

February 23, 2023  
No. 12

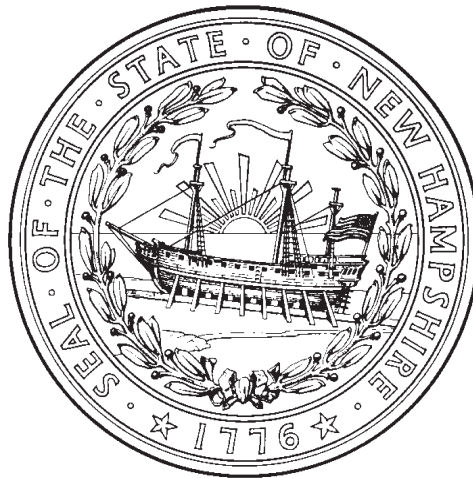
# STATE OF NEW HAMPSHIRE

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

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**First Year of the 168<sup>th</sup> Session of the  
New Hampshire General Court**

## SENATE CALENDAR

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

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

<https://youtube.com/live/mkCn-H8AzCQ?feature=share>

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

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## **LAI D ON THE TABLE**

**SB 55-FN-A**, making an appropriation for the Cannon Mountain tramway.02/22/2023, Pending Motion OT3rdg, Finance, SJ 8

**SB 114-FN-LOCAL**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.02/09/2023, Pending Motion OT3rdg, Finance, SJ 6

**SB 124-FN-A**, making an appropriation for the Eastern Slopes Regional Airport.02/09/2023, Pending Motion OT3rdg, Finance, SJ 6

**SB 125-FN-A**, relative to annual grants to regional development corporations.02/09/2023, Pending Motion OT3rdg, Finance, SJ 6

**SB 138-FN-A**, making an appropriation to PFAS remediation fund grants.02/22/2023, Pending Motion OT3rdg, Finance, SJ 8

**SB 230-FN-A**, making an appropriation to the department of environmental services for wastewater infrastructure projects.02/22/2023, Pending Motion OT3rdg, Finance, SJ 8

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## **CONSENT CALENDAR REPORTS**

### **EDUCATION**

**SB 135**, relative to alternative dispute resolution in special education.

Ought to Pass, Vote 5-0.

Senator Gendreau for the committee.

SB 135 permits parties involved in alternative-dispute resolution to mutually extend the conference window beyond the 30-day standard. With the intent to open communication and mitigate conflict, parents and school officials may elect to continue the dispute resolution process beyond 30 days so that cases can be sufficiently mediated as opposed to being hurriedly settled or withdrawn.

**SB 136**, prohibiting the employment or volunteering of a revoked or suspended educator.

Ought to Pass with Amendment, Vote 5-0.

Senator Prentiss for the committee.

SB136 is seeking to amend RSA 189:13-a to prohibit public, charter, and non-public schools from hiring an educator, or volunteer who is currently on the Department of Education's revoked or suspended educators list. The current law requires that public and charter schools conduct criminal background checks prior to any employment offer.

**SB 151-FN**, relative to mental health education.

Ought to Pass with Amendment, Vote 5-0.

Senator Lang for the committee.

SB 151 inserts mental health curricula into the state's criteria for an adequate education. The bill expands the Department of Education's rule making authority in this regard, and provides a subsequent indeterminable appropriation for the implementation of mental health topics in the classroom, and also for the creation and maintenance of an online curriculum model.

**SB 219-FN-L**, relative to a salary floor for public school teachers.

Inexpedient to Legislate, Vote 5-0.

Senator Prentiss for the committee.

SB219 establishes a salary floor for educators in relation to certain administrative wages. The bill mandates that public school teachers may not be paid below the prescribed salary floor if the district in question has more than one assistant superintendent and/or employs a diversity, equity, and inclusion professional.

**SB 266**, relative to the statewide education improvement and assessment program.

Ought to Pass, Vote 5-0.

Senator Gendreau for the committee.

SB 266 is simple legislation seeking to recodify sections of RSA 193, pertaining to the administration of and the criteria for the Statewide Education Improvement and Assessment Program. SB 266 would result in no policy or procedural difference, rather the bill simply removes duplicative and conflicting language, while rearranging the content within specific sections of the RSA to be more sensible and understandable.

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

**SB 88**, relative to the annual dues paid by towns and cities to town officers' associations.

Ought to Pass, Vote 5-0.

Senator Murphy for the committee.

This bill raises the cap amount of membership dues paid by a municipality to town officers' associations. The current cap is twenty dollars which was established in 1977. This legislation allows associations, if they choose, to charge up to a maximum of fifty dollars annually.

**SB 110-FN-L**, relative to administration of the emergency shelter program by cities and towns.

Ought to Pass with Amendment, Vote 5-0.

Senator Gray for the committee.

This bill clarifies which town or city is responsible for expenses related to emergency shelters. Additionally, it provides that, coordination of assistance options be communicated between the responsible community and the community providing the services. Every New Hampshire Community has the obligation to support their citizens with shelter. This legislation supports those efforts.

### **ENERGY AND NATURAL RESOURCES**

**SB 16**, establishing a stakeholders' group to address utility poles and attachments in New Hampshire.

Ought to Pass, Vote 5-0.

Senator Watters for the committee.

SB 16 establishes a stakeholders' group to address utility poles and attachments in New Hampshire. The stakeholders group shall be under the direction of the director of the division enforcement in the department of energy. The responsibilities of the stakeholders group include the improving of the functionality of attachment management systems and identifying solutions to resolve communication issues among all parties, increasing participation in NJUNS, exploring enhancements to attachment management systems, continuing the focus on attachment identification and pole location information, and address PUC rules regarding pole transfers.

**SB 61**, relative to surface water setbacks for landfills.

Ought to Pass with Amendment, Vote 5-0.

Senator Avar for the committee.

SB 61 requires the department of environmental services to adopt rules relative to surface water setbacks for landfills. With the advances in environmental protection technology, the general court intends the department of environmental services to reexamine its rules to determine whether protections provided by the rules can be enhanced for newly sited facilities. These new rules will govern setbacks of newly sited landfills from surface water bodies to impose site-specific requirements sufficient to prevent groundwater contamination. The department will also be required to take into account certain additional environmental protective measures proposed by an applicant for a landfill permit.

**SB 227-FN-A**, relative to an assessment of solid waste facility setback requirements and making an appropriation therefor.

Re-refer to Committee, Vote 5-0.

Senator Watters for the committee.

SB 227 directs the department of environmental services to contract for an assessment of the current set-back requirements that are applicable to the permitting of new solid waste facilities. The proposals for the contracts shall include assessments of the environmental, safety, and technical aspects of set-back requirements and related protections in current state law and administrative rules that are applicable to the permitting of new solid waste facilities. Additionally, the department will make the final report available to the public and accept public comment. The language of SB 227 was amended into SB 61, the Senate Energy and Natural Resources committee voted to re-refer SB 227 to committee.

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 74-FN**, relative to the department of administrative services.

Ought to Pass with Amendment, Vote 5-0.

Senator Perkins Kwoka for the committee.

SB 74 was filed at the request of the Department of Administrative Services and amends seven statutes relative to Department of Administrative Services and the Department of Transportation, temporary, seasonal and part-time state employees, and positions made permanent, retroactive accumulation, application of statute, adjustment of salaries of classified state employees, salary increases for nurses, and overtime for nurses at certain institutions. The amendment to SB 74 makes some changes to language in section 16 to ensure proper clarity and was approved by the Department.

**SB 87**, relative to nurses for youth camps, organized recreation, and community-sponsored recreation.

Ought to Pass with Amendment, Vote 5-0.

Senator Carson for the committee.

SB 87 allows certain nurse practitioners and other medical personnel to practice in youth camps, organized recreation, and community sponsored recreation settings. The intent of the bill is to allow fewer restrictions on nurses and other medical personnel that work in youth recreation camps to combat the ongoing workforce shortage and allow certain nursing students to obtain a license. The amendment to this bill adds clarification to some of the definitions and standards that need to be met by the practitioners.

**SB 105-FN**, relative to information collected by the division of vital records administration as part of the live birth worksheet.

Ought to Pass, Vote 5-0.

Senator Perkins Kwoka for the committee.

As introduced SB 105-FN removes the possibility of violation or a criminal penalty if certain information on a live birth worksheet are omitted. This bill requires that the mother affirmatively consents to the inclusion of certain identifiable health information on the live birth worksheet. SB 105-FN comes from a study committee in 2022 under SB 454 where the committee found that omitting certain information on the live birth worksheet is a felony.

