally.

II. The owner of a green hydrogen facility brought into service after December 31, 2023 shall be eligible under RSA 72:74 for the property tax reduction provided as a payment in lieu of taxes as a renewable generation facility, for a period of 5 years.

Amend RSA 362-H:4, II(g) as inserted by section 3 of the bill by replacing it with the following:

(g) Consider facilities that result in the blending of hydrogen into existing natural gas transmission and distribution systems that serve residential, commercial, transportation, and industrial uses, and consider policy recommendations for inclusion of hydrogen production from fossil fuel feedstock.

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

5 New Paragraph; Business Profits Tax; Credit for Green Hydrogen Infrastructure. Amend RSA 77-A:5 by inserting after paragraph XVI the following new paragraph:

XVII. The tax credit computed under RSA 362-H:3, I for green hydrogen production and infrastructure.

6 Repeal; 2029; Business Profits Tax Credit. The following are repealed:

I. RSA 362-H:3, I, relative to the business profits tax credit for investments in green hydrogen facilities and regenerative fuel cells.

II. RSA 77-A:5, XVII, relative to the use of the green hydrogen business profits tax credit.

7 Effective Date.

I. Section 6 of this act shall take effect January 1, 2029.

II. The remainder of this act shall take effect July 1, 2023.

Senate Transportation
February 7, 2023
2023-0424s
09/10

Amendment to SB 188-FN

Amend RSA 266:118 as inserted by section 1 of the bill by inserting after paragraph XIII the following new paragraph:

XIV. Licensed vehicle salvage yards shall be exempt from the provisions of this section if they take in a full and complete car and not pieces, or parts of a car related to the sale of a catalytic converter.

Senate Executive Departments and Administration
February 2, 2023
2023-0302s
06/07

Amendment to SB 207

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

AN ACT establishing a committee to study licensure of mental health professionals and relativetomental health critical incident intervention and management.

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

7 Emergency Medical and Trauma Services; Critical Incident Intervention and Management. Amend RSA 153-A:17-a, I(e) - III(b) to read as follows:

(e) “Critical incident stress management team” or “team” means the group of one or more trained volunteers, including members of peer support groups organized by a unit of state, local, [or] county government, **or employee organization** who offer critical incident stress management, [and] crisis intervention **or peer support** services following a critical incident or long term or continued, debilitating stress being experienced by emergency services providers and affecting them or their family situation.

(f) (1) **“Peer Support Group” means the group of one or more trained volunteers, organized by a unit of state, local, county government or employee organization that can recognize common behavioral health issues, provide support services, and serve as a bridge to community resources or behavioral health treatment when indicated.**

[(f)(1)] (2) “Critical incident stress management team member” or “team member” means an emergency services provider, including any law enforcement officer, sheriff or deputy sheriff, state police officer, civil-

ian law enforcement employee, firefighter, civilian fire department employee, emergency medical personnel, telecommunicators, and local dispatchers specially trained to provide critical incident stress management, ~~[and]~~ crisis intervention **or peer support** services as a member of an organized and registered team.

~~[(2)]~~ **(3)** In this subparagraph:

(A) “Telecommunicator” means an employee of the department of safety, division of emergency services and communications who is responsible for receiving at the public safety answering point telephone calls made to E911 and transferring or relaying such calls to public or private safety agencies.

(B) “Local dispatcher” means a person who determines the location, status, and assistance required by callers and walk-in customers for public safety services and dispatches the appropriate police, fire, ambulance, or other units to provide needed emergency services at the state, city, town, or private emergency services level.

II.(a) Team members shall undergo and sustain certification standards set forth in guidelines established by the International Critical Incident Stress Foundation (ICISF) approved by the commissioner of the department of safety, or a similar organization for which the commissioner shall not unreasonably withhold approval. The team shall be registered with ICISF, or a similar organization, and maintain training standards to date as required.

(b) All critical incident stress management team members **or peer support group members**, sworn or civilian, shall be designated by the police chief, sheriff, director of the division of state police, fire chief, or director of the division of emergency services and communications, **or head of an employee organization**.

III.(a) Any information divulged to the team, ~~[or a]~~ team member **or peer support group member**, during the provision of critical incident stress management, ~~[and]~~ crisis intervention **or peer support** services shall be kept confidential and shall not be disclosed to a third party or in a criminal, civil, or administrative proceeding. Records kept by critical incident stress management team members **or peer support group** are not subject to subpoena, discovery, or introduction into evidence in a criminal, civil, or administrative action. Except as provided in subparagraph (c), no person, whether critical incident stress management team member, ~~[or]~~ team leader **or peer support group member** providing or receiving critical incident stress management, ~~[and]~~ crisis intervention **or peer support** services, shall be required to testify or divulge any information obtained solely through such crisis intervention.

(b) The purpose of this section is to provide a consistent framework for the operation of critical incident stress management teams, **peer support groups**, and their members. In any civil action against any individual, agency, or government entity, including the state of New Hampshire, arising out of the conduct of a member of such team, this section is not intended and shall not be admissible to establish negligence in any instance where requirements herein are higher than the standard of care that would otherwise have been applicable in such action under state law.

8 Effective Date.

I. Section 7 of this act shall take effect 60 days after its passage.

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

2023-0302s

AMENDED ANALYSIS

This bill:

I. Establishes a committee to study licensure of mental health professionals.

II. Adds a new definition for “peer support group” to emergency medical and trauma services and critical incident intervention and management.

Senate Transportation

February 7, 2023

2023-0425s

07/05

Amendment to SB 256-FN

Amend the introductory paragraph of RSA 215-A:32-a, I as inserted by section 3 of the bill by replacing it with the following:

I. No person born after January 1, 1978 shall operate an OHRV on land not owned or leased by such person or such person's parent, grandparent, or guardian unless such person carries a temporary or permanent certificate that is in full force and effect evidencing completion of an approved OHRV safety training program as required by this section. Any person may voluntarily complete program requirements and obtain the certificate earlier than required herein. The temporary certificate requirement shall be implemented on July 1, 2024. The lifetime permanent certificate requirement shall be implemented for all operators on the following schedule:

Amend RSA 215-A:32-a, II(e) as inserted by section 3 of the bill by replacing it with the following:

(e) Issuance by the department or its agents of a temporary safety training certificate to a person 16 years of age or older who passes an approved examination administered by the department or its agents, which shall be valid for one calendar year.

Amend RSA 215-A:32-a, III(a) as inserted by section 3 of the bill by replacing it with the following:

(a) Beginning July 1, 2024, the executive director, or designee, may issue an OHRV temporary safety training certificate to a person 16 years of age or older who passes a temporary examination administered by the department or its agents and approved by the executive director.