**SB 106-FN**, establishing an emerging professional certificate for child care programs.

Ought to Pass with Amendment, Vote 5-0.

Senator Altschiller for the committee.

SB 106 creates an industry recognized certificate for high school students promoting interest in child-care education programs, providing a pathway for these students to enter the profession. and potentially earn a higher wage over time. This bill will allow students to begin working toward a child care career increasing their future earning potential by entering the profession earlier. The amendment to this bill adds a section that says the training requirements will be set by a collaboration between the bureau of child development and head start.

**SB 130-FN**, relative to a court security officer training program.

Ought to Pass with Amendment, Vote 5-0.

Senator Gendreau for the committee.

SB 130 authorizes the judicial branch to develop a court security officer training and education program in collaboration with the police standards and training council. The amendment to this bill made a minor change to fix an error in the paragraph numbering in original bill.

**SB 204-FN**, requiring trauma kits to be available in state-owned buildings.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Perkins Kwoka for the committee.

SB 204 requires that trauma kits be available in state-owned buildings. The bill also establishes a dedicated fund in the department of safety, division of fire standards and training and emergency medical services to purchase the trauma kits. The amendment to this bill adds some definition as to what will be required to be in these kits and creates a trauma kit placement committee to determine which state buildings will have these kits.

**SB 208**, relative to online access to state information on economic relief disbursements.  
Ought to Pass, Vote 5-0.  
Senator Altschiller for the committee.

As introduced SB 208 requires the commissioner of the department of administrative services and the governor's office for emergency relief funds and recovery to separately report on the disbursement of federal funds. This bill would provide transparency to taxpayers as the disbursement of federal funds by the state of New Hampshire shall be made available through their public website. This bill would emphasize accountability and taxpayer transparency with the state's spending of federal funds.

**SB 209**, relative to providing menstrual hygiene products at no cost to individuals who biologically menstruate in state and county correctional facilities.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Carson for the committee.

As introduced SB 209 requires state and county correctional facilities to provide menstrual hygiene products at no cost to individuals who biologically menstruate. SB 209 is already policy for all state prisons and some county prisons, but this bill would ensure equity across all New Hampshire correctional facilities. An amendment was adopted on SB 209 which includes juvenile detention facilities and specifies sufficiency in regards to the number of menstrual hygiene products to be provided per menstrual cycle of a biologically menstruating person. This bill would create a standard across all state and county correctional facilities which provides the basic amount of menstrual cycle health services to biologically menstruating incarcerated individuals.

## **HEALTH AND HUMAN SERVICES**

**SB 173-FN**, relative to surprise medical bills.  
Re-refer to Committee, Vote 5-0.  
Senator Birdsell for the committee.

SB 173-FN requires insurers to cover emergency services provided by nonparticipating providers in the same manner as if the services were provided by a participating provider and requires the insurer to pay the nonparticipating provider the out-of-network rate less any cost-sharing for the services provided. The bill also prohibits surprise medical bills and balance billing. The Committee heard conflicting testimony about several provisions of the bill, including questions over federal-vs-state responsibilities. The Committee simply needs more time to monitor developments at the federal level as well as have conversations between carriers and the New Hampshire Insurance Department.

**SB 176-FN**, relative to insurance coverage for pelvic floor therapy.  
Re-refer to Committee, Vote 5-0.  
Senator Whitley for the committee.

SB 176-FN requires individual and group health insurance providers to cover pelvic floor therapy. The Committee heard testimony from insurance carriers that pelvic floor therapy is covered by all plans in New Hampshire but also heard testimony from providers and women who have had their claims for coverage denied. Re-referring SB 176-FN will give the Committee time to meet with both sides and determine if a legislative solution is required, or if an education campaign for carriers and providers will meet the need.

**SB 236**, establishing a committee to study nonprofit organizations contracting with the department of health and human services for children's services.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Prentiss for the committee.

SB 236 establishes a committee to study the feasibility of extending limited liability to nonprofits contracting with the Department of Health and Human Services for children's services. This is an issue that has come



before the General Court several times in recent years and an issue which requires a thorough review. The Committee heard conflicting testimony on the number of carriers for this type of insurance and other points of contention that a study committee could answer. The Committee Amendment ensures that the study committee will begin its work at a neutral place, where all parties can come to the table on equal footing.

**SB 243**, establishing a committee to study implementing a state-based health insurance exchange.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Birdsell for the committee.

SB 243 establishes a committee to study implementing a state-based health insurance exchange. When the Affordable Care Act was passed, the General Court at that time chose to join the federal, healthcare.gov exchange. Other states that chose to enact a state-based exchange seem to be providing evidence of potential benefits for a state-based exchange. A study committee could review these potential benefits, as well as potential risks, and provide a thorough report. The Committee Amendment ensures that any potential liabilities of a state-based exchange will also be considered by the study committee.

### **JUDICIARY**

**SB 245**, relative to the inspection of hotel guest records.  
Ought to Pass with Amendment, Vote 5-0.  
Senator Gannon for the committee.

SB 245 would clarify the obligation of hotels and similar lodgings to maintain a record of each guest. The Committee Amendment would add the requirement that a guest must sign their legal name when checking in for any public lodging house. This bill was requested by the New Hampshire Lodging and Restaurant Association, and simply seeks to update current law with modern day technology.

**SB 251**, establishing a committee to study the long-term impact of the New Hampshire adult parole system.  
Ought to Pass, Vote 5-0.  
Senator Whitley for the committee.

SB 251 would establish a committee to study the long-term impact of the New Hampshire adult parole system. Probation and parole are designed to lower prison populations and help people succeed in the community; however, new data suggests that they may have the opposite effect. In New Hampshire, 60% of state prison admissions are due to supervision violations, which is much higher than the national average. This discrepancy warrants further study on the issue.

## **REGULAR CALENDAR REPORTS**

### **EDUCATION**

**SB 141-FN**, relative to administration of the education freedom accounts program.  
Inexpedient to Legislate, Vote 3-2.  
Senator Ward for the committee.

**SB 214-FN-A**, establishing a department of early childhood education and relative to a pre-kindergarten pilot program.  
Inexpedient to Legislate, Vote 3-2.  
Senator Ward for the committee.

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

**SB 73-FN**, relative to Help America Vote Act (HAVA) grants.  
Inexpedient to Legislate, Vote 3-2.  
Senator Gray for the committee.

**SB 222**, relative to the definition of broadband infrastructure as a revenue-producing facility eligible for municipal revenue bonds.  
Re-refer to Committee, Vote 4-1.  
Senator Gray for the committee.

### **ENERGY AND NATURAL RESOURCES**

**SB 229-FN**, relative to administration of certain wetlands permits by the department of environmental services.  
Ought to Pass, Vote 5-0.  
Senator Birdsell for the committee.

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 147**, relative to the board of dental examiners.

Ought to Pass with Amendment, Vote 4-1.

Senator Carson for the committee.

**SB 205-FN**, relative to a cost of living adjustment in the state retirement system.

Ought to Pass, Vote 4-1.

Senator Altschiller for the committee.

**SB 212-FN**, relative to the regulation of massage, reflexology, structural integrator, and Asian bodywork therapy establishments.

Inexpedient to Legislate, Vote 3-2.

Senator Pearl for the committee.

## **FINANCE**

**SB 49-FN**, relative to creating a dedicated, non-lapsing fund, and a biennial report of such fund, for OPLC.

Ought to Pass, Vote 7-0.

Senator Innis for the committee.

**SB 56-FN**, relative to payments for restoration of certain jurisdictional resource losses.

Ought to Pass, Vote 7-0.

Senator Pearl for the committee.

**SB 57-FN**, relative to the reduction in the calculation of state retirement annuities at age 65.

Ought to Pass, Vote 6-1.

Senator D'Allesandro for the committee.

**SB 120-FN**, relative to charitable gaming license applications, wages, stakes, and bonds.

Ought to Pass, Vote 6-1.

Senator Rosenwald for the committee.

**SB 123-FN**, relative to the adoption of ambient groundwater quality standards by the department of environmental services.

Ought to Pass with Amendment, Vote 7-0.

Senator Pearl for the committee.

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

Ought to Pass, Vote 7-0.

Senator Innis for the committee.

**SB 188-FN**, relative to catalytic converters.

Ought to Pass with Amendment, Vote 7-0.

Senator D'Allesandro for the committee.

**SB 232-FN-A**, making an appropriation to support the work of the New Hampshire Internet Crimes Against Children Task Force.

Ought to Pass, Vote 7-0.

Senator Birdsell for the committee.

## **HEALTH AND HUMAN SERVICES**

**SB 238-FN**, relative to the use of telemedicine to treat mental health conditions.

Ought to Pass with Amendment, Vote 5-0.

Senator Prentiss for the committee.

**SB 240**, relative to conditions for genetic testing.

Ought to Pass with Amendment, Vote 5-0.

Senator Prentiss for the committee.

**SB 263-FN**, extending the New Hampshire granite advantage health care program and reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program.

Ought to Pass with Amendment, Vote 5-0.

Senator Avarð for the committee.

## **JUDICIARY**

**SB 117**, relative to the definition of a "child" for the purpose of negligent storage of firearms.

Inexpedient to Legislate, Vote 3-2.

Senator Gannon for the committee.

**SB 179**, relative to eliminating the use of seclusion as a form of punishment or discipline on children in schools and treatment facilities.

Ought to Pass, Vote 5-0.

Senator Whitley for the committee.

**SB 181-FN**, relative to access to abortion care.

Inexpedient to Legislate, Vote 3-2.

Senator Abbas for the committee.

**SB 184**, relative to the age at which a minor may receive mental health treatment without parental consent.

Inexpedient to Legislate, Vote 3-2.

Senator Abbas for the committee.

**SB 249-FN**, relative to the release of a defendant pending trial.

Ought to Pass, Vote 3-2.

Senator Abbas for the committee.

**SB 252-FN**, relative to release of a defendant pending trial.

Ought to Pass, Vote 4-1.

Senator Carson for the committee.

**SB 253**, relative to parental access to a minor child's medical records.

Re-refer to Committee, Vote 3-2.

Senator Carson for the committee.

### **WAYS AND MEANS**

**SB 262-L**, allowing municipalities to collect an occupancy fee from operators of local room rentals.

Inexpedient to Legislate, Vote 4-1.

Senator Innis for the committee.

## **AMENDMENTS**

Energy and Natural Resources

February 22, 2023

2023-0656s

08/05

### Amendment to SB 61

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

1 Statement of Purpose. The protection of perennial rivers, lakes, and coastal waters from contamination is in the public interest of the state of New Hampshire. The general court recognizes that the state's current statutes and rules provide for redundant protection of groundwater and surface water from releases or spills of leachate generated by disposal of waste in the state's landfills. As environmental protection technology advances, however, the general court intends that the department of environmental services reexamine its rules periodically to determine whether the protections already provided by the rules can be enhanced for newly sited facilities. The purpose of this act is to direct the department to reexamine its rules governing setbacks of newly sited landfills from surface water bodies to impose site-specific requirements sufficient to prevent groundwater contaminated by a spill or release of leachate from reaching such a water body before remedial action can be implemented, to provide the department with representative factors that it must consider in adopting new setback rules, and to require the department to take into account certain additional environmental protective measures proposed by an applicant for a landfill permit. The act also sets a timeframe for the department's adoption of new setback rules and requires that any newly-sited landfill permitted after the effective date comply with the new rules if they are timely adopted as provided in this act.

2 Findings. The general court finds that:

I. The current rules of the department of environmental services require a "thorough hydrogeological investigation" of any proposed landfill site so that "[t]he potential release of contaminants to surface waters can be prevented, attenuated or otherwise remediated." Env-Sw 804.03(c)(3). The rules also contain multiple provisions for the design, construction, and operation of landfills that require redundant protections against groundwater and surface water contamination. These provisions include a minimum 200-foot setback between the proposed landfill footprint and any perennial surface water body. Env-Sw 804.03(d).



II. The department of environmental services' rules have proven effective in preventing releases of contaminants from the state's lined landfills to groundwater and surface water, and the department's requirement of a network of release detection wells at landfill sites enables the department to be notified of even low levels of contaminants in groundwater so that contamination is detected and remediated before the contaminants can migrate to surface water or sensitive receptors like drinking water wells.

III. The 200-foot minimum setback between landfills and perennial surface water in the department's rules falls within one of 3 broad categories of methods used by other states to determine setbacks. The 3 categories are distance-based setbacks, site-specific setbacks, and distance-based setbacks that can be reduced by the landfill owner through implementation of design features that provide additional redundancy to the landfill's environmental protection systems.

IV. The general court finds that the most protective of these methods is the use of site-specific setbacks. This approach avoids the possible limitations of the current one-size-fits-all distance-based method, ensures that the setback is based on the conditions at the specific site, and concentrates protections on downgradient groundwater and surface water where it belongs.

V. The state should encourage permit applicants to propose design features providing further redundancy to the landfill's environmental protection systems and such features should be taken into account in the department's determination of a site-specific setback.

VI. This approach reflects the balance New Hampshire seeks to strike in its environmental regulation between ensuring that all reasonably practicable and economically sound measures are used to protect our environment while providing permit applicants with incentives to improve environmental protection beyond the rigorous baseline standards.

3 New Paragraph; Rulemaking; Perennial Surface Water Setback. Amend RSA 149-M:7 by inserting after paragraph III the following new paragraph:

III-a. Criteria for determining the site-specific setback of a landfill footprint from perennial surface water bodies to prevent, attenuate, or otherwise remediate the potential release of contaminants to each such surface water body from the landfill footprint. Any rules adopted by the department under this paragraph shall, in addition to any other factors the department deems necessary for the rules to provide adequate protection of perennial surface water, take into account the following with respect to the subsurface conditions between the proposed landfill footprint and the surface water body:

- (a) The soil stratigraphy and permeability;
- (b) The volume, gradients, and travel time of groundwater supplying the surface water body, including the means by which to measure or model representative travel time;
- (c) Bedrock lithology and structure, including the nature, degree and continuity of fracturing; and
- (d) Hydraulic conductivity and such processes as advection, dispersion, and diffusion in groundwater.

4 New Paragraph; Site-Specific Setback to Perennial Surface Water. Amend RSA 149-M:9 by inserting after paragraph XIV the following new paragraph:

XV.(a) In formulating a site-specific setback to perennial surface water under rules adopted pursuant to RSA 149-M:7, III-a, the department shall take into account any measures proposed in the application for a permit that would provide greater or more redundant protection of perennial surface water than the department would otherwise require under its rules. Such measures may include, without limitation:

- (1) Installation of a tertiary soil or geomembrane liner system below the secondary liner system, providing a third layer of protection between waste materials and groundwater.
- (2) Installation of a second monitoring zone beneath the secondary liner system providing redundant verification of the effectiveness of the liner systems.
- (3) Conversion of the primary and/or secondary liner systems from the minimum single-liner design to an enhanced composite liner design in accordance with the department's landfill design rules.
- (4) Improvements to the engineered low permeability subgrade such as increases in thickness and reductions in permeability of the soil zones beneath the liner systems.

(5) Increasing the thickness of the liner by at least 20 mil for geomembrane liners and at least one foot for soil liners.

(6) Increasing the vertical separation distance of the secondary liner from groundwater to greater than the minimum set by the department's rules.

(7) Installation of groundwater monitoring well networks that are capable of being utilized as groundwater extraction points or that provide points for sampling, groundwater characterization, or groundwater extraction in excess of what the department requires under its rules.

(8) Implementation of enhanced environmental monitoring programs, including increasing the frequency of sampling and analytical testing, incorporation of real-time monitoring systems, and use of automated collection with telemetry.

(b) The department shall include as a condition to any permit the implementation of a measure proposed in the application for the permit upon which the department relied in formulating the site-specific setback required by RSA 149-M:7, III-a.

#### 5 Department of Environmental Services; Solid Waste Landfill Setback Requirements Assessment and Recommendations.

I. The department of environmental services shall contract with one or more qualified consulting firms or individuals to perform an assessment of the current perennial surface water protection and setback requirements that are applicable to the permitting of newly sited solid waste landfills in order to meet the requirements of sections 3 and 4 of this act. Within 30 days of the effective date of this act, the department shall post on its website a draft request for proposals from such consulting firms and individuals to conduct the assessment. The department shall accept public comment on the draft request for proposals for 30 days after such posting. The department shall issue the final request for proposals by October 1, 2023, with a submission deadline for proposals no later than 45 days after such issuance. The scope of the proposals shall include the following:

(a) An assessment of the environmental, safety, and technical aspects of perennial surface water setback requirements and related protections in current state law and administrative rules that are applicable to the permitting of newly-sited solid waste landfills;

(b) Recommendations for using the criteria enumerated in section 3 of this act to establish site-specific setbacks;

(c) Recommendations for any other factors the consultant determines to be necessary to provide adequate protection of perennial surface water in section 3 of this act. For each such recommendation, the consultant shall identify each state that has adopted the recommended factor and describe how such state has applied the recommended factor, including a summary of the outcome of each permit application to which the state has applied the recommended factor; and

(d) Recommendations on a methodology for consideration of the measures set forth in section 4 of this act, and any similar additional recommended measures to provide greater or more redundant protection of perennial surface water in formulating a site-specific setback that differs from what the department would otherwise require under its rules.

II. The selected contractor shall complete the assessment and submit a final report to the department within 150 days after contract approval. The department shall make the report available on its website and shall review and consider the report's recommendations when drafting the rules required under section 3 of this act.

#### 6 Department of Environmental Services; Target for Completion of Rulemaking; Applicability.

I. If the rules required by sections 3 and 4 of this act are adopted by the department of environmental services within 24 months of this act's effective date:

(a) Any newly-sited landfill in the state that receives a standard permit, as defined by the department's rules, shall meet the newly adopted setback rules; and

(b) The department may not issue any such standard permit without imposing a site-specific setback on the landfill's design and construction in accordance with the newly adopted setback rules. Any standard permit application pending before the department on, or filed with the department after, the effective date

of this act shall be fully processed in accordance with RSA 149-M:9, VIII and a decision on the application timely provided to the applicant, provided, however, that any approval of such an application shall be held in abeyance until the department adopts rules in accordance with sections 3 and 4 of this act or 24 months elapses after the effective date of this act, whichever occurs first.

II. Upon the department's adoption of the rules in accordance with sections 3 and 4 of this act within 24 months of the effective date, the applicant whose approval has been held in abeyance under this section shall submit a modification of its application proposing and substantiating with all requisite information contemplated by the newly adopted setback rules a site-specific setback for the proposed facility, and the department shall within 120 days of submission of the modification approve, deny, or modify the proposed site-specific setback and if the department approves or modifies the proposed setback it shall approve the standard permit conditioned on implementation of that setback.

III. If the department does not adopt rules in accordance with sections 3 and 4 of this act within 24 months of the effective date of this act, the department shall apply its current rules applicable to surface water protection in determining the required setback to any application for such a standard permit that is being held in abeyance when such 24-month period expires and approve it if it complies with the current rules.

7 Appropriation; Department of Environmental Services. The sum of \$150,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of environmental services to fund a contract for assessment of the requirements for solid waste landfill setbacks from perennial surface water as provided in this act. Such appropriation shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

8 Effective Date.

I. Section 7 of this act shall take effect June 30, 2023.

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

2023-0656s

#### AMENDED ANALYSIS

This bill requires the department of environmental services to adopt rules relative to surface water setbacks for landfills. The bill makes an appropriation to the department.

Senate Executive Departments and Administration

February 22, 2023

2023-0666s

06/08

#### Amendment to SB 74-FN

Amend the bill by replacing section 16 with the following:

16 Salary Adjustment. Amend RSA 99:4-a to read as follows:

99:4-a [Salary] **Pay** Adjustment. In the event ~~[the authority granted to the director of the department of data processing by RSA 8-C:7 to increase the salary for a classified position in order to recruit personnel is exercised]~~ ***the director of personnel has approved beginning compensation at a step higher than the minimum step for original appointments of employees at an agency, the appointing authority for that agency may file a written request to the director of personnel that the [salaries] pay of all classified personnel in the same classification [may] be increased [by the director of personnel] to the same amount if the director of personnel determines that such approvals for new hires will result in difficulties with retention of similarly situated current employees. Any such retention step increase shall be subject to collective bargaining requirements pursuant to RSA 273-A. A request for any such retention-based step increases shall specify the group of employees to which the proposed increase shall apply, and shall include all similarly situated current employees within an agency, division, or bureau, taking into consideration job title, scope of duties, and physical work location.*** Any increase so made shall be a charge against the salary adjustment fund or if the department in which the position occurs is financed by a special fund, such increase shall be a charge against such special fund. ***Any step increase granted under this section shall not change the anniversary date of employees receiving the increase.***

Senate Executive Departments and Administration  
 February 22, 2023  
 2023-0667s  
 10/05

#### Amendment to SB 87

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

1 New Section; Nurses For Youth Camps, Organized Recreation, and Community-Sponsored Recreation. Amend RSA 326 by inserting after section 326-B:46 the following new section:

326-B:47 Nurses for Youth Camps, Organized Recreation, and Community-Sponsored Recreation. Notwithstanding any other law to the contrary, the office of professional licensure and certification may issue licenses to the following applicants who have been recruited for employment at youth camps, organized recreation, and community sponsored recreation:

I. Any registered nurse or licensed practical nurse previously licensed in New Hampshire in the last 3 years whose license is no longer active, subject to the following:

(a) The registered nurse's or licensed practical nurse's license was in good standing prior to being placed in inactive or lapsed status.

(b) A registered nurse or licensed practical nurse shall be required to present evidence that they are current with continuing education pursuant to the applicable statute as a condition of licensure.

II. Any registered nurse or licensed practical nurse previously licensed to practice in another jurisdiction within the last 3 years whose license is no longer active, subject to the following:

(a) The registered nurse's or licensed practical nurse's license was in good standing in another United States jurisdiction prior to being placed in inactive or lapsed status; and

(b) The registered nurse or licensed practical nurse presents evidence to the office of professional licensure and certification that the registered nurse or licensed practical nurse was licensed and in good standing immediately prior to the change in licensure status.

(c) The registered nurse or licensed practical nurse shall be required to present evidence that they are current with continuing education pursuant to the applicable statute as a condition of licensure.

III. Senior nursing students, who are scheduled to graduate within 5 months from the date of application, from a board of nursing approved registered nursing or practical nursing program, subject to the following:

(a) The individual is employed by, or providing health care services at the direction of, a licensed health care facility or a licensed health care provider.

(b) The individual is directly supervised while providing health care services.

IV. Any provider seeking a license under this section shall submit his or her request on a form adopted by the office of professional licensure and certification for such purpose.

V. In this section, an applicant in good standing shall include registered nurses or licensed practical nurses who are subject to non-disciplinary conditions but shall not include registered nurses or licensed practical nurses whose licenses have been revoked, canceled, surrendered, suspended, denied, or subject to disciplinary restrictions.

VI. All individuals licensed under this section shall be subject to the jurisdiction of the state licensing body for that profession.

VII. The office of professional licensure and certification may issue guidance relative to the licensing process established in this section, which may include guidance concerning the appropriate supervision of nursing students. Any guidance shall be posted on the board's website.

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

Senate Executive Departments and Administration  
 February 22, 2023  
 2023-0665s  
 06/07

#### Amendment to SB 106-FN

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

2 Credentialing of Personnel in Early Care and Education Programs; Rulemaking. Amend RSA 170-E:50 to read as follows:

170-E:50 Credentialing of Personnel in Early Care and Education Programs; Rulemaking.

I. The commissioner shall adopt rules, under RSA 541-A, relative to accepting applications and issuing ***a certificate or*** a credential to early care and education personnel including, but not limited to child care, preschool, and Head Start program personnel who have requested such ***a certificate or*** a credential and who have satisfied the education and training requirements set forth ***in the bureau of child development and head start collaboration*** in the child care program licensing rules established by the department of health and human services. Each application for a credential shall be accompanied by a fee which shall be credited to the general fund. The commissioner shall adopt rules, under RSA 541-A, establishing a fee for this purpose.

II. The department of health and human services shall incorporate this program, funded by the fee established in paragraph I of this section, into the next biennial department budget after the effective date of this section.

***III. Emerging Professional Certificates. An emerging professional certificate shall be issued to an applicant who has graduated high school, completed an application to the department's bureau of child development and head start collaboration, and completed all the following requirements:***

***(a) 500 hours in a career and technical education (CTE) teacher education program that includes a minimum of 200 hours of observation, lesson planning, and practice teaching under supervision of a licensed educator in a licensed center-based child care program, licensed family child care program, or public or private school pre-K through 3rd grade program;***

***(b) At least one course that includes child development; and***

***(c) Submission of a plan for ongoing professional development.***

2023-0665s

#### AMENDED ANALYSIS

This bill creates emerging professional certificates and the requirements and rulemaking authority for the department of health and human services to issue such certificates.

Election Law and Municipal Affairs  
 February 21, 2023  
 2023-0618s  
 07/05

#### Amendment to SB 110-FN-LOCAL

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

AN ACT relative to residency status.

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

1 Public Safety and Welfare; Aid to Assisted Persons; Nonresidents. Amend RSA 165:1-c to read as follows:

165:1-c Nonresidents.

***I.*** Any person, poor and unable to support himself, who is temporarily in a town or city which is not his residence, and who does not intend to make it his residence, shall be provided such temporary assistance as is reasonable and necessary by such town or city. Such town or city may, if requested, cause such person to be returned to his residence.



*II. In addition to emergency housing governed by RSA 126-A:30, a person does not change his or her residency status while in a hospital, a correctional facility, a treatment program center, or a hotel or motel paid for by a municipality or other service provider, except as provided in this section.*

*III. A person who leaves emergency housing of their own free will and remains in a situation of homelessness or is removed from emergency housing for non-compliance or policy violations of emergency housing or local welfare regulations, shall not be considered to have changed his or her residency status for 30 days.*

*IV. A person assisted by a municipality, or other assistance providers, with emergency housing assistance in a hotel or motel in another municipality, who then self pays for a consecutive 30 days without municipal or other provider assistance shall, for local welfare purposes, transition residency to the new municipality.*

*V. Temporary urgent assistance may need to be provided to meet basic needs of transient individuals or residents of other municipalities. Municipalities shall communicate and coordinate assistance options with each other, including reimbursements from municipalities of origin pursuant to RSA 165:2-a.*

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

2023-0618s

#### AMENDED ANALYSIS

This bill clarifies the residency status of transient individuals for purposes of determining responsibility for local assistance.

Senate Finance  
February 21, 2023  
2023-0635s  
08/07

#### Amendment to SB 123-FN

Amend RSA 485-C:6, I as inserted by section 1 of the bill by replacing it with the following:

I. The commissioner shall establish and adopt ambient groundwater quality standards for regulated contaminants which adversely affect human health or the environment. Ambient groundwater standards shall apply to all regulated contaminants which result from human operations or activities, but do not apply to naturally occurring contaminants. Where state maximum contaminant levels have been adopted under RSA 485:3, I(b), or established in law, ambient groundwater quality standards shall be equivalent to such standards[-] **or** where federal maximum contaminant level or health advisories have been promulgated under the Federal Safe Drinking Water Act or rules relevant to such act, **the commissioner may adopt** ambient groundwater quality standards [~~shall be no less stringent than~~] **equivalent to** such standards. The commissioner may **also** adopt standards **that are** more stringent than federal **or state** maximum contaminant levels or **federal** health advisories if, accounting for an adequate margin of safety to protect human health at all life stages, including but not limited to pre-natal development, the commissioner determines federal standards are insufficient for protection of human health. Where such standards are [~~established~~] **adopted** based upon health advisories **promulgated under the Federal Safe Drinking Water Act** that address cancer risks, the ambient groundwater quality standards shall be equivalent to that exposure which causes a lifetime exposure risk of one cancer in 1,000,000 exposed population. Where no federal or state maximum contaminant level or health advisory has been [~~issued~~] **adopted**, the commissioner may adopt ambient groundwater quality standards on a basis which provides for an adequate margin of safety to protect human health and safety.

Senate Executive Departments and Administration  
February 22, 2023  
2023-0655s  
07/05

#### Amendment to SB 130-FN

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Police Standards and Training Council; Powers. Amend RSA 106-L:5 by inserting after paragraph XXV the following new paragraph:

XXV-a. Upon the request of, and with the approval of, the chief justice of the supreme court, develop a court security officer training and certification program to provide for the education, training, and certification of court security officers by the council. The council may enter into such agreements with the judicial branch as may be necessary to implement a court security officer education, training, and certification program.

Senate Education  
February 23, 2023  
2023-0678s  
10/05

#### Amendment to SB 136

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

1 New Subparagraph; School Employee Records Checks; Revoked and Suspended Educators. Amend RSA 189:13-a, I by inserting after subparagraph (b) the following new subparagraph:

(c) A school administrative unit, school district, chartered public school, or nonpublic school shall not hire any individual whose credential issued by the department of education is currently suspended or revoked, except:

(1) Currently suspended educators may be hired for prospective employment that would begin after the educator's credential is no longer suspended; and

(2) Educators whose credential was suspended or revoked in a particular endorsement area, but who maintains an active endorsement in another area, may be employed solely in the endorsement area which is not suspended or revoked.

2 New Paragraph; Records Checks; School Designated Volunteers. Amend RSA 189:13-a by inserting after paragraph VII the following new paragraph:

VII-a. A school administrative unit, school district, chartered public school, or nonpublic school shall not allow any individual whose credential issued by the department of education is currently suspended or revoked to serve as a volunteer except:

(a) Currently suspended or revoked educators shall maintain the rights afforded all members of the public to enter onto school grounds and attend school events in accordance with the law and school district policy; and

(b) Currently suspended or revoked educators who are parents and guardians of students shall maintain all the rights afforded all parents and guardians under law and school district policy.

Senate Executive Departments and Administration  
February 22, 2023  
2023-0658s  
05/10

#### Amendment to SB 147

Amend RSA 317-A:12, XII-a(h)(1) as inserted by section 3 of the bill by replacing it with the following:

(1) In addition to the dentist performing the procedure, there shall be a dedicated anesthesia provider present to monitor the procedure and recovery from anesthesia. The dedicated anesthesia provider shall be a dentist who is qualified to administer general anesthesia or deep sedation, a physician anesthesiologist, or a certified registered nurse anesthetist (CRNA). ~~[The board may exempt dentists who are board eligible or board certified in either dental anesthesiology or oral and maxillofacial surgery from this requirement.]~~

Senate Education  
February 21, 2023  
2023-0636s  
07/10

#### Amendment to SB 151-FN

Amend the bill by deleting section 1 and renumbering the original sections 2-6 to read as 1-5, respectively.

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

5 State Board of Education; Duties of the State Board of Education; Exception for Mental Health Curriculum. Amend RSA 186:11, IX-c to read as follows:

IX-c. Require School Districts to Adopt a Policy Allowing an Exception to Specific Course Material Based on a Parent's or Legal Guardian's Determination that the Material is Objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The policy shall also require the school district or classroom teacher to provide parents and legal guardians not less than 2 weeks advance notice of curriculum course material used for instruction of human sexuality or human sexual education. The policy shall address the method of delivering notification to a parent or legal guardian. To the extent practicable, a school district shall make curriculum course materials available to parents or legal guardians for review upon request. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A. ***This paragraph shall specifically apply to any course material on mental health.***

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

Senate Finance  
February 22, 2023  
2023-0650s  
10/07

#### Amendment to SB 188-FN

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

1 New Section; Sale of Catalytic Converters. Amend RSA 322 by inserting after section 15 the following new section:

322:16 Sale of Catalytic Converters.

I. For the purposes of this section:

(a) "Automobile" means an automobile or other type of vehicle required to be equipped with a catalytic converter under RSA 266:59-b.

(b) "Automobile parts" means the different pieces of a car, which are manufactured separately and used to build or repair cars.

(c) "Catalytic converter" means an automobile exhaust-system component that causes conversion of harmful gases including but not limited to, carbon monoxide and uncombusted hydrocarbons into mostly harmless products including, but not limited to, water and carbon dioxide.

II. Any person licensed to purchase, sell, barter, or deal in old metals under this chapter shall, upon request by the chief of police of the city or town where the licensee is licensed send a record containing the following information to law enforcement:

(a) The date of a transaction for old or used metals;

(b) The name, address, telephone number and signature of the person from whom the old or used metals were purchased or received;

(c) A photocopy or digital image of the person's photo identification;

(d) The license plate number and vehicle identification number of the vehicle used to transport the old or used metals to the licensee, whenever applicable;

(e) A description of the old or used metals;

(f) A photograph of the old or used metals;

(g) Photocopies or digital images of the bill of sale or other legal documents demonstrating ownership by the seller or offeror; and

(h) The price paid by the licensee for the old or used metals.

III. Nothing in this section shall require additional record keeping for junked autos or automobile parts in excess of what is required by law.

IV. The licensee shall retain records established pursuant to this section for a period of 2 years from the date of the transaction. This paragraph shall not relieve a licensee of any other record retention requirements imposed by law.

V. This section shall not apply to the purchase of old metals from a person who is licensed to engage in the business of purchasing, selling, bartering, or dealing in junk, old metals, or second hand articles under RSA 322, and who has previously created a record in accordance with this section and provides a written statement affirming such record at the time of the transaction.

VI. No person or entity licensed as a junk dealer, a second hand dealer, motor vehicle repair shop, an automobile graveyard, or a junkyard under this chapter shall purchase, accept or acquire a catalytic converter from another person or entity unless the seller or offeror presents proof of identification in addition to a bill of sale or other legal document demonstrating ownership of the catalytic converter. The licensee shall preserve photocopies or digital images of the documentation.

VII. Any person or entity licensed pursuant to this chapter as a junk dealer, a second-hand dealer, a motor vehicle repair shop or a storage facility for dismantled, junked or abandoned vehicles shall keep records of all transactions listed in this section. The licensee shall make available to the chief of police or the chief's designee any records created upon request by the chief or the chief's designee. The following shall be included in the records prepared pursuant to this section:

- (a) The date of a transaction for the catalytic converter;
- (b) The name, address, telephone number and signature of the person from whom the catalytic converter was purchased or received;
- (c) A photocopy or digital image of the person's photo identification;
- (d) The license plate number and vehicle identification number of the vehicle used to transport the old or used metals to the licensee, whenever applicable;
- (e) A description of the catalytic converter;
- (f) A photograph of the catalytic converter;
- (g) Photocopies or digital images of the bill of sale or other legal documents demonstrating ownership by the seller or offeror; and
- (h) The price paid by the licensee for the catalytic converter.

VIII. Any person or entity licensed pursuant to this chapter shall retain the catalytic converter received for a period of 10 days. Throughout the holding period, the catalytic converter shall be kept separate and distinct from other property and shall not be deformed or treated in any way that might damage or affect its identity.

IX. All persons or entities involved in the sale and purchasing of a catalytic converter shall use a company check as a method of payment.

X. Violations of this section shall be guilty of a misdemeanor pursuant to RSA 322:13.

XI. This section shall not apply to licensees' acquisitions or purchases of whole motor vehicles.

XII. No scrap metal business may enter into a transaction to purchase or receive private metal property from any person who is not a commercial enterprise or owner of the vehicle from which the catalytic converter was removed. No scrap metal business may enter into a transaction with an owner of a vehicle from which a catalytic converter was removed unless the owner provides the year, make, model and vehicle identification number for the vehicle from which it was removed.

XIII. All persons or entities licensed pursuant to this chapter as junk dealer, a second hand dealer, motor vehicle repair shop, an automobile graveyard, or a junkyard shall, in the sale of a catalytic converter, use a company check to purchase the vehicle part.

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.

2 Drivers' Licenses; Prohibitions. Amend RSA 262:12, X to read as follows:

X. Knowingly scan, record, retain, or store, in any electronic form or format, personal information, as defined in RSA 260:14, obtained from any license, unless authorized by the department. Nothing in this paragraph shall prohibit a person from transferring, in non-electronic form or format, personal information contained on the face of a license to another person, provided that the consent of the license holder is obtained if the transfer is not to a law enforcement agency. Notwithstanding any other provision of law, any person selling alcohol or tobacco who uses due diligence in checking identification to prevent unauthorized sales and purchases of alcohol and tobacco shall not be held responsible for the acceptance of fraudulent identification. Where due diligence is exercised on the part of the seller, the unauthorized purchaser shall be liable for any penalty or fine resulting from the unauthorized sale. This paragraph shall not prohibit the scanning, recording, retaining, or storing of such information in electronic form collected with the license holder's consent as part of a sale of merchandise to a pawnbroker, **scrap metal dealer**, or other secondhand dealer, and submission of such information to law enforcement databases for the sole purpose of identifying sellers of stolen merchandise. The pawnbroker, **scrap metal dealer**, or secondhand dealer shall not retain the scanned information in electronic form transmitted to a law enforcement database, unless required by local regulation, and shall not furnish the information to anyone except a law enforcement officer. The pawnbroker, **scrap metal dealer**, or secondhand dealer may maintain in a log or other document the name and address of the person whose license was scanned along with a description of the items the individual sold, pawned, or purchased, and shall allow such log or document to be examined by a law enforcement official upon request.

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

Senate Executive Departments and Administration

February 23, 2023

2023-0675s

05/10

#### Amendment to SB 204-FN

Amend RSA 153-A:33-a, I and II as inserted by section 1 of the bill by replacing it with the following:

I. A trauma kit shall be installed and readily available in state-owned buildings. The state-owned buildings and order of installation shall be identified by the trauma kit placement committee established in RSA 153-A:33-d.

II. In this section, "trauma kit" means a first aid response kit that contains at least all of the following:

- (a) One tourniquet.
- (b) One bleeding control bandage.
- (c) One pair of nonlatex protective gloves and a pen type marker.
- (d) One pair of blunt-ended scissors.

(e) Instructional documents developed by the Stop the Bleed national awareness campaign of the United States Department of Homeland Security or the American College of Surgeons Committee on Trauma, the American Red Cross, the Committee for Tactical Emergency Casualty Care, or any other partner of the United States Department of Defense.

Amend RSA 153-A as inserted by section 1 of the bill by inserting after section 33-c the following new section:

153-A:33-d Trauma Kit Placement Committee. There is established a committee within the department of safety, division of fire standards and training and emergency medical services, to identify the state-owned buildings in which the trauma kits shall be installed, to develop criteria for the order of placement, and to develop a schedule for future placements. The committee shall consist of a representative from the department of safety's bureau of emergency medical services, the emergency medical services medical control board established in RSA 153-A:5, and the department of administrative services, appointed by the commissioner.



Senate Executive Departments and Administration  
 February 22, 2023  
 2023-0654s  
 07/08

Amendment to SB 209

Amend the bill by replacing section 2 with the following:

2 New Section; Care and Custody of Female Convicts; Provision of Menstrual Hygiene Products. Amend RSA 622 by inserting after section 37 the following new section:

622:37-a Provision of Menstrual Hygiene Products. The superintendent of each county correctional facility and any facility listed in RSA 169-B:14, I(c) or (e) shall provide sufficient menstrual hygiene products to individuals who are in the custody of the state who biologically menstruate, at no cost to such persons. Sufficiency shall be considered, at minimum, a combination of 20 standard issue menstrual hygiene products per individual's menstrual cycle. An individual may request additional menstrual hygiene products based exclusively on their cycle at no cost at the discretion of the commissioner, or designee. The number of menstrual hygiene products kept in a cell shall not be excessive so as not to create safety or security issues and shall only be used for the intended purpose. As used in this section, "menstrual hygiene products" means tampons, menstrual pads, sanitary napkins, and pantliners.

Health and Human Services  
 February 22, 2023  
 2023-0653s  
 06/05

Amendment to SB 236

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study nonprofit organizations contracting with the department of health and human services for children's services with regard to insurance coverage.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study nonprofit organizations contracting with the department of health and human services for children's services with regard to insurance coverage.

2023-0653s

AMENDED ANALYSIS

This bill establishes a committee to study nonprofit organizations contracting with the department of health and human services for children's services with regard to insurance coverage.

Health and Human Services  
 February 16, 2023  
 2023-0588s  
 05/07

Amendment to SB 238-FN

Amend the bill by replacing section 3 with the following:

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

Health and Human Services  
 February 16, 2023  
 2023-0579s  
 05/08

Amendment to SB 240

Amend RSA 141-H:2, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Nothing in this section shall be construed to regulate or apply to genetic testing or genetic analysis used for diagnosis and treatment of a patient by a clinical laboratory that has received a specimen referral from the individual patient's treating physician, genetic counselor, or another clinical laboratory. Nothing in this section shall be construed so as to waive the requirement that the treating physician obtain specific informed consent in accordance with the provisions of this section. ***This section shall not prohibit the disclosure of genetic testing or genetic analysis to entities participating in processes related to either clinical care of the patient, including, but not limited to, evaluating potential clinical care options, or to clinical research.***

Health and Human Services  
February 22, 2023  
2023-0664s  
05/10

Amendment to SB 243

Amend section 3 of the bill by replacing paragraph II with the following:

II. The committee shall also study the potential risks and liabilities of implementing a state-based health insurance exchange.

Senate Judiciary  
February 22, 2023  
2023-0663s  
05/10

Amendment to SB 245

Amend the bill by replacing section 1 with the following:

1 Records Open to Inspection. Amend RSA 353:3 to read as follows:

353:3 Register, Open to Inspection. All hotel keepers and all persons keeping public lodging houses, tourist camps, or cabins shall keep a ~~[book or card system and cause each guest to sign therein his own legal name or name by which he is commonly known. Said book or card system shall at all times be open to the inspection of the sheriff or his deputies and to any police officer.]~~ ***record of each guest in which the guest shall sign their legal name or the name by which the guest is commonly known. Such record shall at all times be open to the inspection of the sheriff or the sheriff's deputies and to any police officer.*** The term "public lodging house" as here used shall mean a lodging house where more than 2 rooms are habitually let for less than a week at a time for the accommodation of transients. Whoever violates any provision of this section shall be guilty of a misdemeanor.

Health and Human Services  
February 22, 2023  
2023-0657s  
05/10

Amendment to SB 263-FN

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

3 Individual Health Insurance Market; Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(d) to read as follows:

(d) An amount not to exceed the lesser of the remainder amount, as defined in RSA 126-AA:1, V, or the amount ~~[of revenue transferred from the alcohol abuse prevention and treatment fund pursuant to RSA 176-A:1, IV and]~~ ***specified in RSA 126-AA:1, V(a) plus*** taxes attributable to premiums written for medical and other medical-related services for the newly eligible Medicaid population. The association shall transfer all amounts collected pursuant to this subparagraph to the New Hampshire granite advantage health care trust fund established pursuant to RSA 126-AA:3.

4 New Hampshire Granite Advantage Health Care Program; Definition of Remainder Amount. Amend RSA 126-AA:1, V(a) to read as follows:

(a) ***An amount equal to*** the amount of revenue transferred from the alcohol abuse prevention and treatment fund ~~[pursuant to RSA 176-A:1, IV]~~ ***in the state fiscal year ending June 30, 2023, adjusted annually by the percentage change in the Consumer Price Index for All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics, United States Department of Labor. The first such annual adjustment shall be made during the fiscal year ending June 30, 2024. The annual adjustment shall not exceed 5 percent in any fiscal year;***

5 Repeal; Commission. RSA 126-AA:4, relative to reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite health care advantage program, is repealed.

6 Repeal of the Prospective Repeal of the Granite Health Care Advantage Program. The following are repealed:

I. 2018, 342:24, III and VII, relative to the repeal of the granite advantage health care program and trust fund.

II. 2018, 342:25, II, relative to the repeal of the granite advantage health care program and trust fund on December 31, 2023.

7 Repeal; Revenue from Alcohol Abuse Prevention and Treatment Fund. The following are repealed:

I. RSA 176-A:1, IV, relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

II. RSA 126-AA:3, I(a), relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

8 Effective Date.

I. Sections 2, 3, 4, 6 and 7 of this act shall take effect December 31, 2023.

II. Section 5 of this act shall take effect November 1, 2028.

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

## HEARINGS

**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.**



***TUESDAY, MARCH 7, 2023***

**COMMERCE**, Room 100, SH

Sen. Gannon (C), Sen. Ricciardi (VC), Sen. Innis, Sen. Soucy, Sen. Chandley

9:00 a.m.

**SB 269**, relative to tip pooling and sharing.

**EXECUTIVE SESSION MAY FOLLOW**

**EDUCATION**, Room 101, LOB

Sen. Ward (C), Sen. Gendreau (VC), Sen. Lang, Sen. Prentiss, Sen. Fenton

9:00 a.m.

**SB 272-FN**, establishing a parents' bill of rights in education.

**EXECUTIVE SESSION MAY FOLLOW**

**ELECTION LAW AND MUNICIPAL AFFAIRS**, Room 103, LOB

Sen. Gray (C), Sen. Murphy (VC), Sen. Abbas, Sen. Soucy, Sen. Perkins Kwoka

9:00 a.m. **SB 271**, relative to the seating of delegates to national party conventions.9:15 a.m. **SB 221**, enabling municipalities to adopt a property tax exemption for child day care agencies.9:30 a.m. **CACR 9**, relating to the New Hampshire presidential primary. Providing that the New Hampshire presidential primary will be the first presidential primary of a presidential election cycle.9:45 a.m. **CACR 10**, the general court.**EXECUTIVE SESSION MAY FOLLOW****ENERGY AND NATURAL RESOURCES**, Room 103, SH

Sen. Avarad (C), Sen. Pearl (VC), Sen. Birdsell, Sen. Watters, Sen. Altschiller

9:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****FINANCE**, Room 103, SH

Sen. Gray (C), Sen. Innis (VC), Sen. Bradley, Sen. Birdsell, Sen. Pearl, Sen. D'Allesandro, Sen. Rosenwald

1:00 p.m. **SB 270-FN-A**, relative to appropriations to the department of transportation.**EXECUTIVE SESSION MAY FOLLOW****JUDICIARY**, Room 100, SH

Sen. Carson (C), Sen. Gannon (VC), Sen. Abbas, Sen. Whitley, Sen. Chandley

1:00 p.m. **SB 268**, allowing for pre-hospital treatment and transportation for police canines.**EXECUTIVE SESSION MAY FOLLOW****TRANSPORTATION**, Room 101, LOB

Sen. Ricciardi (C), Sen. Watters (VC), Sen. Ward, Sen. Gendreau, Sen. Fenton

1:00 p.m. **EXECUTIVE SESSION ON PENDING LEGISLATION*****WEDNESDAY, MARCH 8, 2023*****EXECUTIVE DEPARTMENTS AND ADMINISTRATION**, Room 103, SH

Sen. Pearl (C), Sen. Carson (VC), Sen. Gendreau, Sen. Perkins Kwoka, Sen. Altschiller

10:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****HEALTH AND HUMAN SERVICES**, Room 101, LOB

Sen. Birdsell (C), Sen. Avarad (VC), Sen. Bradley, Sen. Whitley, Sen. Prentiss

9:00 a.m. **EXECUTIVE SESSION ON PENDING LEGISLATION****MEETINGS*****FRIDAY, FEBRUARY 24, 2023*****SOLID WASTE WORKING GROUP (RSA 149-M:61)**

9:30 a.m.	NH DES Offices	Regular Meeting
	Room 208C	
	29 Hazen Drive	
	Concord, NH 03301	

Remote attendance: <https://attendee.gotowebinar.com/register/3435858814888164108>**HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

10:00 a.m.	Rooms 305-307, LOB	Regular Meeting
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**COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a)**

3:30 p.m.

Levenson Room at Portsmouth Public Library Regular Meeting

175 Parrott Ave

Portsmouth, NH 03801

Join Zoom Meeting:

<https://us06web.zoom.us/j/85386622916?pwd=UGVIR24yTFRaTEp3elNHQ2xnQm pJdz09>

Meeting ID: 853 8662 2916

Passcode: 799129

One tap mobile

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Dial by your location

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+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)

+1 386 347 5053 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 719 359 4580 US

+1 720 707 2699 US (Denver)

Meeting ID: 853 8662 2916

Passcode: 799129

Find your local number: <https://us06web.zoom.us/j/85386622916?pwd=UGVIR24yTFRaTEp3elNHQ2xnQm pJdz09>***MONDAY, FEBRUARY 27, 2023*****COMMISSION TO STUDY OFFSHORE WIND AND PORT DEVELOPMENT (RSA 374-F:10)**

4:30 p.m.

NH DES Regional Office

Regular Meeting

Pease International Tradeport

Room A, Suite 175

222 International Drive

Portsmouth, NH

***WEDNESDAY, MARCH 1, 2023*****NEW HAMPSHIRE LOW-GRADE TIMBER AND WOOD EMERGING MARKET COMMISSION (RSA 227-1)**

10:00 a.m.

NH DNCR, Forests and Lands

Regular Meeting

Main Conference Room

172 Pembroke Road

Concord, NH 03301

***MONDAY, MARCH 6, 2023*****NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22)**

10:00 a.m.

Room 100, SH

Organizational Meeting



## ***TUESDAY, MARCH 7, 2023***

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

5:00 p.m.	Edward Cross Training Center Facility 722 Riverwood Drive Pembroke, NH	Regular Meeting
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## ***FRIDAY, MARCH 10, 2023***

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

9:00 a.m.	Rooms 201-203, LOB The You Tube link to view the meeting livestream is: <a href="https://youtube.com/live/t3liU4JL5js">https://youtube.com/live/t3liU4JL5js</a>	Organizational/Regular Meeting
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### **LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)**

9:30 a.m.	Rooms 201-203, LOB The You Tube link to view the meeting livestream is: <a href="https://youtube.com/live/CwZ52DWil">https://youtube.com/live/CwZ52DWil</a>	Organizational/Regular Meeting
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### **COMMISSION TO STUDY THE INCIDENCE OF POST-TRAUMATIC STRESS DISORDER IN FIRST RESPONDERS (RSA 281-A:17-e)**

10:00 a.m.	NH Fire Academy Classroom 2 98 Smokey Bear Boulevard Concord, NH 03301	Regular Meeting
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### **COMMITTEE TO STUDY NEW HAMPSHIRE TEACHER SHORTAGES AND RECRUITMENT INCENTIVES (SB 236, Chapter 150:1, Laws of 2022)**

1:00 p.m.	Room 100, SH	Organizational Meeting
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## ***MONDAY, MARCH 13, 2023***

### **NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2)**

10:00 a.m.	University System of NH 5 Chenell Drive, Suite 301 Concord, NH 03301	Regular Meeting
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### **NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2)**

2:00 p.m.	Regular Meeting
Join Zoom Meeting <a href="https://us02web.zoom.us/j/84327646605?pwd=R0lwOWFVK0w2U2FKYTVybXM1MjNhdz09">https://us02web.zoom.us/j/84327646605?pwd=R0lwOWFVK0w2U2FKYTVybXM1MjNhdz09</a> Meeting ID: 843 2764 6605 Passcode: 731679 One tap mobile +16469313860,,84327646605#,,,*,731679# US	

## ***FRIDAY, MARCH 17, 2023***

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

9:00 a.m.	Rooms 306-308, LOB	Regular Meeting
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## ***MONDAY, MARCH 20, 2023***

### **NEW HAMPSHIRE OPIOID ABATEMENT ADVISORY COMMISSION (RSA 126-A:85)**

1:00 p.m.	Brown Building Auditorium 129 Pleasant Street Concord, NH Zoom ID 818 4165 1949 Passcode 914953	Regular Meeting
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**COMMISSION ON HOLOCAUST AND GENOCIDE EDUCATION (RSA 193-E:2-f)**

4:00 p.m.                      Department of Education, Room 100                      Regular Meeting  
    21 South Fruit Street  
    Concord, NH

***FRIDAY, MARCH 24, 2023*****HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:5)**

9:00 a.m.                      Room 100, SH                      Subcommittee Meeting

**JOINT COMMITTEE ON LEGISLATIVE FACILITIES (RSA 17-E:1)**

9:05 a.m.                      Room 100, SH                      Regular Meeting  
    (Or immediately following House Legislative Facilities Meeting.)

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

10:00 a.m.                      Rooms 305-307, LOB                      Regular Meeting

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

1:00 p.m.                      Rooms 210-211, LOB                      Regular Business  
    The You Tube link to view the meeting livestream is;  
    <https://youtube.com/live/D1mjTF8CaEc>

***MONDAY, MARCH 27, 2023*****NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4)**

2:00 p.m.                      Mathey Center at Burley Farms                      Regular Meeting  
    247 North River Road  
    Epping, NH

***MONDAY, APRIL 3, 2023*****NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2)**

10:00 a.m.                      Brown Building Auditorium                      Regular Meeting  
    129 Pleasant Street  
    Concord, NH 03301

***TUESDAY, APRIL 4, 2023*****STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2)**

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

***FRIDAY, APRIL 21, 2023*****ADMINISTRATIVE RULES (RSA 541-A:2)**

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

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**FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2023 BILLS:**

**SENATE BILLS: 1, 32, 34, 36, 38, 39, 44, 49, 51, 52, 53, 54, 56, 57, 68, 69, 70, 73, 76, 80, 97, 98, 104, 105, 108, 112, 113, 115, 120, 122, 128, 129, 132, 133, 134, 137, 152, 154, 156, 157, 159, 160, 164, 167, 173, 186, 187, 188, 191, 192, 197, 204, 205, 211, 212, 215, 218, 228, 229, 231, 232, 233, 234, 235, 238, 239, 241, 244, 248, 255, 256, 257, 259, 260, 261, 264, 265**

**HOUSE BILLS: 193, 268, 409**

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# NOTICES

## TUESDAY, MARCH 7, 2023

Dartmouth Health President and CEO Joanne M. Conroy, MD, would like to invite all legislators to a legislative breakfast from 7:30 a.m. to 9:00 a.m. on Tuesday, March 7th at the Hotel Concord, 11 S. Main Street in Concord. Please RSVP to either (603)-653-1910 or email at [Annette.e.moore@hitchcock.org](mailto:Annette.e.moore@hitchcock.org)

Senator Suzanne M. Prentiss

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## WEDNESDAY, MARCH 8, 2023

Legislative Breakfast – The annual Water’s Worth It! legislative breakfast is set for Wednesday March 8, 2023 at the Holiday Inn on Main Street in Concord. Check in for the event begins at 7:00 a.m. with a breakfast buffet. Water quality professionals will present information on drinking water and wastewater treatment challenges in New Hampshire. The keynote speaker this year is Scott Spradling an Emmy award winning former reporter, anchor, and political director for WMUR-TV. In addition, Water Division staff for NH-DES will also address the audience. All legislators and staff are invited to enjoy a hearty breakfast and learn more about New Hampshire’s water infrastructure. This event is free.

Please RSVP to [info.nhwpca@gmail.com](mailto:info.nhwpca@gmail.com) by February 24th to reserve your seat at this important breakfast. The breakfast is sponsored by the NH Water Pollution Control Association in conjunction with a wide-ranging coalition of other NH non-profit water organizations. There is no cost for enjoying breakfast with your legislative peers and attending this event.

Senator Timothy Lang

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## WEDNESDAY, MARCH 8, 2023

The American Cancer Society Cancer Action Network – NH will be hosting a Legislative Luncheon on Wednesday, March 8, from 12:00 p.m. to 1:30 p.m. in the State House cafeteria. American Cancer Society Cancer Action Network volunteers and staff will be on hand to discuss pending legislative priorities as well as what services the Cancer Society provides to NH residents.

Senator Regina Birdsell

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## THURSDAY, MARCH 9, 2023

The New Hampshire Academy of Nutrition and Dietetics cordially invites all legislators and staff to the 2023 NHAND legislative breakfast at St Paul’s Episcopal Church in Concord on Thursday, March 9th from 7:30 a.m. – 9:00 a.m. prior to the session start, to discuss issues important to legislators, dietitians and NH citizens.

Senator Rebecca Whitley  
Senator Daniel Innis

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## THURSDAY, MARCH 16, 2023

Legislators & staff are cordially invited to the annual Walmart lunch and health screening in the State House cafeteria on Thursday, March 16 starting at 11:30 a.m.

Senator Regina Birdsell

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## TUESDAY, MARCH 28, 2023

Please join the Community College System of New Hampshire for a meet and greet in the State House cafeteria Tuesday, March 28th from 11:00 a.m. – 1:00 p.m. Legislators are invited to join college and system leaders and discuss education and workforce development issues of importance to your region and the state. Refreshments, provided by culinary students from Lakes Region and White Mountains Community Colleges, will be served. The committee that leaves us the most business cards will win a gorgeously decorated and delicious cake made by pastry arts students.

Senator Jeb Bradley, Senate President

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## SENATE SCHEDULE

Monday, February 27, 2023 –  
Friday, March 03, 2023

Thursday, March 09, 2023

Thursday, March 30, 2023

Thursday, May 18, 2023

Monday, May 29, 2023

Thursday, June 08, 2023

Thursday, June 15, 2023

Thursday, June 22, 2023

Thursday, June 29, 2023

Tuesday, July 04, 2023

Monday, September 04, 2023

Friday, November 10, 2023

Thursday, November 23, 2023

Friday, November 24, 2023

Monday, December 25, 2023

### SENATE BREAK.

Deadline for Policy Committees to ACT on all Senate bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.

CROSSOVER – Deadline to ACT on all Senate bills.

Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.

Memorial Day (State Holiday)

Deadline to ACT on all House bills.

Deadline to FORM Committees of Conference.

Deadline to SIGN Committee of Conference Reports.

Deadline to ACT on Committee of Conference Reports.

Independence Day (State Holiday)

Labor Day (State Holiday)

Veterans' Day (Observed) (State Holiday)

Thanksgiving Day (State Holiday)

Day after Thanksgiving (State Holiday)

Christmas Day (State Holiday)